

<h1 style="margin: 0;">ACF</h1> <p style="margin: 0;">Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration for Children, Youth and Families	
	1. Log No.: ACYF-CB-PI-07-05	2. Issuance Date: February 28, 2007
	3. Originating Office: Children's Bureau	
	4. Key Words: Annual Progress and Services Report: State Title IV-B Child and Family Services Plan; Child Abuse Prevention and Treatment State Plan; Chafee Foster Care Independence and 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/or 2, and Title IV-E of the Social Security Act; State Office or Organization Designated by the Governor to Apply for Child Abuse and Neglect State Grant Funds; State Independent Living Coordinators; State Education and Training Voucher (ETV) Coordinators; ACF Regional Child Welfare Program Managers.

SUBJECT: The June 30, 2007 submission of the Annual Progress and Services Report (APSR) required under Title IV-B of the Social Security Act (the Act), the Child Abuse Prevention and Treatment Act (CAPTA), and the Chafee Foster Care Independence Program (CFCIP), including the ETV program; the submission of the CFS-101, Part I, Annual Budget Request, Part II, Annual Summary of Child and Family Services, and Part III, Annual Expenditure Report—Title IV-B, Subparts 1 and 2, Chafee Foster Care Independence Program (CFCIP) and Education and Training Vouchers (ETV).

LEGAL AND RELATED REFERENCES: The Safe and Timely Interstate Placement of Foster Children Act of 2006 (Public Law (P.L.) 109-239); The Child and Family Services Improvement Act of 2006 (P.L. 109-288); Title IV-B, subparts 1 and 2, Sections 421-425, 428, 430-438, and Title IV-E, Section 477 of the Social Security Act; Section 106 of the CAPTA, as amended (42 U.S.C. 5101 et seq.); 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; ACYF-CB-PI-04-01, issued February 2, 2004 (Fiscal Year 2005 - 2009, Child and Family Services Plan).

PURPOSE: This Program Instruction (PI) summarizes the actions required under Title IV-B, subparts 1 and 2 and Section 477 of title IV-E of the Social Security Act, CAPTA, and Federal regulations at 45 CFR Part 1357 so that States may receive their allotments of Federal funds for fiscal year (FY) 2008 (subject to the availability of appropriations). This PI also announces the final FY 2007 allotments, provides guidance regarding the reporting of FY 2007 activities and accomplishments, and provides instructions regarding application for FY 2008 funds for States and Territories for the above programs, including new provisions for reporting based on P.L. 109-239 and P.L. 109-288.

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Section A. Overview

Annual Progress and Services Report (APSR)

Federal regulations at 45 CFR 1357.15 and 1357.16 provide the requirements for a five-year comprehensive Child and Family Services Plan (CFSP) and annual updates on the progress made toward accomplishing the goals and objectives in the CFSP. Completion of the APSR satisfies the Federal regulations by providing updates on a State's annual progress for the past fiscal year and planned activities for the upcoming fiscal year.

In order for States and Territories to receive title IV-B, CAPTA, and CFCIP and ETV FY 2008 funds, the APSR must be submitted to the Administration for Children and Families (ACF) Regional Offices (RO) by June 30, 2007. An original, signed CFS-101, Annual Budget Request for Title IV-B, Subparts 1 and 2, CAPTA, Chafee Foster Care Independence (CFCIP) and Education and Training Voucher (ETV) Programs must be mailed to the RO as well. (See addresses at Attachment E.) The ROs will be working with States to ensure that the information provided adequately addresses the information required. Upon approval, the RO will forward the State's request for funding to Central Office. The RO will not sign and forward the CFS-101 to the ACF Grants Management Office for funding until all requirements for the APSR are met. The CFS-101, Parts I, II, and III is located in Attachment C.

It is important that you 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 you have additional questions in preparing your APSR, please contact your ACF Regional Office State Liaison.

In preparing the APSR, each State must conduct an interim review of the progress made since the last APSR to date (unless otherwise noted) toward accomplishing the goals and objectives in the CFSP, based on updated information and current data. The State must include the agencies, organizations (e.g., the State's Court Improvement Project and faith-based and community organizations, Tribes, providers) and individuals in the ongoing CFSP related consultation and coordination process when conducting this review. Where appropriate, ACF also expects States to integrate the findings of the Child and Family Services Reviews (CFSR), foster care, AFCARS, and other relevant Children's Bureau reviews, including activities proposed and completed in subsequent Program Improvement Plans (PIPs) when addressing services and programs under this APSR. Since a Statewide Automated Child Welfare Information System (SACWIS) is required to support and monitor child welfare activities in accordance with 45 CFR 1355.53, States with a SACWIS are generally expected to utilize data obtained from their SACWIS, including when developing their APSR, and cite the source as such.

Plans and activities included in the APSR must meet the provisions of 45 CFR 1355.35, 45 CFR 1357, title IV-B, subparts 1 and/or 2, title IV-E, Section 477 of the Act and CAPTA. These programs provide a critical source of funding for supporting the service array necessary to meet the needs of children and families and to address gaps in services.

