

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
	1. Log No: ACYF-CB-PI-04-01	2. Issuance Date: February 2, 2004
	3. Originating Office: Children's Bureau	
	4. Key Words: Title IV-B Child and Family Services Plan; Child Abuse Prevention and Treatment Act State Plan; Chafee Foster Care Independence Program; Education and Training Vouchers Program	

PROGRAM INSTRUCTION

TO: State Agencies, Territories and Insular Areas Administering or Supervising the Administration of Title IV-B, subparts 1 and 2 of the Social Security Act, Title IV-E of the Social Security Act; and State Office or Organization Designated by the Governor to Apply for Child Abuse and Neglect Prevention and Treatment Programs State Grant Funds.

SUBJECT: June 30, 2004 Submission of: (1) the Child and Family Services Plan (CFSP) Final Report; (2) the fiscal years (FYs) 2005-2009 Child and Family Services Plan for Child Welfare Services and Promoting Safe and Stable Families Programs, the Child Abuse Prevention and Treatment State Plan; and the Foster Care Independence and the Education and Training Vouchers Programs; and (3) the CFS-101, Parts I and II, 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, Section 477 of the Act; Section 106 of the Child Abuse Prevention and Treatment Act, as amended (42 U.S.C. 5106a); 45 CFR 1357; Indian Child Welfare Act.

PURPOSE: This Program Instruction (PI) provides guidance to States on actions they are required to take in order to receive their allotments for fiscal year 2005 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, Section 106 of the Child Abuse Prevention and Treatment Act (CAPTA), the Chafee Foster Care Independence Program (CFCIP), and the Education and Training Vouchers (ETV) program.

The final allocations for these programs for FY 2004 are attached. (See Attachment A.) The amounts for some discretionary programs in the FY 2004 Labor, Health and Human Services, Education and related agencies appropriation bill were reduced by a statutory across-the-board reduction of .59%. In addition, programs and accounts which contained administrative and related expenses were reduced proportionately by a mandated \$50 million reduction for the entire bill.

In order to receive funds for FY 2005, States must develop and submit, by June 30, 2004:

- A final report for FYs 2000-2004 on services provided under the Child and Family Services Plan (CFSP), that encompasses the title IV-B, subparts 1 and 2, CAPTA, CFCIP and ETV programs;
- A five-year Child and Family Services Plan for FYs 2005-2009 integrating the State's title IV-B, subparts 1 and/or 2, CAPTA State Plan and the title IV-E section 477 programs (CFCIP and ETV); and
- The CFS-101, Parts I and II.

BACKGROUND:

Since the CFSP process began in 1994, there have been two complete five-year plan cycles (FYs 1995 through 1999 and FYs 2000-2004). The next CFSP is due June 30, 2004 for FYs 2005-2009.

A primary purpose of the plan is to facilitate States' integration of the programs that serve children and families including title IV-B, subparts 1 and 2 of the Act, CAPTA, and the CFCIP and ETV programs for older and/or former foster care youth into a continuum of services for children and their families. We have consolidated these plans to help States plan comprehensively for the full array of child welfare services, from prevention and protection through permanency. In addition, such consolidation reduces duplicative information requirements under the CFSP and the CAPTA plans.

Federal regulations at 45 CFR 1357 apply to the CFSP. Although these regulations refer to numerous dates and timelines that were useful at the introduction of the integrated plan concept, the dates have since passed. However, the required elements of the comprehensive five-year CFSP, the Annual Progress and Services Reports (APSRs) and the final report on the progress made toward accomplishing the goals and objectives in the CFSP continue to be applicable. The obsolete regulations and other variances in the current law and regulations are listed at Attachment B.

Throughout these ten years, the Children's Bureau has utilized the Program Instruction (PI) method of informing and instructing States regarding the CFSP and the programs involved. Attachment C provides a brief description of what has been emphasized in earlier PIs. These PIs can be found on the internet at: www.acf.hhs.gov/programs/cb/laws/index.htm#policy

Child and Family Services Plan

After each five-year plan, States must base the development of the next five-year plan on a final review of the accomplishments and identified needs from the previous five-year plan, including any new information. The goals and objectives of the plan should continue to address the following areas:

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

The Children’s Bureau recognizes that the preparation of the CFSP is a long-term process. We presume that States are well into the process of preparing the CFSP, which begins with updating the agency vision, assessing the state of child welfare services, and consulting/coordinating and joint planning for the CFSP. On November 17, 2003, the Children’s Bureau provided the ACF Regional Offices with an informational piece to be shared with the States in anticipation of this PI. That document was intended to assist States in their planning and is superseded to the extent that there is any inconsistency with this program instruction. The document (found at Attachment D) provides information on the beginning phases of the CFSP process.

The Children’s Bureau would like to reiterate that the two processes used to identify needs and assure the safety, permanency and well-being of children, the Child and Family Services Review (CFSR) and subsequent Program Improvement Plan (PIP) and the CFSP and subsequent APSRs, must be coordinated for purposes of improving the overall child welfare system in the State. According to CFR 45 1355.35 (f), “[t]he elements of the program improvement plan must be incorporated into the goals and objectives of the State’s CFSP...” The specificity of the CFSR helps the State focus on areas of need related to outcomes and systemic factors and the action steps needed to correct them. The CFSP utilizes these findings and plans for improvement as an integral part of determining the adequacy of what is currently in place and for constructing a strategic, 5-year plan to advance the overall child welfare system.

Child Abuse Prevention and Treatment Act State Plan

Section 106(b)(1)(A) of CAPTA requires the submission of a State program plan every five years. This plan is to be used for the support and improvement of State child protective services (CPS) systems in one or more of the 14 program areas set forth in section 106(a) of CAPTA. Section 106(b)(2)(A) further requires an assurance (in the form of a certification by the Governor of the State) that the State has in effect and is enforcing a State law, or has in effect and is operating a Statewide program, relating to several areas of child abuse and neglect.

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.

Chafee Foster Care Independence Program (CFCIP) and Education and Training Vouchers (ETV)—section 477 of the Act

In addition to meeting the requirements of title IV-B, subparts 1 and 2, States must include in their CFSP information on the CFCIP and ETV programs.

INSTRUCTION: This section describes the requirements States must meet to receive their allotments for FY 2005. The final report, the FY 2005-2009 CFSP, and the CFS-101

for FY 2005 must be submitted to ACF by June 30, 2004. The Final Report and the five-year CFSP must meet the requirements of 45 CFR 1357 and title IV-B, subparts 1 and 2 and section 477 of the Act.

A. Final Report for Fiscal Years 2000-2004 for the CFSP

Each State must conduct a review of the progress made toward accomplishing the goals and objectives in the CFSP. When conducting the final review, the State must involve the agencies, organizations, and individuals that are a part of the ongoing CFSP-related consultation and coordination process. The final report may be submitted in the format of the State's choice. (Insular Areas that submitted a CFSP should also submit a final report on their CFSP.)

The final report must include the progress made on the goals and objectives for FYs 2000 - 2004, as follows:

- a) A description of the specific accomplishments and progress made toward meeting each goal and objective in the State's CFSP, including information on outcomes for children and families, and a more comprehensive, coordinated, effective child and family services continuum. In describing the progress and accomplishments in the final report, States should incorporate their baseline data and information, the data gathered in the Child and Family Services Review, and the CFSP annual reviews conducted as required by the Annual Program and Services Report (APSR). The final report should address the CFSR results and subsequent PIP as well as barriers or unexpected events that may have had an impact on the accomplishment of the plan's goals and objectives.
- b) A description of the progress made in the areas of training, technical assistance, research, evaluation, or management information systems in support of the goals and objectives.
- c) A description of the progress and accomplishments made with regard to the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.
- d) A description of the State's activities as a result of receiving adoption incentive payments.
- e) A description of activities that the State has undertaken for children adopted from other countries, including the provision of adoption and post-adoption services.
- f) A description of the progress and accomplishments made with regard to compliance with the Indian Child Welfare Act and the coordination of the permanency provisions afforded to Indian children as clarified in PI-ACYF-CB-98-07.

