

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration for Children, Youth and Families	
	1. Log No: ACYF-PGM-81-1	2. Issuance Date: February 27, 1981
	3. Originating Office: Children's Bureau	
	4. Key Words: Guidelines Bureau (IV-B State Plan) Policy Guide and Manual	

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

SUBJECT: Guidelines for Development of State Child Welfare Services Plans

LEGAL AND RELATED REFERENCES: Social Security Act, Title IV-B 45 CFR Part 1392

CONTENT: The attached Guidelines were published in the Federal Register on January 6, 1981. This is the final publication of the document published as a "Notice" on February 22, 1980. The Preamble to the Guidelines explains the changes that have been made as a result of the comments received during the comment period and because of the enactment of the Adoption Assistance and Child Welfare Act of 1980, P.L. 96-272, on June 17, 1980.

ATTACHMENTS:

1. Guidelines for Development of State Child Welfare Services Plans (Federal Register, January 6, 1981, 45 FR 1552).
2. Changes in Certain Assurances related to the Provisions of P.L. 96-272.

ACTION REQUIRED: The Notice of Proposed Rulemaking implementing P.L. 96-272, published on December 31, 1980 (45 FR 86817) incorporates at 45 CFR 1357.40, the joint planning process described in these Guidelines. The Guidelines are to be used in the FY 1981 joint planning process for the State Child Welfare Services Plans for FY'82 and subsequent years. The Assurances and interpretations will be revised as necessary when new final regulations governing the title IV-B program are issued. All States are to submit State Child Welfare Services Plans no later than September 1, 1981.

Those States which submitted 2 or 3 year plans with appropriate State approvals and in accordance with the Guidelines for FY'81 need only submit the Assurances, the Annual

Operating Plan and the Annual Budget Request. All other States must submit the complete Child Welfare Services State Plan including the Long Range Strategy--valid for 2 or 3 years.

EFFECTIVE DATE: Immediately

INQUIRIES TO: Regional Program Director, ACYF
John Busa
Acting Commissioner
Administration for Children, Youth and Families

[Attachment:](#) Changes in Certain Assurances Related to the Provisions of P.L. 96-272

Changes in Certain Assurances Related to the Provisions of P.L. 96-272

Federal Register requirements have prohibited re-publications of the Assurances section of the Guidelines for Development of Child Welfare Services Plans. These were published under 45 CFR, Part 1392, in the Relocation of Social Services Programs Regulations in the Federal Register of August 25, 1980. The Federal Register publishes materials only once, especially regulations, because to do otherwise may raise the question as to which publication is the "official" version of the material. Further, some Assurances are somewhat modified to reflect the amended statute in order that State Child Welfare Services Plans (CWSP) do not address segments of title IV-B which have been repealed by P.L. 96-272. However, if these modifications were published in the Federal Register as part of a final document such as the Guidelines, they would constitute a revision of the existing title IV-B provisions which are not yet changed through final regulations.

Consequently, some sections of the preamble to the final Guidelines which discussed changes in the wording of Certain Assurances, resulting from passage of P.L. 96-272, were deleted prior to publication. It is important, however, that there be an interpretation of all of the regulations in Part 1392 which apply to title IV-B for purposes of CWSP compatibility with the provisions of P.L. 96-272. Therefore, the following additional explanation is provided for use in the joint development of title IV-B State Plans in the coming months:

1. Section 1392.4, Advisory Committees, and Section 1392.56, Day Care Services, with the exception of the eligibility requirements, should be read in reference to the statutory changes with apply title XX requirements regarding day care services to title IV-B.
2. The prior statutory basis for requiring the extension of child welfare services to all political subdivisions (Statewideness) in Section 1392.40, was Section 422(a)(2) of the Social Security Act. The Act as amended now requires that the State plan will "contain a description of the steps which the State will take to provide child welfare services and to make progress in covering additional political subdivisions" (Section 422(a)(6)). The

language of the new statutory provision also gives the States additional time to extend the services to new political subdivisions progressively.

You will note that Sections 1392.3 and 1392.4 were erroneously interchanged as to title and content in "Interpretations of the Assurances" on page 1565 of the final Guidelines. You will also note an error in the title of Section 1392.2 on page 1564, which should read "Single Organizational Unit."