

<h1>ACF</h1>  <b>Administration for Children and Families</b>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  Administration for Children, Youth and Families	
	<b>1. Log No:</b> ACYF-PI-94-01	<b>2. Issuance Date:</b> January 18, 1994
	<b>3. Originating Office:</b> Children's Bureau	
	<b>4. Key Words:</b> Family Preservation and Support Services	

**PROGRAM INSTRUCTION**

**TO:** State Agencies Administering the Title IV-B Child and Family Services Program.

**SUBJECT:** Implementation of New Legislation: Family Preservation and Support Services, Title IV-B, Subpart 2.

**PURPOSE:** The purpose of this Program Instruction is to provide information on the Fiscal Year (FY) 1994 application requirements and guidance for developing the FY 1995 five-year State Plan for Family Preservation and Support Services. A separate Program Instruction will be issued for grants to Indian Tribes.

**LEGAL AND RELATED REFERENCES:** Title IV-B of the Social Security Act, Subpart 2, Family Preservation and Support Services; Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66); 45 CFR Part 92.

Public reporting burden for this collection of information is estimated to average 144 hours per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Reports Clearance Officer, Administration for Children and Families, Department of Health and Human Services, 370 L'Enfant Promenade, S.W., Washington, D.C. 20447; and to: Office of Management and Budget, Paperwork Reduction Project, OMB control number 0980-0258 (new request), Washington, D.C. 20503.

**OVERVIEW:** This new legislation aims to promote family strength and stability, enhance parental functioning, and protect children through funding a capped entitlement to States to provide family support and family preservation services, which the law defines broadly.

There is widespread consensus in the child and family policy community that these new dollars, although relatively small, can best be used strategically and creatively to stimulate and encourage broader system reform which is already under way in many States and communities.

The FY 1994 appropriation for this program is \$60 million. Of this amount, \$2 million is reserved for Federal evaluation, research, and training and technical assistance; \$600,000 is reserved for grants to Indian Tribes. The balance is available for grants to States to fund planning and services for family support and family preservation.

For FY 1995, the authorization increases to \$150 million. Of this amount, \$6 million is reserved for Federal evaluation, research, and training and technical assistance; \$1.5 million is reserved for grants to Indian Tribes. A new program of grants to State courts will be initiated at a funding level of \$5 million. (Information on this program will be forthcoming.) The balance is available for grants to States for services.

Attachment A lists FY 1994 State allotments and estimated allotments for FYs 1995-98 based on the statutory formula. Attachment B contains a copy of the statute and an excerpt from the Conference Report regarding the definition of family support services.

This Program Instruction is divided into five parts.

- Part I is an introductory section which contains our vision for this new legislation and background information on family support and family preservation services.
- Part II is a discussion of family support and family preservation services and guiding principles for these services.
- Part III is a discussion of planning activities essential to the development of a five-year State Plan for services beginning in FY 1995, including consultation, coordination, data collection, and joint planning.
- Part IV contains a brief outline of major provisions of the statute and additional fiscal and administrative information.
- Part V contains instructions for preparing the FY 1994 application for planning funds and for services funds.

#### **SUBMITTALS:** The FY 1994 Application

We encourage States to submit the FY 1994 application to the appropriate Regional Office as soon as possible and no later than June 30, 1994.

#### **The FY 1995 State Plan**

We encourage States to submit the five-year FY 1995-99 State Plan as soon as possible after completing the planning process and no later than June 30, 1995.

### **PART I: INTRODUCTION**

#### **A. Background**

Enactment of a new Subpart 2 to title IV-B of the Social Security Act is the first major change in this title since the amendments made by Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980.

The goals of that legislation were to:

- prevent the unnecessary separation of children from their families;
- improve the quality of care and services to children and their families; and
- ensure permanency for children through reunification with parents, through adoption, or through another permanent living arrangement.

These goals have not been fully realized. A wide variety of reasons have been suggested by researchers and practitioners, including:

- social, cultural, and economic changes (increases in substance abuse, community violence, poverty, and homelessness, for example), which have affected the number of families coming to the attention of child welfare agencies and the severity of their problems;
- rising rates of child abuse and neglect reports, particularly for child sexual abuse;
- a child welfare system unable to keep up with these increased demands, given constrained resources, high caseloads, and overburdened workers;
- services planning that focuses most resources on crisis intervention and too few on prevention;
- lack of services that fit the real needs of families; and
- the isolation of the child welfare services system from other services needed by vulnerable families, such as housing, employment, and substance abuse services.