- g) Accomplishments to date under the CAPTA portion of the consolidated CFSP; and
- h) A copy of the most recent annual report(s) from the State's citizen review panel(s). Section 106(c)(6) of CAPTA requires that the citizen review panels develop annual reports and make them available to the public. The report should include, at a minimum, a summary of the panel's activities and the panel's recommendations to improve the child protection services system at the state and local levels. The report should also include information on the progress the State is making in implementing the recommendations of the panels.
- i) A description of the "the number of children under the care of the State child protection system who are transferred into the custody of the State juvenile justice system." States should provide contextual information about the source of this information and how they define the reporting population.
- j) For States operating a child welfare waiver 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.
- k) A description of the specific accomplishments and progress made toward meeting purposes 1-6 of Section 477(a) of the Act related to the Chafee Foster Care Independence Program (CFCIP) in the State's CFSP, including the program certifications required by Section 477(b)(3) of the Act.
- l) Any other information the State wishes to include.

The final report must also be made available to the public.

B. Five-Year Child and Family Services Plan

Development of the new CFSP continues States' opportunity to implement a system of coordinated, integrated, culturally relevant, family-focused services. States should review the service principles at 45 CFR 1355.25. The process of coordination and collaboration implemented during the previous plan development, and continued annually for the Annual Progress and Services Report (APSR), should be continued in the development of the CFSP for FYs 2005 – 2009. The initial baseline information, as updated in each APSR, should serve as a basis for the development of the State's CFSP vision, goals, objectives, funding, and service decisions.

The development of the CFSP for FYs 2005-2009 must be based on information in the final report for FYs 2000-2004, and meet the requirements of the Child and Family Services Plan. The CFSP must include information on:

- Child Welfare Services

- Services provided in the four areas under the Promoting Safe and Stable Families Program: 1) Family Preservation, 2) Family Support, 3) Time - Limited Family Reunification, and 4) Adoption Promotion and Support Services
- Child Abuse Prevention and Treatment Act (CAPTA) Services
- The Chafee Foster Care Independence Program (CFCIP)
- The Education and Training Vouchers (ETV) Program
- Child Welfare Waiver Demonstrations approved under section 1130 of the Act, as appropriate.

States must provide the following information in the CFSP:

1. State agency administering the programs: States must identify the State agency that will administer the title IV-B programs under the plan. The CFSP must include a description of the organization, its function, and the organizational unit responsible for the plan.
2. Child and Family Services Continuum: States must describe the publicly funded child and family services continuum including child abuse and neglect prevention, intervention, and treatment services and foster care; the programs under title IV-B (see below) and services for kinship care, independent living and services for other permanent living arrangements. States must explain how their services will be linked to, coordinated with, or integrated into other services in the child and family services continuum.
3. Service Description: States must describe the services they offer under each category in title IV-B, subpart 2: family preservation; family support; time-limited family reunification; and adoption promotion and support services. The description must include services currently available to families and children; the extent to which each service is available and being provided in different geographic areas and to different types of families; and important gaps in service, including mismatches between available services and family needs as identified through baseline data, including the CFSR results, and the consultation process.

States must indicate the specific percentages of title IV-B, subpart 2 funds that they 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% 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.

4. Estimated expenditures for above services: States must provide the estimated expenditures for the described services.
5. Services in relation to permanency planning: States must explain how services will help meet the permanency provisions for children and families in sections 422(b)(10) and 471 of the Act and meet the provisions for promoting safe and stable families in section 432(a).
6. Decision making process: States must include an explanation of how agencies and organizations were selected for funding to provide family support services and how these agencies are community-based.
7. Assurances: States are to submit the assurances and certifications necessary for plan approval for each program. States may sign the pages of Attachment E and submit it with the CFSP or include the assurances as part of the CFSP narrative.
8. Coordination with Tribes: The State must provide a description, developed in consultation with Indian Tribes in the State, of the specific measures the State uses to comply with the Indian Child Welfare Act. In addition, the CFSP must describe the arrangements, jointly developed with the Indian Tribes within its borders, made for the provision of the child welfare services and protections in section 422(b)(10) of the Act to Indian children under both State and Tribal jurisdiction.

States must specifically include Tribes in their collaboration/coordination activities. State agencies and Tribes must also exchange copies of their CFSPs and their APSRs. Tribes have been notified of their coordination/collaboration obligation at ACYF-CB-PI-04-02, which is the instruction for Tribal CFSPs.

9. Child welfare waiver demonstration activities (applicable States only). If the State has been awarded a demonstration waiver under title IV-E authority, it must provide a description of its coordination efforts to integrate the activities under the CFSP with the goals and objectives of the demonstration. In particular, the State must discuss how title IV-B monies are used to maximize the use of flexible title IV-E dollars in the demonstration.
10. Intercountry adoptions: States must provide 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. This must include 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.)

11. Adoption incentive payments: For those States receiving an adoption incentive payment, States must specify the services that will be provided to children and families with the adoption incentive funds.
12. Staff training: The State's CFSP must include a staff development and training plan in support of the goals and objectives in the CFSP which addresses both of the title IV-B programs covered by the plan. This training plan also must be combined with the training plan under title IV-E as required by 45 CFR 1356.60 (b)(2). Training must be an on-going activity and must include content from various disciplines and knowledge bases relevant to child and family services policies, programs and practices. Training content must also support the cross-system coordination and consultation basic to the development of the CFSP. Federal regulations at 45 CFR 235.63 through 235.66(a) describe the conditions under which Federal matching funds (at the seventy-five percent Federal financial participation [FFP] rate) are allowable. Among the conditions to be considered are the trainees toward whom the training is directed (including its specific relevance to the identified administrative activities allowable under Title IV-E), the scope and duration of the training and the sources of non-Federal matching. Further, Federal requirements governing the cost sharing for training activities among all benefiting programs and funding sources are discussed generally in OMB Cost Principles at A-87, and more specifically in ACF's own policy manual at <http://www.acf.hhs.gov/programs/cb/laws/index.htm#policy> Questions specific to training are located in the Child Welfare Policy Manual at 8.1H. This PI includes details of the elements that must be included in States' title IV-E training plans in order to be considered eligible for Federal financial participation (FFP). These elements are specifically referenced in 45 CFR 1356.60 (b), 45 CFR 1357.15 (t)(1) and 45 CFR 235.60-235.66 (a):

- a brief, one-paragraph syllabus of the training activity
- indication of the specifically allowable Title IV-E administrative functions the training activity addresses
- indication of the setting/venue for the training activity
- indication of the duration category of the training activity (i.e., short-term, long-term, part-time, full-time)
- indication of the proposed provider of the training activity
- specification of the approximate number of days/hours of the training activity
- indication of the audience to receive the training
- description of estimated total cost
- cost allocation methodology

13. Evaluation and Technical Assistance: The State's CFSP must describe any evaluation and research activities underway or planned with which the State agency is involved or participating and which are related to the goals and objectives in the plan. The State must also describe the technical assistance activities that will be undertaken in support of the goals and objectives of the plan.

2. Child Abuse Prevention and Treatment Act State Plan

States must develop a five-year plan for improvement of their CPS system and consolidate it with their CFSP in order to be eligible to receive a grant under section 106. The CAPTA plan must include the following information:

- a) the program areas selected for improvement from the 14 areas delineated in section 106(a)(1) through (14) of CAPTA;
- b) an outline of activities that the State intends to carry out with its State Grant funds, including a statement of how these may differ from the activities described in the previous State plan;
- c) a description of the services and training to be provided under the State Grant as required by section 106(b)(2)(C) of CAPTA;
- d) the assurances form (Attachment E) that has been completed and signed by the Chief Executive Officer of the State. **Note:** Unless otherwise noted, States are expected to be in compliance with these requirements by June 25, 2004 (one year after the enactment of Public Law 108-36). If there is a specific reason why the State cannot be in compliance by June 25, 2004, the State should contact the ACF Regional Office;
- 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. **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; and
- f) a request for FY 2004 funds in the CFS-101, Part I and an estimate of expenditures in the CFS-101, Part II. (See Attachment F.)

Reference to previous information on CAPTA requirements can be found at Attachment C.

Submittal Rule for Territories:

The Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands may submit consolidated grant applications in accordance with 45 CFR Part 97. These jurisdictions do not need to submit an application under this Program Instruction if they choose to have their title IV-B, subparts 1 and/or 2 and/or 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 /or CAPTA, they must notify their ACF Regional Office in writing of their intent by June 30, 2004.

Insular Areas that choose to submit a CFSP may do so and submit the plan to their ACF Regional Office by June 30, 2004.

