

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
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	4. Key Words: Annual Progress and Services Report: Tribal Title IV-B Child and Family Services Plan	

Program Instruction

TO: Tribal Agencies administering or supervising the administration of Title IV-B, subparts 1 and/or 2.

SUBJECT: June 30, 2008 submission of the Annual Progress and Services Report (APSR) required under Title IV-B of the Social Security Act (the Act), including the submission of the CFS-101, Part I - Annual Budget Request, Part II - Annual Summary of Child and Family Services, and Part III, Annual Expenditures for Title IV-B, Subparts 1 and 2.

LEGAL AND RELATED REFERENCES: Title IV-B, Subparts 1 and 2, Sections 421-425, 428, 430-438, and Title IV-E, Section 477 of the Act; The Child and Family Services Improvement Act of 2006 (Public Law (P.L.) 109-288); the Indian Child Welfare Act of 1978 (P.L. 95-608); the Indian Self-Determination and Education Assistance Act (P.L. 93-638); 45 CFR Parts 1355 and 1357 and ACYF-CB-PI-04-05, issued February 2, 2004 (Fiscal Year 2004-2009, Child and Family Services Plan (CFSP)).

PURPOSE: This Program Instruction (PI) summarizes the actions required under title IV-B, subparts 1 and 2 of the Act, and Federal regulations at 45 CFR Part 1357 so that Tribes may receive their allotments of Federal funds for Federal fiscal year (FY) 2009 (subject to the availability of appropriations). This PI also announces the final FY 2008 allotments, provides guidance regarding the reporting of FY 2008 activities and accomplishments to date and provides instructions regarding application for FY 2009 funds for Tribes for the above programs.

It is important that the Tribal grantee respond to all requirements outlined in this PI as missing or incomplete information will result in the withholding of funds for the program(s) affected until such time as approval can be granted by ACF. If the Tribe has additional questions in preparing the APSR, please contact the Tribe's Regional Office Program Specialist.

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Section A. Overview

Annual Progress and Services Report

The **Child and Family Services Plan (CFSP)** is a five-year plan which lays out the strategy for administering the Tribe's child welfare system, in particular for title IV-B, subpart 1, Child Welfare Services (CWS) and subpart 2, Promoting Safe and Stable Families (PSSF) programs. Federal regulations at 45 CFR 1357.15 and 1357.16 provide the requirements for a five-year comprehensive CFSP and annual updates on the progress made toward accomplishing the goals and objectives in the CFSP. The CFSP sets forth the framework for a system of services that are coordinated, integrated, culturally relevant and child and family-focused.

The **Annual Progress and Services Report (APSR)** is the annual update report that the Tribe submits on the progress made toward accomplishing the goals and objectives in the CFSP. Completion of the APSR satisfies the Federal regulations by providing updates on a Tribe's annual progress for the previous federal fiscal year and planned activities for the upcoming federal fiscal year. The third cycle of CFSPs (FY 2005-2009) was due June 30, 2004. If a Tribe becomes eligible during the 5-year plan cycle, it must submit a plan for approval that may be less than 5 years with the expectation that a new plan will be submitted for the FY 2010-2014 cycle.

Please note that the Child and Family Services Improvement Act of 2006 amended title IV-B at section 434(c) to allow Tribal consortia, as well as Tribes, to apply for funding for title IV-B, subpart 2 beginning in FY 2008. Tribes and Tribal consortia are eligible for the three percent set-aside in title IV-B, subpart 2 (PSSF). References in this PI to Tribes also include Tribal consortia.

In order for Tribes to receive FY 2009 funds for title IV-B, the APSR must be submitted electronically to the Children's Bureau (CB) Regional Offices (ROs) by **June 30, 2008**. The ROs will be working with the Tribe to ensure that the information provided adequately addresses the requirements. Upon approval, the RO will forward the Tribe's request for funding to Central Office. The RO will not forward the CFS-101 to the CB Central Office for funding until all requirements for the APSR are met. The CFS-101, Parts I, II, and III, is located in Attachment B.

It is important that applicants address all requirements outlined in this PI, as missing or incomplete information will result in the withholding of funds for the program(s) affected until such time as the information is complete and approval can be granted by ACF. If there are questions in preparing the APSR, please contact the Tribe's CB Regional Office Program Specialist.

Plans and activities included in the APSR must meet the provisions of 45 CFR 1355.21, 45 CFR 1357, and title IV-B, subparts 1 and/or 2. These programs provide a critical source of funding for ensuring the safety, permanency and well-being of children.