The Child and Family Services Improvement Act of 2006 - P.L. 109-288

P.L. 109-288 was signed into law September 28, 2006. The law makes numerous changes to title IV-B, subparts 1 and 2 of the Social Security Act and reauthorizes the Promoting Safe and Stable Families program and one grant under the Court Improvement Program. Information Memorandum (IM) ACYF-CB-IM-06-05, issued December 7, 2006 discusses the changes in the Act. This PI highlights major provisions below and details the various requirements and their due dates throughout the document.

Title IV-B, subpart 1: The new law changes the title IV-B, subpart 1 program from a permanent authorization to a five-year authorization. It authorizes \$325 million for each of the Federal fiscal years (FY) 2007 through 2011. States must spend funds according to a newly established program purpose in lieu of the former Section 425 definition of “child welfare services” in the Social Security Act. The new program purpose is to: protect and promote the welfare of all children; prevent the neglect, abuse or exploitation of children; support at-risk families through services which allow children to remain with their families or return to their families in a timely manner; promote the safety, permanence and well-being of children in foster care and adoptive families; and provide training, professional development and support to ensure a well-qualified workforce. (See Section 421 of the Act.)

The new law revises and updates the language in several plan requirements, including:

- provisions requiring a description of services and activities carried out under IV-B, subpart 1 and a discussion of how the services and activities will achieve the purposes of the Child Welfare Services Program (Section 422 (b)(3)),
- additional provisions requiring a description of the steps taken to expand and strengthen the range of existing services and develop and implement services to improve child outcomes (Section 422 (b)(4)(A)),
- the State’s child welfare services staff development and training plans (Section 422 (b)(4)(B)), and
- that the State has policies and administrative and judicial procedures for children abandoned at or shortly after birth (Section 422 (b)(8)(B)).

New descriptions and plans required:

States must describe:

- how physicians or other appropriate medical professionals are consulted and involved in assessing the health and well-being of foster children under the responsibility of the State and for determining appropriate medical treatment for those children (Section 422(b)(15)),
- the State’s procedures providing how programs funded by title IV-B, subparts 1 and 2, would respond to a disaster (Section 422(b)(16)), and
- the State standards for the content and frequency of caseworker visits for children in foster care (Section 422(b)(17)).

The new law adds one new assurance: that the State will spend no more than ten percent of title IV-B, subpart 1 funds for administrative costs (Section 422 (b)(14)).

Fiscal limitations:

Administrative Costs for Title IV-B, subpart 1:

The State must provide an assurance that it will not expend more than 10 percent of each fiscal year's title IV-B, subpart 1 funds on administrative costs beginning October 1, 2007. This limitation applies to FY 2007 funds expended in FY 2008, as well as all future expenditures of title IV-B, subpart 1 funds. 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 caseworkers), 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)).

Monthly Caseworker Visit Data:

To receive funding for a period in FY 2008 under title IV-B, subpart 1, the law requires the State to submit FY 2007 data on:

- The percentage of children in foster care under the responsibility of the State who were visited on a monthly basis by the caseworker handling the case of the child; and
- The percentage of the visits that occurred in the residence of the child (Section 424(e)(1)).

Limit on Title IV-B, subpart 1 funds for child care, foster care maintenance or adoption assistance payments:

The law prohibits States/Territories, for FY 2008 and later, from spending their title IV-B, subpart 1 funds on child care, foster care maintenance or adoption assistance payments in excess of the amount of title IV-B subpart 1 funds spent on these activities in FY 2005 (Section 424(c)).

State Match Limitation:

Beginning in FY 2008, a State cannot use more than the amount of non-federal funds it spent on foster care maintenance payments in FY 2005 as match for the title IV-B, subpart 1 program (Section 424(d)).

Caseworker visits:

Title IV-B, subparts 1 and 2 (at Sections 424(e)(1) and (2) and 436(b)(4) of the Act, respectively) contain requirements and funding related to case worker visits which are addressed in the Instruction section of this document. Briefly, States will be required to submit FY 2007 baseline data regarding current caseworker visitation, set targets for improvement, and meet the goal of "at least 90 percent of the children in foster care under the responsibility of the State are visited by their caseworkers on a monthly basis, and that the majority of the visits occur in the residence

of the child” by October 1, 2011. FY 2008 title IV-B, subpart 1 funds will not be awarded to a State until such time as the baseline data is submitted to ACF. If a State fails to achieve its progress goals, a reduced amount of Federal funds will be awarded as the State’s share of the subpart 1 funding. Each State will continue to receive its share of the subpart 2 funding for caseworker visits.

Title IV-B, subpart 2:

New funding: The new law appropriates a \$40 million set-aside in title IV-B, subpart 2 mandatory grant funds each year from FY 2006 through FY 2011. The funds for FY 2006 must be used to support monthly caseworker visits with children who are in foster care under the responsibility of the State with a primary emphasis on activities designed to improve caseworker retention, recruitment, training and ability to access the benefits of technology. The funds awarded in FY 2006 for caseworker visits may be expended through September 30, 2009.