Chafee Foster Care Independence and Education and Training Vouchers Programs

States must include in the CFSP a description of the Chafee Foster Care Independence and the Education and Training Vouchers Programs services to be provided in the upcoming fiscal year (FY 2005). In order to fulfill the intent of the Act, which is in keeping with positive youth development, States are strongly encouraged to include youth, presently in care as well as former foster youth, as critical stakeholders in the development of the State plan. States must identify the State agency or agencies that will administer, supervise or oversee the programs and provide a statement that indicates that the State agency will cooperate in national evaluations of the effects of the programs in achieving the purposes of CFCIP. The Chafee section of the CFSP must address the following:

1. Education and Training Vouchers program. States should note that purpose 6 of section 477(a) is to make available vouchers for education and training, including postsecondary training and education to youths who have aged out of foster care. ACYF-CB-PI-03-06, issued July 8, 2003, provided the specific guidance to develop this portion of the plan. Describe how the State will establish, expand or strengthen its post secondary educational assistance program to achieve the purpose of the ETV program (section 477(a)(6) of the Act) and to accomplish the purposes of the Act. States must describe the methods they use to operate the program efficiently and assure that they will comply with the conditions specified in subsection 477(i). (See Attachment E.) The components that apply to CFCIP also apply to ETV and must be included in the narrative section of the CFSP either alone or in combination with the CFCIP portion of the plan.
2. States should discuss how they will design, conduct and/or strengthen their programs to achieve the purposes of section 477(b)(2)(A) and section 477(a)(1-6) of the Act to:
 - a) Help youth transition to self-sufficiency;
 - b) Help youth receive the education, training and services necessary to obtain employment;
 - c) Help youth prepare for and enter postsecondary training and educational institutions;
 - d) Provide personal and emotional support to youth through mentors and the promotion of interactions with dedicated adults;
 - e) 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
 - f) Make available vouchers for education and training, including postsecondary education, to youth who have aged out of foster care.

Services to Youth Ages 18 – 20: Section 477(a)(5) permits States to provide services to youth ages 18 through 20 years who have left foster care but have not reached their twenty-first birthday. States are required to provide services (including room and board) to, and expend funds on behalf of, youth who left foster care because they attained 18 years of age, but have not yet attained 21 years of age (Section 477(b)(3)).

In the State plan, States should describe the approaches being used to address these provisions.

Room and Board: The State must develop a reasonable definition of "room and board" and provide the definition in the CFSP. The CFSP must include a description of the approach(es) being used to make room and board available to youth ages 18 through 20. States are required to certify (by signing the Certification form in Attachment E) in their State plans that no more than 30 percent of their allotment of Federal funds will be expended for room and board for youth who left foster care because they attained 18 years of age, but have not yet attained 21 years of age.

3. Describe how youth of various ages and at various stages of achieving independence are to be served, particularly with regard to services for (1) youth under 16, (2) youth 16 - 18 and (3) youth 18 through 20. The description should include the identification of State statutory and/or administrative barriers, if any, which, in order to facilitate the State serving a broader range of eligible youth, need to be eliminated or amended. States should also discuss how they are developing services for those individuals "likely to remain in foster care until age 18." Some identifiers of individuals "likely to remain in foster care until 18" include, but are not limited to, age, ethnicity, presenting problems, case histories, and individual case goals and objectives.
4. Discuss how the State involves the public and private sectors in helping adolescents in foster care achieve self-sufficient independence. Beginning in FY 2000, States have had an opportunity to conduct meetings and plan activities with various partners and stakeholders to design and develop a CFCIP State plan.
5. States should describe in detail how public and private organizations representing a wide range of stakeholders and consumers, in particular Indian Tribes, were consulted, and are involved in, the development of this part of the CFSP.
6. States should discuss their efforts: (1) to coordinate with "other Federal and State programs for youth (especially transitional living programs funded under Part B of the Juvenile Justice and Delinquency Prevention Act of 1974, abstinence programs, local housing programs, programs for disabled youth (especially sheltered workshops), and school-to-work programs...", and; (2) to consult with and coordinate with "each Indian tribe in the State" and ensure "that benefits and services under the program will be available to Indian children in the State on the same basis as to other children in the State" (certifications F and G, section 477(b)(3)). Also, States are encouraged to coordinate services with other relevant programs, including, but not limited to, the Court Improvement Program, Community Action Agencies, and Medicaid.
7. The CFSP should describe how the State has utilized, or is coordinating efforts to utilize, the option to expand Medicaid to provide services to youth ages 18 to 20 years old who have aged out of foster care. Subtitle C, section 121 of P.L. 106-169 permits States to expand Medicaid eligibility for youth transitioning from foster care. A State may provide Medicaid

to all young people under the age of 21 who were in foster care under the responsibility of the State on their eighteenth birthday, or to “reasonable categories” of this group. If the State does not choose to provide Medicaid to all young people under the age of 21 who were in foster care under the State’s responsibility on their eighteenth birthday, the State plan should describe what "reasonable categories" of children it has chosen to provide Medicaid services to, if any.

8. Discuss the objective criteria the State uses for determining eligibility for benefits and services under the programs, including the process for developing the criteria.

9. Discuss how the State ensures fair and equitable treatment of benefit recipients.

10. Describe how the comments received from the public (both written and oral), influenced the contents of the Plan.

CURRENT EXECUTIVE INITIATIVES:

The Bush Administration has developed several major initiatives in areas that it feels will benefit children, adults, and society. The Department’s Healthy Marriages, Responsible Fatherhood, Positive Youth Development, Rural, and Faith-based and Community initiatives are consistent with the overall goals of the safety, permanency and well-being of children. In past PIs we have emphasized these initiatives, giving particular attention to the healthy marriage initiative. Attachment C refers to prior PIs with information on these initiatives.

ACF has funded a number of marriage initiatives throughout the country and has recently engaged additional Regional Office staff to emphasize the healthy marriage initiative. These individuals are available to States for technical assistance and to help communities coordinate their efforts. We continue to encourage States to propose creative approaches to achieving the goals of these initiatives in the context of the child welfare system. States should describe the current and future activities that they plan to incorporate into the array of services in the CFSP.

SUBMITTALS:

In summary, by June 30, 2004, States must submit to their ACF Regional Office:

- an original and one copy of the final report;
- an original and one copy of the CFSP;
- the CFS-101, Parts I and II for FY 2004, applicable if the State has been allotted and requests more than its current request for funds indicates;
- the CFS-101, Parts I and II for FY 2005¹; and
- Certifications and Assurances as applicable

¹The CFS-101, Part II, "Annual Summary of Child Welfare Services", should reflect an amount no greater than the 1979 Federal allotment (as reflected at Attachment A of ACYF-CB-PI-03-07) for the total of lines 6, 7, and 13 of Column (a).

States may submit the documents as a paper copy, or at their option, on a 3.5 diskette, or as an attachment to an e-mail to the Regional Office. If a State chooses to submit 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)

All grantees must report expenditures under title IV-B, subparts 1 and 2, CAPTA, and CFCIP 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 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 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 12-month period (December 31). Funds under CAPTA must be expended within five years.

CFCIP and ETV

States are required to submit separate SF-269 fiscal reports for the CFCIP and ETV programs. Reports capturing the October 1-September 30 expenditure period are due December 31 (90 days after the end the 12 month 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. The required 20 percent State match must be reported on the final reports. CFCIP and ETV 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. The Control Number for this OMB approved information collection is 0980-0047.