In preparing the APSR, each Tribe must conduct an interim review of the progress made in the past year toward accomplishing the goals and objectives in the CFSP based on updated

information and current data. When conducting this annual review, the Tribe must include the agencies, organizations, and individuals, e.g., the State's Court Improvement Program, State and county social service programs, Temporary Assistance for Needy Families (TANF) program and other human service agencies and individuals in the ongoing CFSP-related consultation and coordination process when conducting this review, and include a description of the collaboration process in the APSR.

Section B. Instructions for Tribes for APSR Submission

Tribes must submit their APSR to the RO by June 30, 2008. The submission must include:

- An electronic copy of the APSR submitted via e-mail or compact disc. (Paper copies will not be accepted);
- CFS-101, Part II with planned expenditures for FY 2009;
- CFS-101, Part III with estimated and actual expenditures for FY 2006 for the title IV-B programs.
- If appropriate, a revised and signed CFS-101, Part I for FY 2008 indicating:
 1. the amount of funds that the Tribe does not expect to utilize from its FY 2008 allotment during the upcoming year to carry out the title IV-B program activities; and/or
 2. the amount of funds the Tribe is requesting if additional funds become available for the title IV-B programs (if different from earlier requests).
- Certifications and Assurances: Certifications and assurances submitted with the 2005-2009 CFSP do not need to be re-submitted unless a change has occurred so that a new certificate is warranted. If this is a new application for title IV-B, the application must include the signed certifications and assurances. Copies of the full assurances can be found at http://www.acf.hhs.gov/programs/cb/laws_policies/policy/pi/2004/pi0402e.pdf

The APSR must address each of the following programs and address each of the requirements in items 1 through 7:

- Child Welfare Services (including child abuse and neglect prevention, intervention, and treatment services and foster care, adoption, kinship care or other permanent living arrangements);
- Promoting Safe and Stable Families programs:
 1. Family Preservation;
 2. Family Support;
 3. Time-Limited Family Reunification; and
 4. Adoption Promotion and Support Services.

1. Service Description for Each of the Programs Listed Above

- Report on the specific accomplishments and progress achieved to date in the past fiscal year toward meeting each goal and objective in the CFSP including improved outcomes for children and families, as well as providing a more comprehensive, coordinated, and effective child and family services continuum (45 CFR 1357.16(a)(1)).
- Describe the steps the Tribe will take to expand and strengthen the range of existing services and to develop and implement services to improve child outcomes. Explain planned activities, new strategies for improvement, and the method(s) to measure progress in the upcoming fiscal year (October 1, 2008 to September 30, 2009).
- Explain any revisions to existing goals and objectives (45 CFR 1357.16(a)(3)); and, if appropriate, update the goals and objectives to incorporate any new goals or objectives.
- Describe the services to be provided in FY 2009 under title IV-B, subpart 1 and/or 2 (as applicable), highlighting any changes or additions in services or program design and how the services will assist in achieving program purposes (45 CFR 1357.16(a)(4)). For each service described above, report:
 1. the population(s) to be served;
 2. the geographic areas where the services will be available; and
 3. the estimated number of individuals and families to be served.

This information may be provided in Part II of the CFS-101 form (Attachment B).

- Indicate if there are no planned changes to the program.

2. Collaboration

- Describe activities in the ongoing process of coordination and collaboration efforts conducted across the entire spectrum of the child and family service delivery system. This should include stakeholder or partner involvement in the review of progress made in the past fiscal year and expected updates for the coming year (Section 422(b)(2) of the Act).
- Update the Tribe's demonstration of substantial, ongoing, and meaningful collaboration between the child welfare agency and the Tribal or State courts, as appropriate, with regard to the development of the APSR and any tribal actions being undertaken in response to a State's CFSR or title IV-E program improvement plans (Section 422(b)(13) of the Act).
- The current administration has identified major initiatives in areas that it believes will benefit children, adults, and society. The initiatives include the Department's Healthy Marriage, Responsible Fatherhood, Youth Development, Rural, and Faith-based and

Community Initiatives. Tribes may chose to use title IV-B funds on services related to these initiatives.

1. Describe the services that the Tribe provided, using only title IV-B funds, during FY 2008 that support the above initiatives.
2. Discuss how these initiatives are improving outcomes for children.
3. Identify who is providing the service (i.e. contractor or tribal entity).
4. Describe services that the Tribe plans to provide, using only title IV-B funds, in FY 2009 that support the above initiatives.