In response, Congress has passed, and the President has signed, legislation that will provide States with new Federal dollars for preventive services (family support services) and services to families at risk or in crisis (family preservation services).

In addition to providing funds for expanding services, the new program offers States an extraordinary opportunity to assess and make changes in State and local service delivery in child welfare, broadly defined. The purpose of these changes is to achieve improved well-being for vulnerable children and their families, particularly those experiencing or at risk for abuse and neglect. Because the multiple needs of these vulnerable children and families cannot be addressed adequately through categorical programs and fragmented service delivery systems, we encourage States to use the new program as a catalyst for establishing a continuum of coordinated and integrated, culturally relevant, family-focused services for children and families.

Among the elements that would ideally be part of the continuum, depending on family needs, are family support and family preservation services; child welfare services, including child abuse and neglect preventive and treatment services and foster care; services to support reunification, adoption, kinship care, independent living, or other permanent living arrangements; and linkages to services that meet other needs, such as housing, employment, and health.

In passing this legislation, Congress recognized that new funding alone would not be sufficient to meet the goals of the legislation and Public Law 96-272. Because new or expanded services are just one element needed to improve the child welfare system, many States and communities may choose to carry out major changes in the ways services are delivered and in the systems that deliver them, in order to ensure that services are part of a comprehensive, coordinated service delivery system that draws heavily on community-based programs in its design and implementation.

Therefore, we expect that a major goal of the planning process will be to examine the changes that are needed in each State to make delivery of services more responsive to the needs of individuals and communities and more sensitive to the context in which they are to be delivered.

It is our strong expectation that States will take advantage of this opportunity to move the child welfare service system in these directions, leading to a more coordinated, flexible system, built on and linked to existing community services and supports, and able to serve children and their families in a more effective way.

#### B. Development of Family Preservation and Support Services

Family support and family preservation services are not new. They date back to the turn of the century, e.g., Hull House and the settlement house movement. Recently, however, there has been increased interest in such programs.

Over the last several years, State and local governments, foundations, national organizations, and non-profit agencies have begun to develop and implement family support and family preservation programs; push for change in child welfare programs, including reform of State laws and policies to support "family-centered practice;" and experiment with changing the way child welfare services are organized and delivered, including strengthening linkages with other agencies and resources and moving toward greater community direction and control of services.

A few examples of such efforts include the American Public Welfare Association's policy on Commitment to Change, the "decategorization of funding" and collaborative planning efforts in a number of States, the Children's Trust Funds and Children's Cabinets, the Pew Foundation's Children's Initiative and support for demonstrations of improved planning and child welfare service delivery from the Edna McConnell Clark Foundation and the Annie E. Casey Foundation. Specific program models include the Homebuilders and the Families First programs, the Healthy Families America initiative, and hundreds of community-based family support programs nationwide including both family resource centers and home-based models, such as Parents as Teachers, and the Home Instruction Program for Preschool Youngsters (HIPPY).

Several Federal programs or initiatives also have focused on prevention, family-centered practice, and a community-based approach. Some examples include the Head Start Bureau's Family Service and Family Support Projects, and Parent and Child Centers; the national Comprehensive Child Development Program demonstration; the National Center

on Child Abuse and Neglect's State community-based prevention grants associated with Children's Trust Funds; the Family Support Resource Center and the Family Based Services Resource Center funded by the Children's Bureau; the Family and Youth Services Bureau's Family Resource and Support program; the Public Health Services' (PHS) "Healthy Start" program; the Office of Community Services' Family Support Centers (homeless families demonstration); the Department of Housing and Urban Development's (HUD) Family Self-Sufficiency demonstration program; and the PHS Child and Adolescent Services System Program (CASSP), a planning model for coordinated mental health services now implemented in all States.

We have compiled in Attachment C reference information on family support and family preservation resources, programs and options; information on collaborative planning and needs assessment; and a summary of two recent Federal programs that States and communities should consider as they develop the family support and family preservation five-year plan: the community empowerment funds under the social services block grant and the HUD Family Unification Program.