In FY 2007, the \$40 million is set aside for ACF to award competitive grants to regional partnerships. These partnerships are to provide, through interagency collaboration and integration of programs and services, services and activities that are designed to increase the well-being of, improve permanency outcomes for, and enhance the safety of children who are in an out-of-home placement as a result of a parent’s or caretaker’s methamphetamine or other substance abuse. The funding is divided in various amounts through FY 2011 between the two purposes, as specified below:

Fiscal Year (FY)	Monthly Caseworker Visits	Methamphetamine and Substance Abuse Regional Partnerships
2006	\$40	---
2007	---	\$40
2008	\$5	\$35
2009	\$10	\$30
2010	\$20	\$20
2011	\$20	\$20

\$ in millions

Because the regional partnerships will be awarded as the result of a competitive grant process that is dependent upon funding that is subject to the CR, more information will be forthcoming separately from this PI. States should read the law and prepare now to assess the need for the grants, form or enhance the partnerships that will address the need, and begin planning for the application process. (See Section 436 for funding authorization and Section 437 for discretionary and targeted grants.)

Funding for Tribes and Tribal Consortia:

The new law allows Tribal consortia to apply for title IV-B, subpart 2 funds (Sections 432(b)(2), 433(a), 434(c), 436(b)(3), 437(b)(3) and (c)(1)).

Beginning in FY 2007, the set-aside for Tribes and Tribal consortia increases to three percent of the title IV-B, subpart 2 funds (not including the additional \$40 million for caseworker visits or regional partnerships). These funds will be available to currently funded and newly eligible Tribes and newly authorized Tribal consortia. This will result in an increased number of Tribal grantees and larger grant amounts for some Tribes, as well as a slight reduction in overall State funding. A separate PI issued to the Tribes will detail Tribal requirements and the amount of funds Tribes are expected to receive.

Planned and Actual Expenditures:

States must submit their planned and actual title IV-B, subpart 1 and 2 expenditures on the CFS-101, Part III form (see Attachment C) with the APSR annually beginning June 30, 2007. Expenditures must be reported “for the most recent preceding fiscal year for which reporting of actual expenditures is complete.” (Section 432(a)(8)(B)(ii) of the Act). For purposes of this APSR, the “most recent preceding fiscal year” is FY 2005. Therefore, references to reporting FY 2005 expenditures in this PI mean FY 2005 funds spent any time during the two year expenditure period (October 1, 2004 to September 30, 2006). ACF must in turn compile and report these State estimates and expenditures to Congress annually beginning September 30, 2007 (Section 432(c) of the Act).

Fiscal limitations:

Administrative Costs for Title IV-B, subpart 2

The State may not expend more than 10 percent of its total (i.e., Federal and State) expenditures of each fiscal year’s title IV-B, subpart 2 funds on administrative costs (Section 434(d) of the Act). States are advised that this statutory provision supersedes existing ACF policy as reflected in regulations at 45 CFR 1357.32(h), which limited States to spending no more than 10 percent of the **Federal share** of title IV-B, subpart 2 funds for administrative costs, but did not limit the amount of State match that could be used for the same purpose.

Administrative costs for the purposes of title IV-B, subpart 2 are defined at 45 CFR 1357.32 (h) as “auxiliary functions as identified through the agency's accounting system which are:

- (i) allocable (in accordance with the agency's approved cost allocation plan) to the title IV-B, subpart 2 program cost centers;
- (ii) necessary to sustain the direct effort involved in administering the State plan for title IV-B, subpart 2, or an activity providing service to the program; and
- (iii) centralized in the grantee department or in some other agency, and may include but are not limited to the following: procurement; payroll; personnel functions; management, maintenance and operation of space and property; data processing and computer services; accounting; budgeting; auditing.”

Reauthorization of State Court Grants:

The basic Court Improvement Program is reauthorized without change through FY 2011 (Section 438 of the Act). This reauthorization plus the two new grants authorized under the Deficit

Reduction Act of 2005 maintains the three separate grants of the Court Improvement Program. The highest State court may apply for one or more of the three court improvement grants. State courts must demonstrate in their applications for each of the three CIP grants “meaningful, ongoing collaboration” among the courts in the State, with the State agency (or any other agency with which the State contracts to administer titles IV-B or IV-E) and, where applicable, Indian tribes. Likewise, the State child welfare agencies must demonstrate in their APSRs “meaningful, ongoing collaboration” with the courts. The Children’s Bureau issued ACYF-CB-PI-06-05 on June 15, 2006 which, in part, discussed ongoing collaboration between the State agency and the courts and required State and Tribal agencies to submit an addendum to their APSR by August 2006 that described collaboration between them and the State courts.

The Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239)

The new law was signed on July 3, 2006. The law encourages States to improve protections for children and holds them accountable for the safe and timely placement of children across State lines. This law modifies the title IV-B provision (now at Section 422(b)(10)) of the Act to require States to make effective use of cross jurisdiction resources and “eliminate legal barriers” to timely adoptions and includes numerous amendments to title IV-E including case plan amendments, new State Court requirements, caseworker visit requirements for children placed out of state, and home study requirements. Information Memorandum (IM) ACYF-CB-IM-06-03, dated August 11, 2006 provides an overview of the new provisions.

Of specific interest to states is an incentive program for out-of-state placement home study requests completed within 30 days. Should funding for the incentive program, which is subject to annual appropriations, become available, States will be awarded an incentive payment of \$1,500 (or a prorated amount) for each interstate home study completed within 30 days of the request (Section 473B of the Act). Instructions on interstate home study reporting requirements and the incentive will be issued in a future Program Instruction.

Section B. Instructions for States, Puerto Rico and the District of Columbia

APSR Submission:

States and Territories must submit their APSR to the RO by June 30, 2007, including:

- APSR (via e-mail or compact disk);
- CFS-101, Part I for FY 2008 with signature (faxed followed by original signatures copy) or e-mail the signed .pdf file;
 - Include relinquishment of, or requests for, FY 2007 title IV-B, CFCIP, and/or ETV funds available for reallocation; and
- CFS-101, Part II with planned expenditures for FY 2008 and
- CFS-101, Part III with actual expenditures for FY 2005 for the title IV-B, and at State option, the Chafee and ETV programs;

- If appropriate, a revised and signed CFS-101, Part I for FY 2007 indicating:
 - the amount of funds that the State does not expect to utilize from its FY 2007 allotment during the upcoming year to carry out the title IV-B, CFCIP and/or ETV program activities, and/or
 - the amount of funds the State is requesting if additional funds become available for the title IV-B, CFCIP and/or ETV programs (if different from earlier requests).
- Certifications and assurances. One new assurance must be submitted. (See Attachment D.) Certifications and assurances submitted with the 2005-2009 CFSP do not need to be re-submitted unless a change in the State has occurred so that a new certificate is warranted. Copies of the full assurances can be found at http://www.acf.dhhs.gov/programs/cb/laws_policies/policy/pi/pi0401e.htm

The APSR must address each of the following:

- Child Welfare Services (including child abuse and neglect prevention, intervention, and treatment services and foster care, kinship care or other permanent living arrangements)
- Promoting Safe and Stable Families programs
 - Family Preservation
 - Family Support
 - Time-Limited Reunification
 - Adoption Promotion and Support Services
- CAPTA State Grant
- Chafee Foster Care Independence
- Education and Training Vouchers

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, and a more comprehensive, coordinated, effective child and family services continuum;
- Describe the steps the State agency will take to expand and strengthen the range of existing services and 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;
- Explain any revisions to existing goals and objectives;
- Update the goals and objectives to incorporate areas needing improvement that were identified in a CFSR, title IV-E, AFCARS, or other improvement plans. If the current CFSP does not have a goal or objective that addresses the area needing improvement cited in the applicable plan, then the goal/objective must be added to the APSR;
- Describe the services to be provided in FY 2008, highlighting any changes or additions in services or program design and how the services will achieve program purposes;

- For each service described above, report the population(s) to be served, the geographic areas where the services will be available, and the estimated number of individuals and/or families (or to be) served. This information may be provided in Part II of the CFS-101 form (Attachment C); and
- 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 shareholder or partner involvement in the review of progress made and updates for the coming year.
- Update the State's demonstration of substantial, ongoing and meaningful collaboration between the child welfare agency and the courts with regard to the development of the APSR and any CFSR or title IV-E program improvement plans. (Section 422(b)(13))
- 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 Marriages, Responsible Fatherhood, Youth Development, Rural, and Faith-based and Community Initiatives. Describe the services that the State provided, using only title IV-B funds, during the past year that support the above initiatives; discuss how these initiatives are improving outcomes for children; identify who is providing the service, such as a contractor or county; and describe services that the State plans to provide, using only title IV-B funds, in FY 2008.

3. Program Support

- Discuss planned updates to the training plan including staff development plans based on the new caseworker visit funding under title IV-B, subpart 2 which may include activities designed to improve caseworker retention, recruitment, training and access to technology. Training with title IV-E funds must be included. All training must be described in terms of the courses offered, numbers and positions of prospective trainees, and estimated cost in the training plan (See ACYF-CB-PI-04-01 for further guidance.)
- Discuss the State technical assistance provided to counties and other entities which operate state programs.
- Discuss the technical assistance that the State anticipates requesting as it implements the current or new Federal requirements.
- Discuss the child and family programs 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 State's own evaluation of programs that the State has found particularly effective or ineffective.

