

<h1>ACF</h1> <p>Administration for Children and Families</p>	DEPARTMENT OF HEALTH, EDUCATION AND WELFARE Administration for Children, Youth and Families	
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	3. Originating Office: Office of Human Development Services	

ACTION TRANSMITTAL

TO: STATE ADMINISTRATORS OF STATE PUBLIC WELFARE AGENCIES, CHILD WELFARE SERVICES STATE GRANT PROGRAM

SUBJECT: Review of State Plans (Including Annual Budget Request, CWS-2) by the Governor (A-95 Review)

BACKGROUND: Part III of revised OMB Circular A-95 provides that those agencies administering programs requiring a State Plan as a basis for Federal assistance shall require that the Governor or his delegated agency be given 45 days to comment on the Plan. The DHEW Grants Administration Manual, Chapter 1-141, defines State Plan to include "any budgets...submitted to the Department to indicate the programs, projects, and activities for which Federal funds will be utilized." Thus, the CWS-2, "Annual Budget for Child Welfare Services," must be submitted for the Governor's review under the A-95 clearance process.

ACTION REQUIRED: The State Agency which prepares and submits the CWS-2 "Annual Budget for Child Welfare Services" must submit a copy of that form, appropriately filled out, to the Governor's A-95 clearinghouse at least 45 days before it is submitted to the Children's Bureau. The comments of the Governor or the clearinghouse must accompany the budget when it is submitted to the Administration for Children, Youth and Families, Children's Bureau Regional Office for approval. If the Governor or the clearinghouse does not reply to the request for comments, the State Agency must attach a notice to the CWS-2 submitted to the Children's Bureau stating that it has been submitted to the clearinghouse on such a date and that no comments had been received within the 45 day comment period.

As previously, the Children's Bureau will continue to notify the clearinghouse of the budget payment through the Standard Form 424 (Federal Assistance).

EFFECTIVE DATE: This will be effective for the budget submittal for FY'81.

INQUIRIES TO: Regional Program Directors, Administration for Children, Youth and Families.

/s/

signed

John A. Calhoun

Commissioner

Administration for Children, Youth and Families

[Attachment](#) - Manual: GRANTS ADMINISTRATION

Manual : GRANTS ADMINISTRATION

PART 1: GENERAL

Chapter 1-141

REVIEW OF STATE PLANS BY THE GOVERNOR 1-141-00 Background and Purpose

10 Definition of State Plan

20 Policy

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1-141-00 BACKGROUND AND PURPOSE

- A. Part III of revised OMB Circular A-95 provides that for those programs requiring by statute or regulation a State plan as a basis for Federal assistance, agencies administering such programs shall require that the Governor or his delegated agency be given the opportunity to comment on the relationship of such State plan to comprehensive and other State plans and programs, and to affected areawide or local comprehensive plans and programs. Governors must be afforded a period of 45 days in which to make such comments, and any such comments must be transmitted with the plan when it is submitted to the Department. To the extent practicable, Governors are encouraged to involve area wide clearinghouses in the review of State plans -- particularly where such plans have specific applicability to or affect area wide or local plans and programs.
- B. For most Department programs requiring a State plan, the document formerly submitted by the State agency as the State plan (detailed and lengthy in many cases) has been superseded by a simplified or abbreviated process based on statements and assurances provided by the State agency. The document submitted to the Department states or incorporates by reference the conditions under which the Federal assistance will be used and identifies the activities for which the funds will be spent. The simplified State plan is a preprinted form which reflects the specific requirements set forth in the program legislation or imposed by Department regulations and also incorporates by reference State legislation and/or opinion of the State's chief legal officer, detailed program plans, budgets, administrative procedures, project descriptions, and other materials necessary to

accomplish the State's program activities and to comply with the conditions maintained on file by the State agency and made available for inspection by the Department and by others to whom a State plan would otherwise be made available. The Department determines the adequacy of such materials and the activities which support and implement the State's assurances through site visits, discussions with State agency personnel, requests for reports on specific implementing actions taken, review of audits, and other monitoring actions.

- C. The legislative requirements for State plans vary not only in what the plan will include, but the frequency with which the plan is prepared. A few programs required the submission of a State plan each year. The majority of programs, however, require only a one-time submission. Prior to the introduction of the simplified State plan, amendments to the basic plan were submitted for approval whenever the State agency wanted to undertake an activity not previously included in the approved State plan, or when Federal legislative changes made such amendments necessary. Amendments of the first type are not necessary when the preprinted State plan document is used. Its assurances cover the scope of the legislative requirements and are flexible enough to provide for changes in operating activities from year to year. When program legislation is modified, a new preprinted State plan will be developed by the Department and submitted by the State agency.
- D. In addition to the preprinted State plan and its supporting documentation, most Department programs require the submission of budgets and program descriptions each year. Although there is no uniformity in terminology for this required information, it normally consists of the budget for the allotted funds, criteria or formula for distribution of funds within the State, a progress report on the past year's accomplishments, and the planned accomplishments for the coming year. Since this material indicates how the State agency plans to use the Federal funds in the next fiscal year, this information is of interest to the Governor. OMB circular A-95 has directed that these documents be considered part of the State plan and that they also be submitted to the Governor or his delegated agency for his comment, before they are submitted to the Department.
- E. The purpose of this Chapter is to establish Department requirements for compliance with Part III of OMB Circular No. A-95 and to encourage coordination within the State on State plan activities, by requiring State agencies to make available to the Governor or his delegated agency information necessary for a meaningful review of the State plan's relationship to comprehensive and other State plans and programs and to those of affected area wide or local jurisdictions.

1-141-10 DEFINITION OF STATE PLAN

For the purpose of this Chapter, a State plan is defined as (1) the statements set forth in either a comprehensive narrative State plan or preprinted State plan document and signed by an authorized official of the State agency, (2) any supporting materials or documentation submitted to the Department or maintained on file by the State agency, and (3) any budgets or other reports

submitted to the Department to indicate the programs, projects, and activities for which the Federal funds will be utilized.

1-141-20 POLICY

The Department requires that Governors be afforded an opportunity to review State plans and related documents in order to provide the Department with information about the relationship of individual State plans to State and area wide comprehensive plans and programs and to other State plans.

1-141-30 APPLICABILITY

This policy applies to all Department programs which require by statute or regulation a State plan as a condition of Federal assistance.

1-141-40 GUIDELINES FOR IMPLEMENTATION

Agencies administering grant programs requiring a State plan shall:

1. Assure that the comprehensive narrative State plan or the preprinted State plan document is sent to the Governor's office or his delegated agency for review at least 45 days before it is submitted to the Department, and that the comments of the Governor accompany the plan when submitted.
2. Require that any reports or other documentation in support of the State plan that are submitted to the Department also be submitted for the Governor's review and comment.
3. Encourage the State agency to coordinate its planning activities with the Governor's office, and if necessary initiate a systematic reporting or exchange of information (including State planning materials that are not submitted to the Department) so that the Governor's office becomes routinely informed of State plan activities.