As one part of our implementation of this new legislation, we have convened a series of focus groups in both the Central and Regional Offices with family support and family preservation program directors, practitioners, and experts; State, county, and city child welfare administrators; State and local agencies with experience in providing such programs; representatives of Indian Tribes and regional and national Tribal organizations; national advocacy, interest group, and professional organizations; representatives of national organizations representing Governors, State legislators, and counties; and parents, foster parents, and consumers of child welfare services. In addition, we have met with or received written materials and recommendations from a number of other experts and practitioners in the field. The suggestions, guidance, and information we have received through this process have been invaluable to us in the development of this Program Instruction.

Further, in an effort to improve Federal collaboration and coordination, we have met with staff of other Federal programs (both within and outside the Department) to obtain current information on new programs and explore ways to consolidate and maximize resources.

We are actively collaborating on FY 1994 discretionary grant announcements with the Health Resources and Services Administration (HRSA) and the Substance Abuse and Mental Health Administration (SAMHSA) in the Public Health Service. For example, in an effort to strengthen coordination at the State and local level, HRSA's discretionary grant announcement for a new program, "Home Visiting for At-Risk Families," will require that the application must be developed collaboratively by representatives of the State agency administering title IV-B (Child and Family Services) and title V (Maternal and Child Health). Information on the Home Visiting Announcement may be obtained by calling Geraldine J. Norris at 301-443-6600.

Also, in the interest of coordinating service efforts at the State and local level, we have been working with SAMHSA which will be publishing a discretionary grant announcement early in FY 1994. The announcement will be for the development of community-based systems of care for children and adolescents who are experiencing a serious emotional disturbance and their families.

In reviewing applications for these discretionary grants, one of the criteria that the Center for Mental Health Services, SAMHSA, will take into account is the degree to which the applicant has included children's mental health services in its comprehensive planning for coordinated services under the Family Preservation and Support Services program.

## **PART II: FAMILY PRESERVATION AND FAMILY SUPPORT SERVICES AND PRINCIPLES**

The literature on professional practice and the discussion at the focus groups reflected general agreement on the goals for family support and family preservation services. These services should be directed towards:

- enhancing parents' ability to create stable and nurturing home environments that promote healthy child development;
- assisting children and families to resolve crises, connect with necessary and appropriate services, and remain safely together in their homes; and
- avoiding unnecessary out-of-home placement of children, and helping children already in out-of-home care to be returned to and be maintained with their families or in another planned, permanent living arrangement.
- "Family support services" are primarily community-based preventive activities designed to alleviate stress and promote parental competencies and behaviors that will increase the ability of families to successfully nurture their children; enable families to use other resources and opportunities available in the community; and create supportive networks to enhance child-rearing abilities of parents and help compensate for the increased social isolation and vulnerability of families.

Examples of community-based services and activities include respite care for parents and other caregivers; early developmental screening of children to assess the needs of these children and assistance in obtaining specific services to meet their needs; mentoring, tutoring, and health education for youth; and a range of center-based activities (informal interactions in drop-in centers, parent support groups) and home visiting activities. (See Section 431 of the statute and the Conference Report language in Attachment B.)

"Family preservation services" typically are services designed to help families alleviate crises that might lead to out of home placement of children; maintain the safety of children in their own homes; support families preparing to reunify or adopt; and assist families in obtaining services and other supports necessary to address their multiple needs in a culturally sensitive manner. (If a child cannot be protected from harm without placement or the family does not have adequate strengths on which to build, family preservation services are not appropriate).

Examples of family preservation activities and services, include intensive preplacement preventive services; respite care for parents and other caregivers (including foster parents); services to improve parenting skills and support child development; follow-up services to support adopting and reunifying families; services for youth and families at risk or in crisis; and intervention and advocacy services for victims of domestic violence. (Section 431 of the statute.)

Currently, a number of program models, approaches, and levels of family preservation services are in operation. In this Program Instruction the term "family preservation" is used to include all such service options. ACF does not plan to require and does not endorse any specific program model for implementation. However, in joint planning activities with Federal staff, States will have an opportunity to discuss the basis for their selection of program models, the operation of specific service designs and options, and sources for additional information on high quality program approaches and models. Some activities such as respite care, home visiting, and assistance in obtaining services may be considered either a family support or a family preservation service.

### **Families and Children**

The statute clarifies that, in providing services, "families" may include biological, adoptive, foster, and extended families. The term "children" includes youth and adolescents.

### **Statewideness**

We recommend that States consider: (1) targeting services in areas of greatest need; and (2) targeting services to support cross-cutting community-based strategies. Such strategies have the potential to draw on multiple funding streams to bring a critical mass of resources to bear in high-need communities.