4. Tribal Consultation

Provide an update, developed after consultation with Indian Tribes in the State, of the specific measures taken by the State in the past year to improve or maintain compliance with the Indian Child Welfare Act (ICWA) (Section 422(b)(9)). States should assess the level of compliance and the progress made to improve compliance during the past year and provide an update to the goals and activities that have been undertaken to improve or maintain compliance with ICWA. Include laws, policies, and/or trainings implemented to increase compliance with ICWA. (States with Indian children in their child welfare system, but no Federally-recognized Tribes within their borders, should consult with Tribal organizations in bordering States, State-recognized Tribes and/ or urban Indian Centers within the State to meet the intent of this provision.)

Listed below are the five major components in ICWA that the State must address in discussions with Tribes and in the APSR:

- 1) Identification of Indian children by the State child welfare services agency;
 - 2) Notification of Indian parents and Tribes of State proceedings involving Indian children and their right to intervene;
 - 3) Special placement preferences for placement of Indian children;
 - 4) Active efforts to prevent the breakup of the Indian family; and
 - 5) Use of Tribal courts in child welfare matters, Tribal right to intervene in State proceedings, or transfer proceedings to the jurisdiction of the Tribe.
- Provide a description of the understanding, gathered from State consultation with Tribes, as to who is responsible for providing the assurances for Tribal children delineated at Section 422(b)(8) of the Act, whether they are in State or Tribal custody for each Tribe in the State.
 - Provide information regarding consultations with Indian tribes in the State specifically as it relates to determining eligibility for benefits and services and ensuring fair and equitable treatment for Indian youth in care under the Chafee Foster Care Independence Act (Section 477(b)(3)(G) of the Act). This instruction is further delineated in item #8 below.

5. Consultations with Physicians or Appropriate Medical Professionals

Describe how the State agency actively consults with and involves 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

The State must submit their procedures describing how the State would respond to a disaster in accordance with the following criteria for programs funded under title IV-B, subparts 1 and 2:

- identify, locate and continue availability of services for children under State 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; and
- preserve essential program records and coordinate services and share information with other States (Section 422(b)(16) of the Act).

Technical assistance is available through the Children's Bureau's National Resource Centers (NRCs) should the State require additional information to complete their disaster plans. Also, a document, *"Coping with Disasters and Strengthening Systems: A Framework for Child Welfare Agencies"* has been recently published which will aid States in developing their procedures.

7. Monthly Caseworker Visit Data and State Plan Requirements

Under title IV-B, subpart 1 States are required to provide FY 2007 data on caseworker visits, including the percentage of children in foster care under the responsibility of the State who were visited on a monthly basis by the caseworker handling the case of the child, and the percentage of the visits that occurred in the residence of the child. Based on this data, the State will establish an outline of the steps it will take to ensure that the State meets the 90 percent goal of children in foster care under the responsibility of the State being visited by their caseworkers monthly with a majority of the visits occurring in the residence of the child. This outline must include target percentages to be reached each fiscal year, and a description of how the steps will be implemented. The steps may include activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology. For the purposes of this requirement we are not defining who a child's caseworker is. This will allow a State the flexibility to identify a child's caseworker in line with the State's own policies and practice.

Below is a chart with the steps and the correspondent due dates related to the monthly caseworker visit requirements. The APSR, due June 30, 2007, must contain the information describing the procedure the State has developed to track and report monthly caseworker visit data, as well as the State's standards for the content and frequency of caseworker visits for children in foster care which assure the children are visited on a monthly basis. A "monthly basis" is defined as one visit per calendar month. This requirement applies to all children in foster care under the responsibility of the State agency. As defined in 45 CFR 1355.20, foster care is "24-hour substitute care for children placed away from their parents or guardians and for whom the State agency has placement and care responsibility." Under this definition a child is in foster care regardless of whether the foster care facility is licensed and payments are made by the State or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.

Caseworker Visits

Due date	Requirement	Additional Information	Funding Affected
June 30, 2007	Describe the procedure the State has developed to track and report caseworker visit data to HHS	The State must describe what information collection method/process will be used to arrive at reported percentages.	FY 2008 funding under title IV-B, subpart 1 will not be awarded until the FY 2007 monthly casework data is submitted.
June 30, 2007	Describe the State standards for the content and frequency of caseworker visits for children in foster care which ensure the children are visited on a monthly basis and that the caseworker visits are focused on issues related to case planning and service delivery.	Include caseworker visits for children in out-of-state placements which must be visited at least every six months either by State staff or a private agency under contract with either State.	FY 2008 funding under title IV-B, subpart 1 will not be awarded until the FY 2007 monthly casework data is submitted.
October 31, 2007	Report final actual FY 2007 data to the ACF Regional Office on: 1) the percentage of children in foster care under the responsibility of the State who were visited on a monthly basis by the caseworker handling the case of the child; 2) the percentage of the visits that occurred in the residence of the child.	The State will use this data as its baseline for establishing its annual targets to achieve its 90 percent goal of monthly visits for all children in foster care by October 1, 2011. Include caseworker visits for children in out-of-state placements.	FY 2008 funding under title IV-B, subpart 1 will not be awarded until this data is submitted to ACF.
June 30, 2008	The State, in consultation with HHS, must have established an outline of the steps it will take to ensure that 90 percent of children in foster care are visited by their workers on a monthly basis, and that the majority of the visits occur in the residence of the child. The outline must include: 1) target percentages to be reached for each of fiscal years 2008-2010 and 2) a description of how the steps will be implemented. The 90 percent target must be achieved by October 1, 2011.	The steps to achieve the annual targets may include activities designed to improve caseworker retention, recruitment training and ability to access technology.	Reduced percentages of the State's title IV-B, sub-part 1 funding (dependent upon the percentage point failure rate to meet established targets) begin October 1, 2008.

