

DEPARTMENT OF HEALTH AND HUMAN SERVICES**CFDA 93.645 CHILD WELFARE SERVICES—STATE GRANTS****I. PROGRAM OBJECTIVES**

The purpose of the Child Welfare Services (CWS) program is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families.

II. PROGRAM PROCEDURES

The Department of Health and Human Services (HHS), Administration for Children and Families (ACF), Administration on Children, Youth and Families, Children's Bureau, administers the CWS program on the Federal level. Funds are awarded directly to States and tribes. State agencies can have agreements and contracts with other public agencies and with private agencies for provision of appropriate services. Each State receives a base amount of \$70,000. Additional funds are distributed in proportion to the State's population of children under age 21 multiplied by the complement of the State's average per capita income. The funds must go to, and be administered only by, the State child welfare agency, tribes, or tribal organizations.

To be eligible for funds, each State and tribe must submit a five-year comprehensive plan, the Child and Family Services Plan (CFSP). This plan encompasses planning and service delivery for the full child welfare services spectrum. This includes: Child Welfare Services, services promoting safe and stable families under Title IV-B, Subpart 2; a child welfare staff development and training plan; a diligent recruitment of foster and adoptive families plan that reflects the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed; and child abuse and prevention, foster care, adoption, and foster care independence services. The plan must include how the State or tribe intends to meet specific goals, provide services, and coordinate services. The Children's Bureau has approval authority for the CFSP. An Annual Progress and Services Report (APSR) is required that identifies the specific accomplishments and progress made in the past fiscal year (FY) toward meeting each goal and objective in the 5-year comprehensive plan and any revisions in the statement of goals and objectives or to the training plan, if necessary, to reflect changed circumstances. The Associate Commissioner of the ACF Children's Bureau has approval authority for the title IV-B plans.

As required by the Child and Family Service Improvement Act of 2006 (Pub. L. No. 109-288), which amended Part B of Title IV of the Social Security Act, States, in consultation with HHS, are required to establish by June 30, 2008, an outline of steps to be taken to ensure that 90 percent of children in foster care are visited by their caseworkers on a monthly basis by October 1, 2011, and that the majority of the visits occur in the residence of the child (Pub. L. No. 109-288, Section 6(c) (42 USC 622 (b)(17))). HHS must reduce the Federal share of participation in expenditures under the State's Title IV-B, subpart 1, program by a certain statutory percentage if the State does not meet its annual progress toward the 90 percent caseworker visit standard. The law requires the State to submit FY 2007 data, which will be used as a baseline in determining

annual progress toward the 90 percent standard (Pub. L. No. 109-288, Section 6(b)(2) (42 USC 623(e)(1) and (2))). The law also requires that States establish target percentages for the children in foster care who will be visited during each and every calendar month for FY 2008 through 2011. If these target percentages are not achieved for a FY, the Federal match rate for title IV-B, subpart 1 funds will be reduced in the subsequent FY in proportion to the amount that the State failed to reach its target (section 424(e)(2)(B) of the Act).

Source of Governing Requirements

The CWS program is authorized under Title IV-B, Subpart 1 (sections 421 – 428) of the Social Security Act as amended, and is codified at 42 USC 620-628a. Implementing program regulations are published at 45 CFR parts 1355 and 1357.

III. Compliance Requirements

A. Activities Allowed or Unallowed

1. Prior to fiscal year (FY) 2007, funds for CWS could be used to accomplish the following purposes:
 - a. Protecting and promoting the welfare and safety of all children, including individuals with disabilities, homeless, dependent, or neglected children (45 CFR section 1357.10(c)(1));
 - b. Preventing or remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation, or delinquency of children (45 CFR section 1357.10(c)(2));
 - c. Preventing the unnecessary separation of children from their families by identifying family problems and assisting families in resolving their problems and preventing the breakup of the family where the prevention of child removal is desirable and possible (45 CFR section 1357.10(c)(3));
 - d. Restoring children who have been removed and may be safely returned to their families, by the provision of services to the child and the family (45 CFR section 1357.10(c)(4));
 - e. Assuring adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption (45 CFR section 1357.10(c)(5)); and
 - f. Placing children in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate (45 CFR section 1357.10(c)(6)).

2. Beginning in FY 2007, funds may be used for the following purposes:
 - a. Protecting and promoting the welfare of all children (Pub. L. No. 109-288, Section 421(1));
 - b. Preventing the abuse, neglect, or exploitation of children (Pub. L. No. 109-288, Section 421(2));
 - c. Supporting at-risk families through services that allow children to remain with their families or return to their families in a timely manner (Pub. L. No. 109-288, Section 421(3));
 - d. Promoting the safety, permanence, and well-being of children in foster care and adoptive families (Pub. L. No. 109-288, Section 421(4));
 - e. Providing training, professional development, and support to ensure a well-qualified workforce (Pub. L. No. 109-288, Section 421(5))
3. Funds may be used for administrative costs, subject to the limitation in III.G.3 Matching, Level of Effort, Earmarking – Earmarking) below. The term “administrative costs” means costs for the following but only to the extent incurred in administering the State plan for this program: 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 oversight of the program). (Pub. L. No. 109-288, Sections 422(b)(14) and (c) and 424(e) (42 USC 622(b)(14) and (c) and 623(e))).
4. Funds may not be used for the purchase or construction of facilities (45 CFR section 1357.30(f)).

G. Matching, Level of Effort, Earmarking

1. Matching

- a. The State and tribal match requirement is 25 percent of the Federal funds expended (42 USC 623 and 629d(a)(1)(A)). The State’s contribution may be in cash, donated funds, and non-public third party in-kind contributions (45 CFR section 1357.30(e)(1)).
- b. Beginning in FY 2008, the State can not use more than the amount it spent in FY 2005 using non-Federal funds on foster care maintenance payments as match for the Title IV-B, subpart 1, program (Pub. L. No. 109-288, Section 424(d) (42 USC 623(d))).

2.1 Level of Effort - Maintenance of Effort

Beginning in FY 2008, a State may not receive an amount of Federal funds under Title IV-B for child care, foster care maintenance or adoption assistance payments in excess of the amount of Title IV-B, subpart 1, funds they spent on these activities in FY 2005 (Pub. L. No. 109-288, Section 424(c) (42 USC 623(c))).

2.2 Level of Effort - Supplement Not Supplant - Not Applicable**3. Earmarking**

Beginning in FY 2008, no more than 10 percent of the expenditures of the State with respect to activities funded from amounts provided under Title IV-B, subpart 1 may be used for administrative costs (Pub. L. No. 109-288, Sections 422(b)(14) and (c) and 424(e) (42 USC 622(b)(14) and (c) and 623(e))).

H. Period of Availability of Federal Funds

Funds under title IV-B, subpart 1, must be expended by September 30 of the fiscal year following the fiscal year in which the funds were awarded (45 CFR section 1357.30(i)).

L. Reporting**1. Financial Reporting**

- a. SF-269, *Financial Status Report* - Applicable
- b. SF-270, *Request for Advance or Reimbursement* - Not Applicable
- c. SF-271, *Outlay Report and Request for Reimbursement for Construction Programs* - Not Applicable.
- d. SF-272, *Federal Cash Transactions Report* - Payments under this program are made by the HHS Payment Management System (PMS). Reporting equivalent to the SF-272 is accomplished through the PMS and is evidenced by the PSC-272 review of reports.

2. Performance Reporting - Not Applicable**3. Special Reporting - Not Applicable**