There is no requirement that services must be statewide by a specific date, although States are encouraged to move in that direction as they set goals in their State Plans.

### **Guiding Principles**

Both family support and family preservation services are based on a common set of principles or characteristics which help assure their responsiveness and effectiveness for children and their families. Focus group participants frequently pointed out that, while various models of services or programs are available for communities and States to consider, it is an approach based on these principles that should provide an organizing framework for State planning.

Among the shared principles most often identified by practitioners are:

- The welfare and safety of children and of all family members must be maintained while strengthening and preserving the family whenever possible. Supporting families is seen as the best way of promoting children's healthy development.
- Services are focused on the family as a whole; family strengths are identified, enhanced, and respected, as opposed to a focus on family deficits or dysfunctions; and service

providers work with families as partners in identifying and meeting individual and family needs.

- Services are easily accessible (often delivered in the home or in community-based settings, convenient to parents' schedules), and are delivered in a manner that respects cultural and community differences.
- Services are flexible and responsive to real family needs. Linkage to a wide variety of supports and services outside the child welfare system (e.g., housing, substance abuse treatment, mental health, health, job training, child care) are generally crucial to meeting families' and children's needs.
- Services are community-based and involve community organizations and residents (including parents) in their design and delivery.
- Services are intensive enough to meet family needs and keep children safe. The level of intensity needed to achieve these goals may vary greatly between preventive (family support) and crisis services.

For additional information on service programs and options, see Attachment C.

### **PART III: PLANNING ACTIVITIES**

This new legislation provides an unusual opportunity for States to strengthen and refocus their child and family services. The legislation:

- provides additional and flexible funds for innovative services;
- directs the focus of these services in new ways; and
- provides the resources for a planning effort to ensure maximum results.

Because the new focus on family-based services and community linkages requires changes in vision, in philosophy, and in the design and delivery of child welfare services, the planning period is especially critical. By making funds available for planning and by requiring the development of a long-range, five-year plan, the legislation recognizes this critical first step and offers each State an opportunity to strengthen, reform, and better coordinate and integrate its service delivery system.

We strongly urge States to take advantage of this extraordinary opportunity. To seize that opportunity, we believe that a thoughtful, strategic planning process that includes a wide array of State, local, and community agencies and institutions, parents, consumers, and other interested individuals whose collective work feeds into joint State-Federal planning activities, is necessary.

The five-year State Plan will be the vehicle to articulate a State's vision and strategy for achieving that vision, set goals and measure progress towards those goals, and identify practical next steps toward a more comprehensive and integrated continuum of services that responds to the needs of vulnerable families within the State. To provide the maximum opportunity for States to strategize broadly about the service continuum and family needs, State Plans need to include the major programs serving children and their families, including child welfare services broadly defined, and need to consider family support and family preservation services not as isolated categorical programs but as a part of the overall continuum.

Ideally, the planning process will offer an opportunity for multiple State, local and community agencies and organizations (as well as Federal agencies) to become partners on behalf of children.

State planning and service development activities should be characterized by broad consultation and involvement, the identification and gathering of data needed for planning (needs assessment), and joint planning between Federal and State agency staff leading to the development of the State Plan.

#### **A. Consultation and Coordination**

We recognize that many States have successful, cross-cutting planning processes underway for child and family services. We believe that these new title IV-B funds can be used to build on and strengthen current planning efforts and act as a catalyst for States at the beginning of this planning process.

In isolation, family support and family preservation services cannot effectively address the needs of children and families. Therefore, consultation and coordination should include the active involvement of major actors across the entire spectrum of the service delivery system for children and their families including:

- State and local public agencies, non-profit private agencies, and community-based organizations with experience in administering programs of services for children and families (including family support and family preservation);
- Representatives of communities, Indian Tribes, and other areas where needs for family support and family preservation are high.
- Parents (especially parents who are participating in or who have participated in family support and/or family preservation programs) and other consumers, foster parents, adoptive parents, and families with a member with a disability.
- Representatives of professional and advocacy organizations (including foundations and national resource centers with the expertise to assist States and communities with regard to family support and family preservation), individual practitioners working with children and families, and the courts; and
- State and local agencies administering Federal and federally assisted programs, such as maternal and child health; the Early and Periodic, Screening, Diagnosis, and Treatment program; mental health; child abuse and neglect (e.g., the NCCAN emergency child abuse prevention services grants); transitional and independent living; substance abuse; education; developmental disabilities; juvenile justice; early childhood education (child care and Head Start); domestic violence; youth gangs; housing; income security (AFDC, JOBS, Child Support); nutrition (Food Stamps, WIC); the social services and the community services block grant; and the title IV-A Emergency Assistance program.