8. CAPTA State Grant

Please note that compliance with the eligibility requirements for a CAPTA State Grant is a prerequisite for eligibility for funds under the Children's Justice Act State Grant Program authorized by Section 107(a) of CAPTA. Include the following information in addition to that provided under Section B items 1-3 above for the CAPTA State Grant:

- Update the program areas selected for improvement from one or more of the 14 program areas set forth in Section 106(a) of CAPTA;
- Identify the activities that the State intends to implement with its CAPTA State grant funds and any changes in activities for FY 2007;
- Describe any updates to the services and training to be provided under the CAPTA State grant as required by Section 106(b)(2)(C) of CAPTA;
- Explain substantive changes, if any, in State law that could affect eligibility, including an explanation from the State Attorney General as to why the change would, or would not, affect eligibility (Section 106(b)(1)(B)). Include a copy of any relevant State statute. 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;
- Submit a copy of the annual report(s) from the citizen review panels and a copy of the State agency's most recent response(s) to the panels and State and local child protective services agencies, as required by Section 106(c)(6) of CAPTA; and
- Describe any changes to the State's provisions and procedures for criminal background checks identified in the State's CFSP for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household (Section 106(b)(2)(A)(xxii));

It is important that the CAPTA State Plan include all of the items listed above. Missing or incomplete information will result in the withholding of CAPTA funds until such time as approval can be granted by ACF. If you have additional questions in preparing your CAPTA State Plan, please contact your ACF Regional Office State Liaison.

9. Chafee Foster Care Independent Living Services

Include the following information in addition to the information required under Section B. items 1-3 above for the Chafee Foster Care Independence Program (CFCIP):

- Report on the specific accomplishments achieved in FY 2007 and planned activities for FY 2008 for each of the five purpose areas:
 1. Assist youth to transition from dependency to self-sufficiency;

2. Help youth receive the education, training, and services necessary to obtain employment;
 3. Help youth prepare for and enter post-secondary training and educational institutions;
 4. Provide personal and emotional support to youth through mentors and the promotion of interactions with dedicated adults; and
 5. Provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age.
- Report service collaboration activities achieved in FY 2007 and planned for FY 2008 with other Federal and State programs for youth (including 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 disabled youth (especially sheltered workshops), and school-to-work programs offered by high schools or local workforce agencies in accordance with Section 477(b)(3)(F);
 - Provide information on specific training that was conducted during FY 2007 and planned for FY 2008, in support of the goals and objectives of the States' CFCIP. CFCIP training may be incorporated into the training information discussed under Section B., item 2 above, but should be identified as pertaining to CFCIP;
 - Update the service design and delivery of a new or changed trust fund program for States that choose to establish a trust fund program for youth receiving independent living services or transition assistance. Please note CFCIP funds placed in a trust fund must be expended during the applicable grant period. Refer to ACYF-CB-PI-05-06, issued October 12, 2005, for current guidance on trust funds;
 - Describe any activities undertaken to involve youth (up to age 21) in State agency efforts such as the CFSR/PIP process, agency improvement planning efforts, or others;
 - Describe, if applicable, how the State utilizes, or plans 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; and
 - Explain the results of the Indian tribe consultation (Section 477(b)(3)(G) of the Act) specifically as it relates to determining eligibility for benefits and services and ensuring fair and equitable treatment for Indian youth in care:
 - Describe how each Indian Tribe in the State has been consulted about the programs to be carried out under the Chafee Program;
 - Describe the efforts to coordinate the programs with such Tribes;
 - Discuss how the State ensures that benefits and services under the programs are made available to Indian children in the State on the same basis as to other children in the State; and
 - Report the Chafee benefits and services currently available and provided for Indian children and youth in fulfillment of this section and the purposes of the law.

10. Education and Training Vouchers (ETV)

Include the following information in addition to the information required under Section B items 1-3 above for the ETV Program:

- Describe the specific accomplishments and progress to establish, expand, or strengthen the State's postsecondary educational assistance program to achieve the purpose of the ETV program;
- Indicate how the ETV program is administered whether by the State child welfare agency, in collaboration with another State agency or with an outside entity such as Orphan Foundation of America.