INQUIRIES TO: ACF Regional Offices

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

ATTACHMENTS

Attachment A: FY 2004 Final Allocations for Title IV-B, subparts 1 and 2, CAPTA, CFCIP and ETV

Attachment B: Current Variances in Title IV-B Provisions of Law and Regulation

Attachment C: PI Guidance Grid

Attachment D: Preparing for the FY 2005-2009 CFSP

Attachment E: Certifications and Assurances

Attachment F: CFS 101, Parts I and II

Attachment G: Regional Administrators

FY 2004 CAPTA Allotments

Alabama	\$335,042	New Hampshire	\$129,395
Alaska	99,544	New Jersey	597,731
Arizona	430,240	New Mexico	178,863
Arkansas	224,439	NEW YORK	1,237,756
California	2,483,670	North Carolina	582,656
Colorado	346,374	North Dakota	87,799
Connecticut	274,730	Ohio	791,483
Delaware	98,841	Oklahoma	274,912
District of Columbia	78,869	Oregon	270,161
Florida	1,049,553	Pennsylvania	787,242
Georgia	634,056	Rhode Island	111,598
Hawaii	126,085	South Carolina	302,101
Idaho	145,375	South Dakota	100,367
Illinois	887,929	Tennessee	411,652
Indiana	460,621	Texas	1,621,139
Iowa	229,723	Utah	233,576
Kansas	229,330	Vermont	85,958
Kentucky	289,852	Virginia	508,137
Louisiana	355,271	Washington	439,639
Maine	121,848	West Virginia	150,198
Maryland	405,284	Wisconsin	394,506
Massachusetts	426,760	Wyoming	81,499
Michigan	711,756		
Minnesota	372,380	American Samoa	56,575
Mississippi	245,867	Guam	64,123
Missouri	409,799	Northern Mariana Isla	54,566
Montana	105,695	Puerto Rico	331,179
Nebraska	163,129	Virgin Islands	58,828
Nevada	197,422	TOTAL	\$21,883,123

FY 2004
**Chafee Foster Care
Independence Program (CFCIP)**

State	Final State Allocations	State	Final State Allocations
Alabama	1,536,181	New Hampshire	500,000
Alaska	550,639	New Jersey	2,843,693
Arizona	1,606,541	New Mexico	500,000
Arkansas	764,776	New York	11,585,958
California	26,105,639	North Carolina	2,405,731
Colorado	2,184,202	North Dakota	500,000
Connecticut	1,519,355	Ohio	5,336,864
Delaware	500,000	Oklahoma	2,230,087
District of Columbia	1,091,992	Oregon	2,216,067
Florida	8,263,153	Pennsylvania	5,340,433
Georgia	3,120,798	Puerto Rico	2,124,039
Hawaii	703,340	Rhode Island	611,566
Idaho	500,000	South Carolina	1,238,173
Illinois	6,315,013	South Dakota	500,000
Indiana	2,184,711	Tennessee	2,352,962
Iowa	1,336,064	Texas	5,411,812
Kansas	1,548,927	Utah	500,000
Kentucky	1,740,886	Vermont	500,000
Louisiana	1,358,131	Virginia	1,710,295
Maine	771,149	Washington	2,332,057
Maryland	3,048,143	West Virginia	769,110
Massachusetts	3,241,377	Wisconsin	1,954,768
Michigan	5,235,404	Wyoming	500,000
Minnesota	2,062,856		
Mississippi	758,148	Total	\$137,900,000
Missouri	3,303,069		
Montana	500,000		
Nebraska	1,585,891		
Nevada	500,000		

**EDUCATION AND TRAINING VOUCHERS PROGRAM
FY 2004 ETV ALLOCATION**

State	State Allocation	State	State Allocation
Alabama	\$501,312	New Hampshire	\$103,241
Alaska	179,694	New Jersey	928,002
Arizona	524,273	New Mexico	159,478
Arkansas	249,575	NEW YORK	3,454,364
California	8,519,233	North Carolina	785,079
Colorado	712,785	North Dakota	100,579
Connecticut	495,822	Ohio	1,741,616
Delaware	73,625	Oklahoma	727,760
District of Columbia	270,123	Oregon	723,184
Florida	2,696,572	Pennsylvania	1,742,780
Georgia	1,018,431	Puerto Rico	693,152
Hawaii	229,526	Rhode Island	199,577
Idaho	103,074	South Carolina	404,061
Illinois	2,060,822	South Dakota	115,969
Indiana	712,952	Tennessee	767,858
Iowa	436,007	Texas	1,766,074
Kansas	505,472	Utah	150,993
Kentucky	568,115	Vermont	120,794
Louisiana	400,401	Virginia	558,132
Maine	251,655	Washington	761,037
Maryland	994,722	West Virginia	250,989
Massachusetts	1,057,781	Wisconsin	637,913
Michigan	1,708,505	Wyoming	87,518
Minnesota	673,186		
Mississippi	247,412	TOTAL	\$44,062,503
Missouri	1,077,913		
Montana	157,066		
Nebraska	517,535		
Nevada	138,764		

**PROMOTING SAFE AND STABLE FAMILIES (PSSF)
FY 2004 State/Territory Allocations**

State	FY 2004 ALLOCATION	State/Territory	FY 2004 ALLOCATION
Alabama	\$8,491,468	New Hampshire	\$720,790
Alaska	853,830	New Jersey	6,213,054
Arizona	7,470,931	New Mexico	3,595,865
Arkansas	5,328,364	New York	25,736,246
California	47,884,848	North Carolina	10,193,782
Colorado	3,184,015	North Dakota	679,576
Connecticut	3,033,858	Ohio	12,554,963
Delaware	734,209	Oklahoma	5,630,974
Dist. of Col.	1,482,107	Oregon	5,228,952
Florida	16,929,897	Pennsylvania	14,110,900
Georgia	12,272,212	Rhode Island	1,652,608
Hawaii	2,024,620	South Carolina	6,726,259
Idaho	1,308,743	South Dakota	963,434
Illinois	16,274,755	Tennessee	9,987,453
Indiana	7,215,476	Texas	33,164,032
Iowa	2,484,757	Utah	1,766,330
Kansas	2,429,139	Vermont	667,183
Kentucky	7,606,819	Virginia	6,328,112
Louisiana	11,553,244	Washington	5,839,868
Maine	1,627,849	West Virginia	3,680,913
Maryland	4,123,690	Wisconsin	4,955,907
Massachusetts	4,999,336	Wyoming	470,843
Michigan	13,823,639		
Minnesota	4,267,030	State Total	\$367,860,763
Mississippi	6,331,204		
Missouri	8,864,331	American Samoa	\$239,496
Montana	1,131,344	Guam	440,815
Nebraska	1,656,955	Northern Mariana Islands	194,235
Nevada	1,604,049	Puerto Rico	7,751,471
		Virgin Islands	299,428
		Territory Total	\$8,925,445

**Child Welfare Services
FY 2004 Title IVB, subpart 1 Allotments**

STATE	ALLOTMENT	STATE / TERRITORY	ALLOTMENT
Alabama	\$5,138,624	New Jersey	\$6,015,808
Alaska	289,669	New Mexico	1,837,169
Arizona	5,524,737	New York	14,576,548
Arkansas	3,321,453	North Carolina	8,577,519
California	33,240,351	North Dakota	634,845
Colorado	4,019,549	Ohio	11,582,277
Connecticut	2,071,325	Oklahoma	2,201,226
Delaware	757,465	Oregon	3,501,051
District of Columbia	371,398	Pennsylvania	11,041,278
Florida	15,444,611	Rhode Island	997,933
Georgia	9,134,573	South Carolina	4,544,859
Hawaii	1,266,921	South Dakota	673,065
Idaho	1,755,420	Tennessee	6,018,982
Illinois	11,412,733	Texas	24,680,935
Indiana	6,661,012	Utah	3,344,639
Iowa	3,075,592	Vermont	654,871
Kansas	2,942,347	Virginia	6,517,053
Kentucky	4,365,997	Washington	5,420,886
Louisiana	5,599,087	West Virginia	1,969,404
Maine	1,276,214	Wisconsin	5,396,395
Maryland	4,539,914	Wyoming	\$520,325
Massachusetts	4,197,724	State Subtotal	\$277,013,583
Michigan	9,842,759	American Samoa	199,736
Minnesota	4,424,313	Guam	353,830
Mississippi	3,788,816	Northern Mariana Islands	165,092
Missouri	5,853,449	Puerto Rico	5,949,565
Montana	842,138	Virgin Islands	\$245,609
Nebraska	1,835,087	Territory Subtotal	\$6,913,832
Nevada	2,201,407	Tribes Subtotal	\$5,392,467
New Hampshire	\$1,111,830		

TOTAL

\$289,319,882

ATTACHMENT B

Appendix “1” Title IV-B Requirements in Statute but not Regulations*

1. Title IVB, subpart 2 Program Name Changed to Promoting Safe and Stable Families.

This change occurred when the original Family Preservation and Family Support program was expanded by the Adoption and Safe Families Act (ASFA) of 1997. Funding was also increased at that time and also with the program reauthorization in 2001. [Section 430 (a) in Title IV-B of the Social Security Act (the Act)]

2. Addition of Title IVB, subpart 2 Service Categories of Time-Limited Reunification Services and Adoption Promotion and Support.

The 1997 reauthorization of the title IV-B, subpart 2 program affirmed the use of Federal funds for community-based family support services and family preservation services, and additionally required States to spend a portion of funds for time-limited family reunification services and adoption support services. The two latter categories allow States to fund services that facilitate the reunification of children in foster care with their families in a timely and safe manner, and encourage more adoptions out of the foster care system, expedite the adoption process, and support adoptive families as necessary to allow them to make a lifetime commitment to their children. [Sections 431 (a)(7) and (8)] In general, requirements in the regulations related to family preservation and support only should be taken to mean all four allowable service categories.