There are many purposes of outreach and consultation, including the development of new and more effective service approaches for children and families, the assessment of family and community needs, the identification of service overlaps and gaps, the identification of available

resources (expertise, money, facilities, staff) that might help to meet needs, and the development of strategies for blended financing, common application forms, or simplified case management procedures across programs. All of these outcomes help to improve service delivery to children and families.

## **B. Collection of data**

An essential component of the planning process is the collection of information on which to base service decisions and determine future goals. We strongly recommend that States conduct a thorough needs assessment using available data whenever possible.

The needs assessment should identify the existing array of family support, family preservation, and other related services currently being provided; resources and sources of funding; and gaps and deficiencies in services. It should also identify data on which to base target population decisions, e.g., demographic characteristics of children and families from census data; State legislative and city planning data; child abuse and neglect and infant mortality data; data on communities that experience high rates of foster care placements; and data about communities experiencing disproportionately high levels of poverty, homelessness, substance abuse, or teen pregnancy. A State might also project what the future circumstances of families and children in the State would be if nothing was done.

## **C. Joint planning**

Joint planning is an ongoing process of discussion, consultation, and negotiation which takes place between the State child welfare agency and the Federal Regional Office representative for the purpose of developing a State Plan. It includes Federal technical assistance to the State as well.

Through joint planning, State and Federal staff, with appropriate consultation and participation of other State, local and community-based stakeholders, discuss the key strategic decisions facing the State (as identified from needs assessments, consultation, and data available to the State):

- priorities for services and for target populations;
- proposed goals and objectives;
- unmet needs, services gaps, and overlaps in funding;
- other funding resources available to provide the services needed;
- the State and local organizations, foundations, and agencies with which the child welfare agency can coordinate;
- ongoing plans to move toward the State's goals by improving the service delivery system and ensuring a more efficient comprehensive system of care for children and families; and
- methods for reviewing progress toward those goals.

Finally, joint planning also includes Federal guidance and technical assistance after the State Plan has been developed and approved. This is provided through follow-up review and discussion of progress in accomplishing the goals identified in the plan and updating the plan as appropriate.

## **PART IV: STATUTORY AND FISCAL REQUIREMENTS**

### **A. Brief Outline of Major Provisions of the Statute**

#### 1. Purpose

Family Preservation and Support Services is a capped entitlement program. Its purpose is to encourage and enable each State "to develop and establish, or expand, and to operate a program of family preservation services and community-based family support services." One hundred percent Federal funding is available in FY 1994 to develop and submit a five-year State Plan for such services in FY 1995. (Section 430) A copy of the statute is found in Attachment B.

#### 2. Five-Year State Plan

In order to receive funds in FY 1995, each State must submit a five-year State Plan for FYs 1995-99. The plan must at minimum:

- set forth the goals to be accomplished by the end of the fifth year;
- be updated periodically to set forth the goals to be accomplished by the end of each fifth fiscal year thereafter;
- describe the methods to be used to measure progress toward the goals; and
- provide for coordination of services under the plan with other Federal or federally assisted programs serving the same populations.

As part of an ongoing planning process, the State must:

- annually review progress toward accomplishing the goals;
- based on the annual review, revise the goals if necessary; and
- at the end of the fifth year, conduct a final review and provide a report to the Secretary and to the public on progress toward accomplishing the goals; and
- also at the end of the fifth year, amend the plan to set forth the goals for the next five years as developed in consultation with public and non-profit agencies. (Section 432 (a))

#### 3. Joint Planning and Consultation Requirements

The Secretary will approve a plan that meets the requirements only if the plan was developed:

- jointly by the staff of the Department and the State (Section 432(b)(1)); and

- after consultation by the State agency with appropriate public and non-profit private agencies and community-based organizations with experience in administering programs of services for children and families, including family support and family preservation services. (Section 432(b))

#### 4. Public Information and Reporting Activities

Annually, the State must furnish to the Secretary, and make available to the public, a report which contains a description of:

- the family preservation services and the community-based family support services to be made available under the plan in the upcoming fiscal year;
- the populations each program will serve; and
- the geographic areas in the State where each service will be available.