11. Financial and Statistical Information Reporting

- For the purpose of applying for FY 2008 funds, States must indicate specific percentages of title IV-B, subpart 2 funds that the State will expend on actual 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 each service category whose percentage of funds does not approximate 20%. The State must have an especially strong rationale if the percentage provided is below 20 percent for any one of the four service categories and must include such rationale in the narrative of the APSR. 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.
- Provide the estimated and actual amounts of FY 2005 Federal funds expended under title IV-B, subpart 1; for each of the four categories of services in FY 2005 for title IV-B, subpart 2; and for those costs identified as administrative in title IV-B programs. Utilizing the CFS-101-Part III: Annual Expenditures for Title IV-B, Subparts 1 & 2 Funds, Chafee Foster Care Independence Program (CFCIP) and Education and Training Vouchers (ETV), the State must compare FY 2005 estimated expenditures with FY 2005 actual expenditures in each category for the title IV-B programs and, at State option, the CFCIP and ETV program (Attachment C). Provide an explanation for any differences between the FY 2005 estimated costs and actual expenditures in the APSR.
- Provide State and local share expenditure amounts for title IV-B, subpart 2 programs for FY 2005 for comparison with the 1992 base year amount as required to meet the non-supplantation requirements in Section 432(a)(7)(A) of the Act.
- At State option, provide actual expenditures of Chafee allocated funds for FY 2005 (final) and FY 2006 (year-to-date). Identify the amount of Chafee funds used to provide room and board for youth ages 18-21 in the last fully reportable year - FY 2005 (CFS-101, Part III at Attachment C). Report how the funds were used and any planned changes in the APSR.

- Identify the number of youth that received ETV awards in FY 2006 and FY 2007 (year-to-date). This number should include youth who are receiving ongoing vouchers (e.g., new voucher recipient in FY 2004 and continuing to receive vouchers in FY 2006 and FY 2007, plus those who were new recipients in FY 2006 and continue (or not) into FY 2007). For FY 2007, separately identify the number of youth who have received an award for the first time;
- Identify the estimated number of youth the State plans to award ETV vouchers to in FY 2008 via ongoing and new vouchers (see CFS-101, Part II at Attachment C).
- At State option, provide actual expenditures of ETV allocated funds for FY 2005 (see CFS-101, Part III at Attachment C) and FY 2006 (year-to-date).

Section C. Instructions for Territories

The Territories of American Samoa, Northern Mariana Islands, Guam, and the Virgin Islands:

- May submit consolidated grant applications in accordance with 45 CFR Part 97
 - May choose to have title IV-B, subparts 1 and/or 2, and CAPTA allotments included in a consolidated grant and expend these funds under authority of another program that is available for consolidation;
 - Notify your ACF RO in writing of your intent to consolidate your application for title IV-B, subparts 1 and/or 2, and CAPTA by June 30, 2007; A failure to submit such a notice of intent by that date will preclude use of the consolidated grant approach for FY 2007;

OR

- May choose to submit an APSR to your ACF RO by June 30, 2007
 - Follow the guidance included under Section B if you choose to submit an APSR.

Section D. Supporting Information

The following information must be reported in the APSR:

Juvenile Justice Transfers

- Report 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 (Section 106(d)(14) of CAPTA); and

- Discuss contextual information, such as how States define the reporting population and other pertinent information.

Inter-Country Adoptions

- Identify the number of children who were adopted from other countries and entered into State custody in FY 2006 as a result of the disruption of a placement for adoption or the dissolution of an adoption (Section 422(b)(12) of the Act);
- Explain the permanency plans for the child and the reasons for the disruption or dissolution. ACF has clarified the circumstances under which children need to be reported. The question/answer specific to inter-country adoptions is located at Section 7.3, Question 4 of the Child Welfare Policy Manual.
http://www.acf.hhs.gov/j2ee/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?citID=178#1200
- Identify the agencies that handled the placement or adoption; and
- Describe the activities that the State has undertaken for children adopted from other countries, including the provision of adoption and post-adoption services. (See Section 422(b)(11) of the Act.)

Child Welfare Demonstration Projects

- Describe the accomplishments and progress in the child welfare demonstration project as they relate to the goals and objectives in the State's CFSP, where applicable;
- Discuss how title IV-B funds are used to maximize the use of flexible title IV-E dollars in the demonstration (required for States participating in a child welfare demonstration project); and
- Identify if the state does not have a child welfare demonstration project.

Foster and Adoptive Parents Recruitment

- Describe the State's progress and accomplishments made in FY 2007 with regard to the diligent recruitment of potential foster and adoptive families that reflects the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed; and
- Explain planned activities for recruiting foster and adoptive families in FY 2008.

Adoption Incentive Payments

- Specify the services that have been, or will be, provided to children and families with the adoption incentive funds, if applicable.

Payment Limitations --Title IV-B, subpart 1:

- Report the amount of FY 2004 and FY 2005 title IV-B, subpart 1 funds that the State expended for child care, foster care maintenance and adoption assistance payments in FY 2005. This is the baseline amount that the State may not exceed for the corresponding

types of payments after FY 2007 and replaces the 1979 baseline amount to which the State was previously held (Section 424(c)). States should ensure that this amount of FY 2005 funds is retained in their files for comparison with expenditure amounts in future fiscal years.