3. Expanded Title IVB, subpart 2 Definition of Non-Federal Funds for Non-Supplantation Provision.

ASFA added a definition of non-Federal funds for purposes of the title IVB, subpart 2 non-supplantation requirement at 432(a)(7)(A) of the Act. Non-federal funds are defined as State funds, or at State option, State and local funds. This means that a State may consider the amount of both local and State funds spent on Promoting Safe and Stable Families Program services in determining which funds may not be supplanted by Federal funds. This statutory definition of non-Federal funds supersedes the regulatory definition in 45 CFR 1357.32(f). [Section 431(a)(9)]

4. Title IVB, subpart 1 Assurance Regarding Use of Cross-Jurisdictional Resources.

ASFA added section 422 (b)(12) to the Act, which requires that State plans for child welfare services contain assurances that the State shall develop plans for the effective use and sharing of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for children.

5. Description of State Activities for Children Adopted from Overseas in title IVB, subpart 1.

Public Law 106-279 added section 422(b)(13) to title IV-B, which states that the plan for Child Welfare Services must contain a description of activities that the State has undertaken for

* This appendix describes new requirements in title IV-B of the Social Security Act that are relevant to the Child and Family Services Plan and the Annual Progress and Services Report. This appendix may not include all amendments to title IV-B requirements.

children adopted from other countries, including the provision of adoption and post-adoption services.

6. Title IVB, subpart 1 Assurance Regarding Information on Children Adopted from Other Countries Who Enter State Care.

The Intercountry Adoption Act of 2000 (Public Law 106-279) added section 422 (b)(14) to title IV-B. This provision requires that the State plans for child welfare services provide that the State will collect and report information on children who are adopted from other countries and who enter State custody as a result of the disruption of an adoptive placement, or the dissolution of a finalized adoption. Such information must include the reasons for disruption or dissolution, the agencies who handled the placement or adoption, the plans for the child, and the number of children to whom this pertains.

7. Re-allotments of Title IV-B, subpart 2 Funds.

Public Law 107-133 amended Section 433 (d) of the Act to allow the Secretary to reallocate unneeded portions of title IVB, subpart 2 State allocations to other States, so that the total appropriation remains available for program purposes. The State must certify that grant funds are not needed before they can be reallocated.

8. Addition of Language to Title IVB, subpart 2 Definitions of the Service Categories re: Infant Safe-Haven Programs, Strengthening Parental Relationships, and Promotion of Healthy Marriages.

The Promoting Safe and Stable Families Amendments of 2001 (Public Law 107-133) amended the definition of Family Preservation Services to allow States to support infant safe haven programs to allow a parent to safely relinquish a newborn infant. [Section 431 (a)(1)(F)] The amendments also add to the definition of Family Support Services. Specifically, States may now support services to strengthen parental relationships and promote healthy marriages. [Section 431 (a)(2)] The definitions for family preservation and family support services in the regulations at 45 CFR 1357.10 should be read in conjunction with these statutory definitions.

9. Other Federal Program Name Changes.

Since the regulations were issued, a number of Federal programs referenced in the regulations have undergone significant changes, including name changes. States should note the following name changes in meeting the consultation requirements in 45 CFR 1357.15(l)(viii):

- “Part H programs” are now programs under Part C of the Individuals with Disabilities Education Assistance (IDEA) Act
- “Title IV-A” is also known as the Temporary Assistance for Needy Families program
- “child care and development block grant (CCDBG)” is also known as the Child Care Development Fund (CCDF)
- “Community-Based Family Resource Programs” are now known as either Title II programs under the Child Abuse Prevention and Treatment Act (CAPTA) or Community-Based Grants for the Prevention of Child Abuse.

ATTACHMENT B

Appendix “2”—Obsolete Title IV-B Provisions Still in Regulation*

1. References to Dates and Submission Timeframes that Have Passed.

The regulations at 45 CFR 1357.15 refer to numerous timelines that have passed. This is because the regulation was based on the initial Family Preservation and Family Support legislation. With the exception of the obsolete requirements listed below, the required elements of the APSRs and CFSPs apply on an annual or five-year cycle as applicable, regardless of the dates listed.

Specific obsolete references:

- At 45 CFR 1357.15 (a)(4), there is reference to the phase-in of the requirements for a consolidated CFSP by June 30, 1997. The phase-in period has expired and consolidation of the CFSP is now required.
- See also similar out-of-date references for phasing in consolidation of the CFSP in 45 CFR 1357.15 (b)(2) and (3), 1357.16 (a)(7), and 1357.16 (b)(4).

2. References to Title IV-B, subpart 1 Assurances in Section 422 (b)(9).

The regulation at 45 CFR 1357.15 (q) requires the CFSP to explain how services will help meet permanency provisions for children and families at 422 (b)(9) of the Act, but the actual section of the Act that addresses this issue is now located at 422 (b)(10).

3. CFSP Requirement that a Significant Portion of Funds are Used for Family Support and Family Preservation Services.

At 45 CFR 1357.15(s), the regulation requires that a significant portion of funds be used for family preservation and family support services. The requirement for significant portion previously required States to provide a strong rationale if they planned to expend less than 25% of their title IV-B, subpart 2 funds for either family preservation or family support. As a result of the expansion of title IV-B, subpart 2 to include two new services, that definition no longer applies. The significant portion requirement applies to all 4 services including time-limited family reunification services and adoption support services. Program Instructions on the APSR (beginning with ACYF-CB-PI-98-03) provide guidance to States on how to determine the significant portion requirement.

4. Authority for Requirements and Funding Formerly under Section 427 of the Act.

The Social Security Act Amendments of 1994 (Public Law 103-432) amended the Act as follows:

* This appendix describes obsolete requirements in the regulations at 45 CFR 1357 that are relevant to the Child and Family Services Plan and the Annual Progress and Services Report. This appendix may not include all obsolete requirements.

Public Law 103-432 repealed section 427 in title IV-B of the Act, effective for fiscal years beginning after April 1, 1996. Section 427 had been added to title IV-B by Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980, which offered incentive funds to States and Indian Tribes if they provided certain protections for children in foster care.

Public Law 103-432 added section 422(b) in title IV-B of the Act to include, as State Plan assurances, the foster care protections formerly required in section 427 of the Act. It also added two new assurances with respect to review of State policies on abandoned children.

**CFSP/APSR
Program Instruction (PI) Grid**

Guidance Emphasis	P I number	Page No.¹	Issuance Date
Administration Initiatives: Strengthening Healthy Marriages Responsible Fatherhood, Positive Youth Development, Faith-based and Community Initiatives, and Rural Initiative.	ACYF-CB-PI-02-05	Pgs. 5 & 7, Att. A	May 10, 2002
	ACYF-CB-PI-03-05	Pgs. 4-5	May 23, 2003
	ACYF-CB-PI-03-05	Pg. 5	May 23, 2003
Assurances	ACYF-CB-PI-96-01	Pgs. 2-4	March 13, 1996
	ACYF-CB-PI-98-05	Pg. 2	April 28, 1998
	ACYF-CB-PI-99-07	Att. A	March 25, 1999
CAPTA	ACYF-CB-PI-03-08 (See also: IM 03-04)	Pgs. 1-3	November 26, 2003
Chafee Foster Care Independence Program	ACYF-CB-PI-00-04	Pgs. 1-7	April 20, 2000
	ACYF-CB-PI-01-02 (See also: IM 00-03)	Pgs. 1-10	February 13, 2001
Citizen Review Panels	ACYF-CB-PI-98-12	Pgs. 1-3	July 15, 1998
	ACYF-CB-PI-99-09	Pgs. 2-3	June 2, 1999
	ACYF-CB-PI-03-08	Pg. 2	November 26, 2003
Diligent Recruitment	ACYF-CB-PI-95-23	Pgs. 4-5	October 11, 1995
Education and Training Vouchers Program (ETV)	ACYF-CB-PI-03-06 (See also: IM 02-07)	Pgs. 1-6	July 8, 2003
Indian Child Welfare Act Cooperation & Consultation with Tribes Section 422(b)(10) of the Social Security Act; State and Tribal responsibilities/requirements	ACYF-CB-PI-95-12	Pgs. 1-4	August 11, 1995
	ACYF-CB-PI-98-05	Pgs. 3-4	April 28, 1998
	ACYF-CB-PI-99-07	Pgs. 7-8	March 25, 1999
	ACYF-CB-PI-00-03	Pgs. 3, 4 Att. A	April 18, 2000
	ACYF-CB-PI-01-03	Pgs. 4-5 Att. A	February 14, 2001