3. Program Support

- Discuss updates to the Tribe's child welfare services staff development and training plans. Discuss the child and family program's research, evaluation, or management information systems and quality assurance systems that will be updated or implemented in the upcoming fiscal year. Specify any additions or changes in services or program design due to the Tribe's own evaluation of programs that the Tribe has found particularly effective or ineffective. (45 CFR 1357.16 (a)(5)).
- Discuss any technical assistance that the Tribe anticipates requesting from the CB's Training and Technical Assistance network as it implements current or new Federal requirements.

4. Consultation with States

Tribes and their respective States are required to respond to the bullets below regarding Tribal consultation, and States and Tribes are required to exchange their CFSPs and APSRs.

- Provide an update regarding Tribal consultation with the State regarding ICWA concerns (Section 422(b)(9) of the Act).
- Provide a description of the understanding, gathered from State/Tribal consultation, as to who is responsible for providing the protections for Tribal children delineated at Section 422(b)(8) of the Act, whether they are in State or Tribal care and responsibility. This includes:
 1. Provisions requiring policies and procedures for children abandoned at or shortly after birth (Section 422(b)(8)(B) of the Act).
 2. Procedural safeguards that must be in place to ensure that courts conducting permanency hearings consult with youth, in an age-appropriate manner, regarding his/her permanency plan. The requirement applies to title IV-B, subpart 1 (Section 475(5)(C) of the Act).
- Describe how the Tribe has been consulted about the programs to be carried out under the Chafee Foster Care Independence Program (CFCIP) and explain the results of the

consultation, specifically as it relates to determining eligibility for benefits and services and ensuring fair and equitable treatment for Indian youth in care under the CFCIP (Section 477(b)(3)(G)).

5. Consultations with Physicians or Appropriate Medical Professionals

- Provide an update of how the Tribe actively consults with physicians or other appropriate medical professionals in assessing the health and well-being of foster children and determining appropriate medical treatment (Section 422(b)(15) of the Act).

6. Disaster Plans

Provide an updated Tribal Disaster Plan, highlighting any significant revisions made since its prior disaster plan was submitted to the CB Regional Office. Please ensure that the plan meets the requirements in Section 422(b)(16) of the Act described below:

- Identify, locate and continue availability of services for children under Tribal care or supervision who are displaced or adversely affected by a disaster;
- Respond to new child welfare cases in areas adversely affected by a disaster, and provide services in those cases;
- Remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster;
- Preserve essential program records; and
- Coordinate services and share information with States and other Tribes.

7. Financial and Statistical Information Reporting

- For the purpose of applying for FY 2009 funds, the Tribe should specify title IV-B, subpart 2 funds that it will expend on planning and service coordination and on actual delivery of family preservation, community-based family support, time-limited family reunification, and adoption promotion and support services. Tribes should report separately the amount to be allocated to planning and service coordination.
- Provide the estimated and actual amounts of FY 2006 Federal funds expended:
 - Under title IV-B, subpart 1;
 - For each of the four categories of services for title IV-B, subpart 2; and
 - For those costs identified as administrative in title IV-B programs.

Utilizing the CFS-101-Part III, the Tribe must compare FY 2006 actual expenditures with FY 2006 estimated expenditures in each category for the title IV-B programs. Provide an explanation for any differences between the FY 2006 actual expenditures and estimated costs in the APSR narrative.

Section C. Financial Information

1. Payment Limitations

Title IV-B, subpart 1:

Tribes may spend no more than ten percent of title IV-B, subpart 1 funds for administrative costs (Section 422 (b)(14) of the Act). Beginning in FY 2007, Tribes were required to limit their “indirect” cost allocation from this grant to 10 percent and could no longer apply their full indirect cost rate to their Federal grant award. Administrative expenditures are defined as costs for the following activities to the extent they are incurred in administering the title IV-B State plan: procurement, payroll management, personnel functions (other than the portion of the salaries of supervisors attributable to time spent directly supervising the provision of services by case-workers), management, maintenance and operation of space and property, data processing and computer services, accounting, budgeting, auditing, and travel expenses (except those related to the provision of services by caseworkers or the oversight of programs funded under title IV-B, subpart 1) Sections 422(b)(14) and 422(c)(1) of the Act).

Title IV-B, subpart 2:

Beginning with FY 2007, Tribes were required to assure that subpart 2 (PSSF) funds will not be used to supplant Federal or non-Federal funds provided under this subpart for existing services and activities which promote the purposes of this subpart (Section 432(a) (7) (A) of the Act).