- Report the amount of non-Federal funds expended by the State for foster care maintenance payments for FY 2005. This amount becomes the maximum that a State may use as match for foster care maintenance payments under title IV-B, subpart 1 (Section 424(d)) and will serve as a baseline for future years.

Section E. Financial Information

Unneeded portions of State allocations of title IV-B, and CFCIP and ETV funds may be re-allotted to other States, so that the total appropriation remains available for program purposes (Sections 423(e), 433(d) and 477(d)(4) of the Act).

1. FY 2007 Funding—Revised Budget Request

- Submit a revised FY 2007 budget form (CFS-101, Part I) in order to receive the full share of FY 2007 funds allotted, only if the previously submitted request was less than the FY 2007 amount the State is eligible to receive under title IV-B, subparts 1 or 2, CAPTA, and/or CFCIP and ETV (see Attachment A), plus any reallocation requests;
- Indicate on line 7a or 7b of the FY 2007 CFS-101, Part I (Annual Budget Request) if the State intends to apply for, or release, respectively, FY 2007 funds for reallocation. Funds will be re-allotted prior to the end of the fiscal year. If the State determines that it will not obligate all of its FY 2007 allotment by September 30, 2008, show the estimated unobligated balance and ACF will re-allot the funds in accordance with the prescribed formulas.

2. FY 2008 Budget Request—CFS 101 (See Attachment C.)

- Complete Part I of the CFS 101 form to request title IV-B, CAPTA, CFCIP and ETV funds;
- Complete Part II to include the estimated amount of funds to be spent in each program area by source, the estimated number of individuals or families to be served, and the geographic service area within which the services are to be provided; and
- Use the FY 2007 allotments as the basis for your budget request for title IV-B, subparts 1 and 2, and CAPTA, included under Attachment A.
- Use the FY 2007 allotments in Attachment B for the CFCIP and ETV programs.

3. FY 2005 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 or families served, and the geographic service area within which the services were provided. The State must track and report annually its actual title IV-B expenditures, including administrative costs for the most recent preceding fiscal year. States should report the actual title IV-B expenditures of FY 2005 funds in the APSR due June 30, 2007.

4. Financial Status Reports—SF 269

- Submission requirements for expenditures of title IV-B, CAPTA, and CFCIP funds must be met by all grantees on the Financial Status Report SF-269 and are listed below. The SF-269 covering the first 12-month budget period is the interim report and the report covering the entire 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, CAPTA, CFCIP and ETV programs.

Title IV-B, subparts 1 and 2

- 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 funds expended and the required 25 percent State match on the final SF-269.
- 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 2007, funds must be expended by September 30, 2008).
- States must submit a separate SF-269 to report expenditures of their share of the 2006 allocation for case worker visits under title IV-B, subpart 2. Funds must be expended by September 30, 2009, with a final report due December 31st of that year.
- No separate reporting is required to distinguish between the expenditure of the PSSF discretionary funds and the PSSF mandatory funds.

CAPTA Grants

- Submit the SF-269 fiscal report (by December 31) for CAPTA State grants at the end of each 12 months (October 1-September 30) of the five-year expenditure period; and
- CAPTA funds must be expended within five years from October 1 of the fiscal year in which they were awarded.

CFCIP and ETV

- Submit a separate SF-269 (by December 31) for expenditures made under the CFCIP and ETV programs;

- Include the required 20 percent State match in the final report for each program; and
- Expend CFCIP and ETV funds by September 30 of the fiscal year following the fiscal year in which the funds were awarded.

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

Alternatively, an electronic SF-269 submission for the above listed programs may be made through the ACF Online Data Collection (OLDC) system. Contact your ACF RO for more information on gaining access to and using the OLDC submission process.

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 264 hours per response.

Inquiries To: Children's Bureau Regional Program Managers

/ s /

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

Section F. Attachments

Attachment A: FY 2007 Allocations:

- 1) Title IV-B Subpart 1, Child Welfare Services
- 2) Title IV-B Subpart 2, Promoting Safe and Stable Families
 - a) 2006 State allocation for Caseworker Visits
- 3) Child Abuse and Neglect Prevention and Treatment Act (CAPTA)
- 4) Chafee Foster Care Independence Program (CFCIP)
- 5) Education and Training Vouchers Program (ETV)

Attachment B: FY 2008 Estimated Allotments

- Chafee Foster Care Independence Program (CFCIP)
- Education and Training Vouchers Program (ETV)

Attachment C: CFS-101,

- Part I: Annual Budget Request for Title IV-B, Subparts 1 and 2, CAPTA, CFCIP, and ETV Program Instructions and 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 Title IV-B, Subparts 1 and 2, CFCIP, and ETV Program Instructions and Form

Attachment D: Assurances and Certificates

Attachment E: Children's Bureau Regional Program Managers