¹ As enumerated on the Children's Bureau website: <http://www.acf.hhs.gov/programs/cb/laws/policy.htm>

**CFSP/APSR
Program Instruction (PI) Grid**

Guidance Emphasis	P I number	Page No.²	Issuance Date
Integration of the CFSR/PIP and the CFSP/APSR	ACYF-CB-PI-02-05 ACYF-CB-PI-03-05 (See also IM-02-04)	Pg. 4 Pgs. 3-4 Pgs. 2, 6, A-17	May 10, 2002 May 23, 2003 April 4, 2002
Inter-country Adoption Act of 2000	ACYF-CB-PI-01-03	Pg. 5	February 14, 2001
Infant Safe Haven Programs	ACYF-CB-PI-02-05	Pg. 5	May 10, 2002
Legislation/ Legislative changes related to CFSP Requirements: <ul style="list-style-type: none"> • Family Preservation and Support Services • Adoption and Safe Families Act of 1997 (ASFA) • Promoting Safe and Stable Families Amendments of 2001 	ACYF-PI-94-03 ACYF-CB-PI-98-02 ACYF-CB-PI-99-07 ACYF-CB-PI-02-05 (See IM 02-01)	Pgs. 1-3 Pgs. 1-2 Pgs. 2-3 Pg. 5	January 18, 1994 January 8, 1998 March 25, 1999 May 10, 2002
Maintenance of effort	ACYF-CB-PI-98-03	Pg. 3	March 5, 1998
Significant portion	ACYF-CB-PI-98-03	Pg. 3-4	March 5, 1998
State Plan guidance for Family Preservation and Support Services – 5-year Plan	ACYF-CB-PI-94-01 ACYF-CB-PI-99-07	Pgs. 2-22 Pgs. 2-10	January 18, 1994 March 25, 1999
Tribal Plan guidance for Family Preservation and Support Services – 5-year Plan	ACYF-CB-PI-94-04 ACYF-CB-PI-99-07 ACYF-CB-PI-03-03 ACYF-CB-PI-03-05	Pgs. 3-23 Pgs. 2-9 Att. D Pgs. 4, 9-12	January 18, 1994 March 25, 1999 March 14, 2003 May 23, 2003

² As enumerated on the Children's Bureau website: <http://www.acf.hhs.gov/programs/cb/laws/policy.htm>

Preparing for the FY 2005-2009 Child and Family Services Plan

The following is an advisement to States of the need to engage in the preparation of their FY 2005-2009 Child and Family Services State Plans (CFSPs). The new FY 2005-2009 CFSPs are due to the ACF Regional Office on June 30, 2004. This will be the third 5-year plan to be submitted. States should have already begun the process necessary to review and renew their CFSP. This initial guidance is being provided to begin the process, and will be followed by more specific instructions to be included in a Program Instruction (PI).

Several components of the State child welfare system are included in the CFSP. These include the Child Abuse Prevention and Treatment Act (CAPTA), the Chafee Foster Care Independence Act (CFCIP), and the Education and Training Vouchers (ETV). It is important that States incorporate the goals for these programs and the strategies, benchmarks and outcomes contained in their Program Improvement Plans, which result from the Child and Family Services Reviews (CFSR), into the appropriate sections of the new CFSPs. In addition, each individual component of the plan is supported by legislation that specifically requires consultation with stakeholders to develop the CFSP.

With this in mind, the Children's Bureau would like to put forth some suggestions in regard to the visioning, assessment and consultation/coordination, joint planning, training, and assurances areas of the CFSP in an effort to have States pay special attention to them during the planning process.

Visioning: Visioning means the ability to “see” or envision exactly where we want to go and why we need to get there. Visioning enables an agency to review the potential effects of current and projected forces/issues, define and assess core competencies and values, develop desired future scenarios and begin to plot a strategy for achieving its vision for the future.

Visioning and goal setting are important aspects of the CFSP. We are reintroducing this concept in order to direct States towards revisiting and, if appropriate, revising their visions of ten years ago. As it was in the first planning year for the CFSP, it continues to be our strong expectation that States will take advantage of this opportunity to review their visions in order to ensure that they remain valid, practical and timely and that they continue to move the States' child welfare systems forward towards innovation in a collective fashion. This “re-vision” should incorporate the changes and additions impacting the State system.

Assessment: An assessment is a product developed by gathering, analyzing, and synthesizing information to identify resources, strengths, motivation, functional components, and other factors at a point in time that can be used to enhance functioning and promote growth.

A basic assessment involves three steps:

1) Gather information on agency operations and performance that currently exists from both internal and external sources. These include data reports, Federal reports (i.e., CFSR State assessments, CFSR reports and PIP agreements, title IV-E foster care review recommendations and/or program improvement plans, NCANDS & AFCARS), legislative mandates, and applicable consent decrees and other management and Quality Assurance reports.

Agencies should expand available information with newer information, as needed (i.e., conduct surveys or focus groups, feedback from community meetings and forums, etc.).

2) Analyze and synthesize the information (i.e., utilize agency managers, and the broader planning groups in order to determine agency strengths and weaknesses based on the information gathered). Agencies are required to analyze the State's progress toward accomplishing the goals and objectives of the FY 2000-2004 plan and submit a final report along with the new CFSP.

3) Draw conclusions, hypotheses, and assumptions about what steps the agency can take to impact these areas.

If the agency already knows what goals they want to focus on, the assessment can be focused on targeted areas. For example, as the State ties the results of the CFSR/PIP process into the CFSP, it may use its PIP goals and objectives as a portion of the goals and objectives of the CFSP.

Consultation/Coordination: The consultation and coordination pieces of the CFSP are the combined internal and external processes used to obtain broad and active involvement of major actors in States' development of their child and family service delivery systems.

This upcoming CFSP year, we are asking States to pay special attention to the consultative/coordinative aspects of CFSP requirements. It is important to remember that joint planning and consultative coordination is a process, not an end result only to be dealt with when CFSPs are due. These processes should be used as an opportunity for shared insight about the collective direction in which States should move.

Please bear in mind that all programs within the CFSP require consultation and coordination.

- According to section 432(b)(1) of the Act, the CFSP must be jointly developed with the ACF regional office and the State agency must consult with appropriate public and nonprofit private agencies and community-based organizations.
- Sections 106(a)(13) and (14) of the new Keeping Children and Families Safe Act of 2003 (PL 108-36) adds new purposes to the CAPTA State grants that support and enhance collaboration. The "...juvenile justice system [...], public health agencies, the child protection system, and private community-based programs to provide child abuse and neglect prevention and treatment services (including

linkages with education systems)...” are all named as systems to be included in collaboration activities.

- The CFCIP requires, at section 477(b)(3)(E) of the Act, a certification that “the State has consulted widely with public and private organizations in developing the plan and that the State has given all interested members of the public at least 30 days to submit comments on the plan.”
- Section 477(i)(6) of the Act cites Education and Training Voucher (ETV) requirements. The section states, “[that] [t]he program [be] coordinated with other appropriate educational and training programs.”
- Child and Family Services Reviews and Program Improvement Plans (PIPs) also require consultation. 45 CFR 1355.33 (a) (2) (ii) states that the full child and family services reviews (CFSR) will be conducted by a team of Federal and State reviewers that includes, “[r]epresentatives selected by the State, in collaboration with the ACF Regional Office, from those with whom the State was required to consult in developing its CFSP...”

Tribes must be included in the State consultation process. The State also must exchange copies of their CFSP with Indian Tribal Organizations. The CFCIP specifically includes a Tribal consultation requirement at section 477(B)(3)(G) of the Act by requiring States to certify “...that each Indian tribe in the State has been consulted about the programs to be carried out under the plan and that there have been efforts to coordinate the programs with such tribes...”

States should currently be incorporating other members of the broader social welfare community into coordination/collaboration processes, not only for system assessment input but also as a better way of doing business.