2. FY 2008 Funding—Revised Budget Request

Unneeded portions of Tribal allocations of title IV-B funds may be re-allotted to other Tribes so that the total appropriation remains available for program purposes (Section 433(d) of the Act).

- In order to receive the full share of FY 2008 funds allotted, Tribe must submit a revised FY 2008 budget form (CFS-101, Part I). Note: The revised request must be equal to or less than the sum of the reallocation request(s) and the amount the Tribe is eligible to receive in FY 2008 under title IV-B, subparts 1 or 2 (see Attachment A).
- Indicate on line 7a or 7b of the FY 2008 CFS-101, Part I (Annual Budget Request) if the Tribe intends to release or apply for, respectively, FY 2008 title IV-B, subpart 2 funds for reallocation. If the Tribe determines that it will not obligate all of its FY 2008 allotment by September 30, 2009, show the estimated unobligated balance on line 7a and ACF will re-allocate the funds in accordance with the prescribed formulas. Funds will be re-allocated prior to the end of the fiscal year.

3. FY 2009 Budget Request—CFS 101 (See Attachment B)

- Complete Part I of the CFS 101 form to request funds under title IV-B, subparts 1 and 2.
- Complete Part II to include the estimated amount of funds to be spent in title IV-B, subpart 1 and/or subpart 2, as applicable, the estimated number of individuals and families to be served, and the geographic service area within which the services are to be provided.
- Use the FY 2008 allocations tables as the basis for the FY 2009 budget requests for title IV-B, subparts 1 and 2.

4. FY 2006 Title IV-B Expenditure Report—CFS-101, Part III

Complete the CFS-101, Part III to include the actual amount of funds expended in each program area of title IV-B funding by source, the number of individuals and families served, and the geographic service area within which the services were provided. The Tribe must track and report annually its actual title IV-B expenditures, including administrative costs for the most recent preceding fiscal year. Tribes must report the actual title IV-B expenditures of FY 2006 funds in the APSR due June 30, 2008.

5. Financial Status Reports—SF 269

Submission requirements for expenditures of title IV-B funds must be met by all grantees on the Financial Status Report SF-269. Each grantee is required to submit both an interim report and a final report on expenditures. There is a two-year period for the expenditure of funds. The SF-269 covering the first 12-month budget period is the interim report and the report covering the entire two-year grant period is the final report. Each report is due 90 days after the end of the fiscal year (December 31). A negative grant award will recoup unobligated and/or unliquidated funds reported on the final SF-269 for the title IV-B programs. In summary, all grantees are required to:

- Expend title IV-B funds by September 30 of the fiscal year following the fiscal year in which the funds were awarded (i.e., for FY 2008, funds must be obligated by September 30, 2009 and liquidated by December 31, 2009).
- Submit a separate SF-269 (by December 31) for expenditures made under each subpart of title IV-B at the end of each 12 months (October 1-September 30) of the two-year expenditure period.
- Report the cumulative amount of Federal funds expended and the required 25 percent Tribal match on the final SF-269.

Submit the original SF-269 for each program to your ACF RO 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

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 OMB control number is # 0980-0047, approved through October 31, 2008. Reporting burden for the APSR and the CFS-101 is estimated to average 50 hours per response.

Inquiries To: Children's Bureau Regional Program Managers

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

Section D. Attachments

Attachment A:

FY 2008 Tribal Allocation Tables:

- Title IV-B, subpart 1, Child Welfare Services
- Title IV-B, subpart 2, Promoting Safe and Stable Families

Attachment B: CFS-101

- Part I: Annual Budget Request for Title IV-B, Subpart 1 & 2 Funds, CAPTA, CFCIP, and ETV Instructions
- Part I: Annual Budget Request for Title IV-B, Subpart 1 & 2 Funds, CAPTA, CFCIP, and ETV Form
- Part II: Annual Summary of Child and Family Services Instructions
- Part II: Annual Summary of Child and Family Services Form
- PART III: Annual Expenditures for Title IV-B, Subparts 1 and 2, Chafee Foster Care Independence (CFCIP) and Education And Training Voucher (ETV) Instructions
- PART III: Annual Expenditures for Title IV-B, Subparts 1 and 2, Chafee Foster Care Independence (CFCIP) and Education And Training Voucher (ETV) Form

Attachment C: Children's Bureau Regional Program Managers