Joint planning: Joint planning is an ongoing partnership in the process of planning that takes place between State and Federal staff and the assembled CFSP planning team. Joint planning includes discussions, consultation, and negotiation, between these parties in all areas of CFSP creation. (See 45 CFR 1357.10-Definitions)

It is important to work jointly with the State liaison from your ACF Regional Office early on in the process and in an on-going manner in order to present the best results on the CFSPs. Emphasis should be placed on the ACF State Liaison and the State Agency Administrator and/or Child Welfare Executive working jointly on: 1) selecting participants for their State plan development team and determining their orientation needs, 2) developing their work plan, including the review and analysis of the current CFSP, the timelines needed to meet the June 30 submittal deadline, etc. 3) documenting assurances and selecting preliminary unmet needs to be addressed in the plan, and 4) specifying the new 5-year goals and objectives.

Attachment D

Please bear in mind that the concept of joint planning is essential. We urge States to think of this collaboration as a process to assist States throughout the analysis of the old plan and the planning, development, and implementation steps of the new 5-year CFSP.

Training: The training section of the CFSP is the specific staff development and training plan that supports each of the goals and objectives of the CFSP. This title IV-B training plan must be combined with the training plan for title IV-E as required by 45 CFR 1356.60 (b)(2): “[all] training activities and costs funded under IV-E shall be included in the State agency’s training plan for title IV-B.”

There have been ambiguities or difficulties in articulating descriptions of States’ training plans. There is also confusion regarding allowable expenses. In light of the requirements, and in order to move towards a more standardized format for the training plan section of the CFSP in general, the upcoming PI will include details of the elements that must be included in States’ training plans in order to be considered allowable for Federal financial participation (FFP). These elements are specifically referenced in 45 CFR 1356.60 (b), 45 CFR 1357.15 (t)(1) and 45 CFR 235.60-235.66 (a). We ask that you review all the cited training regulations more fully at this time in anticipation of what will be presented in the upcoming PI.

Assurances: Assurances are the written guarantees and certifications that all the elements included in the CFSP are the State’s actual intended plan of action.

We remind states of the importance of the assurances sections of their plans. The upcoming PI will list details on assurances from 45 CFR 1357.15(c) and title IV-B sections 422(b)(10), 422(b)(12), and 432(a)(9).

This message is intended to encourage States to focus their current efforts on the planning process for the CFSP. The upcoming PI will provide more detailed guidance to the States on all aspects of the CFSP requirements.

Attachment E

Title IV-B Child and Family Services Plan: Assurances

The assurances listed below are in 45 CFR 1357.15(c) and title IV-B sections 422(b)(10), 422(b)(12), section 422 (b) (14), section 432(a)(4), 432 (a)(7) and 432(a)(9). These assurances will remain in effect during the period of the current five-year CFSP.

1. The State assures that it will participate in any evaluations the Secretary of HHS may require.
2. The State assures that it will administer the CFSP in accordance with methods determined by the Secretary to be proper and efficient.
3. The State assures that it has a plan for the training and use of paid paraprofessional staff, with particular emphasis on the full-time or part-time employment of low-income persons, as community service aides; and a plan for the use of non-paid or partially paid volunteers in providing services and in assisting any advisory committees established by the State.
4. The State assures that standards and requirements imposed with respect to child care under title XX shall apply with respect to day care services, if provided under the CFSP, except insofar as eligibility for such services is involved.
5. the State assures that it is operating, to the satisfaction of the Secretary:
 - a statewide information system from which can be readily determined the status, demographic characteristics, location, and goals for the placement of every child who is (or, within the immediately preceding 12 months, has been) in foster care;
 - a case review system (as defined in section 475(5) for each child receiving foster care under the supervision of the State;
 - a service program designed to help children—where safe and appropriate, return to families from which they have been removed; or be placed for adoption, with a legal guardian, or, if adoption or legal guardianship is determined not to be appropriate for a child, in some other planned, permanent living arrangement; and
 - a preplacement preventive services program designed to help children at risk of foster care placement remain safely with their families; and
 - The State assures that it has implemented policies and administrative and judicial procedures for children abandoned at or shortly after birth that are necessary to enable permanent decisions to be made expeditiously with respect to the placement of such children.
6. The State assures that plans will be developed for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.
7. The State assures that it will collect and report information on children who are adopted from other countries and who enter State custody as a result of the disruption of an adoptive placement, or the dissolution of an adoption. Such information will include the reasons for disruption or dissolution, the agencies who handled the

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placement or adoption, the plans for the child, and the number of children to whom this pertains.

- 8. The State assures that no more than 10 percent of expenditures under the plan for any fiscal year with respect to which the State is eligible for payment under section 434 of the Act for the fiscal year shall be for administrative costs and that the remaining expenditures shall be for programs of family preservation services, community-based family support services, time-limited reunification services and adoption promotion and support services, with significant portions of such expenditures for each such program.
- 9. The State assures that Federal funds provided to the State for title IV-B, Subpart 2 programs will not be used to supplant Federal or non-Federal funds for existing services and activities.
- 10. The State assures that, in administering and conducting service programs under this plan, the safety of the children to be served shall be of paramount concern.

Effective Date and State Officials Signature

I hereby certify that the State complies with the requirements of the above assurances.

Certified by: _____

Title: _____

Agency: _____

Dated: _____

Reviewed by: _____

(ACF Regional Representative)

Dated: _____

**STATE CHIEF EXECUTIVE OFFICER'S CERTIFICATIONS
FOR THE CHAFEE FOSTER CARE INDEPENDENCE PROGRAM**

As Chief Executive Officer of the State of _____, I certify that the State has in effect and is operating a Statewide program relating to Foster Care Independent Living and that the following provisions to effectively implement the Chafee Foster Care Independence Program are in place:

1. The State will provide assistance and services to youth who have left foster care because they have attained 18 years of age, and have not attained 21 years of age [Section 477(b)(3)(A)];
2. Not more than 30 percent of the amounts paid to the State from its allotment for a fiscal year will be expended for room and board for youth who have left foster care because they have attained 18 years of age, and have not attained 21 years of age [Section 477(b)(3)(B)];
3. None of the amounts paid to the State from its allotment will be expended for room or board for any child who has not attained 18 years of age [Section 477(b)(3)(C)];
4. The State will use training funds provided under the program of Federal payments for foster care and adoption assistance to provide training to help foster parents, adoptive parents, workers in group homes, and case managers understand and address the issues confronting adolescents preparing for independent living, and will, to the extent possible, coordinate such training with the independent living program conducted for adolescents [Section 477(b)(3)(D)];
5. The State will adequately prepare prospective foster parents with the appropriate knowledge and skills to provide for the needs of the child before a child, under the supervision of the State, is placed with prospective foster parents and that such preparation will be continued, as necessary, after the placement of the child. [Section 471(a), as amended];
6. The State has consulted widely with public and private organizations in developing the plan and has given all interested members of the public at least 30 days to submit comments on the plan [Section 477(b)(3)(E)];
7. The State will make every effort to coordinate the State programs receiving funds provided from an allotment made to the State under subsection (c) with other Federal and State programs for youth (especially transitional living youth projects funded under part B of title III of the Juvenile Justice and Delinquency Prevention Act of 1974); abstinence education programs, local housing programs, programs for

STATE CHIEF EXECUTIVE OFFICER'S CERTIFICATIONS—Continued

disabled youth (especially sheltered workshops), and school-to-work programs offered by high schools or local workforce agencies [Section 477(b)(3)(F)];

8. Each Indian tribe in the State has been consulted about the programs to be carried out under the plan; there have been efforts to coordinate the programs with such tribes; and benefits and services under the programs will be made available to Indian youth in the State on the same basis as to other youth in the State [Section 477(b)(3)(G)];
9. Adolescents participating in the program under this section will participate directly in designing their own program activities that prepare them for independent living and the adolescents will be required to accept personal responsibility for living up to their part of the program [Section 477(b)(3)(H)]; and
10. The State has established and will enforce standards and procedures to prevent fraud and abuse in the programs carried out under the plan [Section 477(b)(3)(I)].

Signature of Chief Executive Officer

Date

**STATE CHIEF EXECUTIVE OFFICER'S CERTIFICATION
for the
EDUCATION AND TRAINING VOUCHER PROGRAM
Chafee Foster Care Independence Program**

As Chief Executive Officer of the State of _____, I certify that the State has in effect and is operating a Statewide program relating to Foster Care Independent Living and that the following provisions will be implemented as of September 30, 2003:

- 1. The State will comply with the conditions specified in subsection 477(i).
- 2. The State has described methods it will use to:
 - ensure that the total amount of educational assistance to a youth under this and any other Federal assistance program does not exceed the total cost of attendance; and
 - avoid duplication of benefits under this and any other Federal assistance program, as defined in section 477(3)(b)(J).

Signature of Chief Executive Officer

Date

**State Chief Executive Officer's Assurance Statement for
The Child Abuse and Neglect State Plan**

As Chief Executive Officer of the State of

_____, I certify that the State has in effect and is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect which includes:

- 1) provisions or procedures for reporting known or suspected instances of child abuse and neglect (section 106(b)(2)(A)(i));
- 2) policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born and identified as affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure, including a requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition in such infants (section 106(b)(2)(A)(ii));
- 3) the development of a plan of safe care for the infant born and identified as being affected by illegal substance abuse or withdrawal symptoms (section 106(b)(2)(A)(iii));
- 4) procedures for the immediate screening, risk and safety assessment, and prompt investigation of such reports (section 106(b)(2)(A)(iv));
- 5) triage procedures for the appropriate referral of a child not at risk of imminent harm to a community organization or voluntary preventive service (section 106(b)(2)(A)(v));
- 6) procedures for immediate steps to be taken to ensure and protect the safety of the abused or neglected child, and of any other child under the same care who may also be in danger of abuse or neglect; and ensuring their placement in a safe environment (section 106(b)(2)(A)(vi));
- 7) provisions for immunity from prosecution under State and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect (section 106(b)(2)(A)(vii));
- 8) methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including requirements ensuring that reports and records made and maintained pursuant to the purposes of CAPTA shall only be made available to--
 - a) individuals who are the subject of the report;
 - b) Federal, State, or local government entities, or any agent of such entities, as described in number 9 below;

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- c) child abuse citizen review panels;
 - d) child fatality review panels;
 - e) a grand jury or court, upon a finding that information in the record is necessary for the determination of an issue before the court or grand jury; and
 - f) other entities or classes of individuals statutorily authorized by the State to receive such information pursuant to a legitimate State purpose (section 106(b)(2)(A)(viii));
- 9) provisions to require a State to disclose confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibility under law to protect children from abuse and neglect (section 106(b)(2)(A)(ix));
- 10) provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality (section 106(b)(2)(A)(x));
- 11) the cooperation of State law enforcement officials, court of competent jurisdiction, and appropriate State agencies providing human services in the investigation, assessment, prosecution, and treatment of child abuse or neglect (section 106(b)(2)(A)(xi));
- 12) provisions requiring, and procedures in place that facilitate the prompt expungement of any records that are accessible to the general public or are used for purposes of employment or other background checks in cases determined to be unsubstantiated or false, except that nothing in this section shall prevent State child protective services agencies from keeping information on unsubstantiated reports in their casework files to assist in future risk and safety assessment (section 106(b)(2)(A)(xii));
- 13) provisions and procedures requiring that in every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem, who has received training appropriate to the role, and who may be an attorney or a court appointed special advocate who has received training appropriate to that role (or both), shall be appointed to represent the child in such proceedings—
- (a) to obtain firsthand, a clear understanding of the situation and needs of the child; and
 - (b) to make recommendations to the court concerning the best interests of the child (section 106(b)(2)(A)(xiii));
- 14) the establishment of citizen review panels in accordance with subsection 106(c) (section 106(b)(2)(A)(xiv));
- 15) provisions, procedures, and mechanisms –
- (a) for the expedited termination of parental rights in the case of any infant determined to be abandoned under State law; and

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- (b) by which individuals who disagree with an official finding of abuse or neglect can appeal such finding (section 106(b)(2)(A)(xv));
- 16) provisions, procedures, and mechanisms that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction--
- a) to have committed a murder (which would have been an offense under section 1111(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child or such parent;
 - b) to have committed voluntary manslaughter (which would have been an offense under section 1112(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child or such parent;
 - c) to have aided or abetted, attempted, conspired, or solicited to commit such murder or voluntary manslaughter; or
 - d) to have committed a felony assault that results in the serious bodily injury to the surviving child or another child of such parent (section 106(b)(2)(A)(xvi));
- 17) provisions that assure that, upon the implementation by the State of the provisions, procedures, and mechanisms under number 16 above, conviction of any one of the felonies listed in number 16 above constitute grounds under State law for the termination of parental rights of the convicted parent as to the surviving children (section 106(b)(2)(A)(xvii));
- 18) provisions and procedures to require that a representative of the child protective services agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the reporter (section 106(b)(2)(A)(xviii));
- 19) provisions addressing the training of representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing such representatives of such duties, in order to protect the legal rights and safety of children and families from the initial time of contact during investigation through treatment (section 106(b)(2)(A)(xix));
- 20) provisions and procedures for improving the training, retention and supervision of caseworkers (section 106(b)(2)(A)(xx));
- 21) provisions and procedures for referral of a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to early intervention services funded under part C of the Individuals with Disabilities Education Act (section 106(b)(2)(A)(xxi));

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- 22) **not later than June 25, 2005 (2 years after the enactment of Public Law 108-36)**, provisions and procedures for requiring criminal background checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household (section 106(b)(2)(A)(xxii));

- 23) procedures for responding to the reporting of medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions), procedures or programs, or both (within the State child protective services system), to provide for--
 - a) coordination and consultation with individuals designated by and within appropriate health care facilities;
 - b) prompt notification by individuals designated by and within appropriate health-care facilities of cases of suspected medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions); and
 - c) authority, under State law, for the State child protective services system to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, as may be necessary to prevent the withholding of medically indicated treatment from disabled infants with life-threatening conditions (section 106(b)(2)(B)); and

- 24) authority under State law to permit the child protective services system of the State to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, to provide medical care or treatment for a child when such care or treatment is necessary to prevent or remedy serious harm to the child, or to prevent the withholding of medically indicated treatments from disabled infants with life-threatening conditions (section 113).

Signature of Chief Executive Officer:

Date: _____

Reviewed by: _____

(ACF Regional Representative)

Dated: _____

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>.

Regional Administrators

Attachment G

Region I - Boston

Hugh Galligan, Regional Administrator
JFK Federal Building Rm. 2000
Boston, MA 02203
(617) 565-1020 (p)

States

Connecticut Maine Massachusetts New
Hampshire Rhode Island Vermont

Region II - New York City

Mary Ann Higgins, Regional Administrator
26 Federal Plaza Rm. 4114
New York, NY 10278
(212) 264-2890 (p)

States and Territories

New Jersey New York
Puerto Rico Virgin Islands

Region III - Philadelphia

David Lett, Regional Administrator
150 S. Independence
Mall West-Suite 864
Philadelphia, PA 19106-3499
(215) 861-4000 (p)

States

Delaware District of Columbia Maryland
Pennsylvania Virginia West Virginia

Region IV - Atlanta

Carlis Williams, Regional Administrator
Atlanta Federal Center
61 Forsyth Street SW Suite 4M60
Atlanta, GA 30303
(404) 562-2900

States

Alabama Mississippi Florida
N. Carolina Georgia S. Carolina
Kentucky Tennessee

Region V - Chicago

Joyce Thomas, Regional Administrator
233 N. Michigan Avenue Suite 400
Chicago, IL 60601
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States

Illinois Indiana Michigan
Minnesota Ohio Wisconsin

Region VI - Dallas

Leon McCowan, Regional Administrator
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States

Arkansas Louisiana New Mexico
Oklahoma Texas

Region VII - Kansas City

Linda Lewis, Regional Administrator
Federal Office Building Room 276
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States

Iowa Kansas Missouri Nebraska

Region VIII - Denver

Thomas Sullivan, Regional Administrator
Federal Office Building
1961 Stout Street 9th Floor
Denver, CO 80294-3538
(303) 844-3100(p)

States

Colorado Montana North Dakota
South Dakota Utah Wyoming

Region IX - San Francisco

Sharon Fujii, Regional Administrator
50 United Nations Plaza Room 450
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States and Territories

Arizona California Hawaii Nevada
Outer Pacific-- American Samoa
Commonwealth of the Northern Marianas
Federated States of Micronesia (Chuuk,
Pohnpei, Yap)
Guam Marshall Islands Palau

Region X - Seattle

Steve Henigson, Regional Administrator
2201 Sixth Avenue Room 610-M/S RX-70
Seattle, WA 98121
(206) 615 2547

States

Alaska Idaho Oregon Washington