This first descriptive services report for FY 1995 and FY 1996 is due at the time the State submits its FY 1995 plan, and subsequent reports will be due by June 30 of each succeeding fiscal year for the upcoming fiscal year. (Section 432(a)(5))

As noted above, at the end of each five-year plan period, the State must report to the Secretary and to the public on its progress in meeting its five-year goals and on its goals for the next five-year period.

#### 5. FY 1994 Application and Special Rule Requirements

- The State must submit an application for funds for FY 1994.
- Up to \$1 million of a State's allotment may be used for planning purposes to develop and submit the FY 1995-99 plan.
- Funds used for planning purposes in FY 1994 are 100 percent Federal funds, i.e., no State match is required.
- Funds not needed to develop the FY 1995-99 plan may be used to provide family support and family preservation services; funds over \$1 million in a State's allotment may only be used for such services.

#### 6. Fiscal and Administrative Requirements

- Funds used to provide services in FY 1994 and subsequent years are federally reimbursed at 75 percent. Federal funding for planning and services will not exceed the amount of the State's allotment.
- States using funds for services in FY 1994 and subsequent years may not use more than 10 percent of total Federal and State service expenditures under this program for administrative costs.
- The ten percent limitation on administrative costs does not apply to funds used for planning purposes in FY 1994.
- States must spend a "significant portion" of service dollars for family support and for family preservation services, respectively. (Section 432 (a)(4))
- The use of other Federal funds as the State's share of expenditures is prohibited. (Section 434)

## 7. Other Requirements

The statute requires that the State will:

- provide for the proper and efficient operation of the State Plan (Section 432(a)(6));
- assure, and provide fiscal reports to the Secretary to demonstrate compliance with the requirement, that Federal funds under this program will not be used to supplant Federal or non-Federal funds for existing family support and family preservation services and activities (Section 432 (a)(7));
- furnish other reports as required (Section 432(a)(8));
- participate in evaluations as required (Section 432(a)(8)); and
- expend funds by September 30 of the fiscal year following the fiscal year in which the funds were awarded, i.e., the State must liquidate all obligations of FY 1994 funds by September 30, 1995. (Section 434(b)(2))

## 8. Definitions

Definitions, including definitions of services, are found in Section 431 of the Social Security Act. The Conference Report language provides additional examples of family support services (see Attachment B).

### B. Additional Fiscal and Administrative Information

#### 1. Rate of Federal Match

This FFP rate is the same as the rate under Subpart 1 of title IV-B. The State's contribution may be in cash or donated funds.

For example, a State with an allotment of \$600,000 must spend at least \$800,000 (at least \$200,000 of which is non-Federal) in order to receive the full amount of the allotment. If the State spends less than \$800,000 (e.g., \$700,000), it will receive 75 percent of the amount it spends (e.g., for \$700,000 in expenditures, the State will receive \$525,000).

#### 2. Submittals

##### **The FY 1994 Application**

The application for FY 1994 funds may be submitted as a preprint or in the format of the State's choice. A recommended preprint is found at Attachment D. If a State uses its own format, the application must include all the information specified in the preprint.

We encourage States to submit the FY 1994 application to the appropriate Regional Office as soon as possible after completing the application requirements and no later than June 30, 1994. Grant awards will be made

after the application has been approved. (See Attachment F for a list of Regional Offices.)

### **The FY 1995 State Plan**

FY 1995 funds are available only after the State has submitted, and ACF has approved, a five-year State Plan for services that meets all requirements.

ACF is considering consolidating the five-year State Plan for Family Preservation and Support Services with the State's title IV-B (Subpart 1, Child Welfare Services) State Plan, and the title IV-E Independent Living Program plan. Instructions for submittal of this proposed consolidated FY 1995 five-year State Plan will be issued in the future to coincide with regulations ACF expects to propose for family support and family preservation services.

States are encouraged to submit the FY 1995 State Plan as soon as possible after completing the planning process and no later than June 30, 1995. Grant awards will be made after the plan has been approved.

#### **9. Other Information**

- FY 1994 funds are available for expenditures from the beginning of the fiscal year, i.e., October 1, 1993.
- There is no reallocation provision in this new legislation.
- The SF-269 report must be submitted annually to the Regional Office.
- Title IV-B, subpart 2, is covered by Executive Order 12372 for the purpose of consolidation and simplification of the State Plan only. Like title IV-B, subpart 1, it is excluded from the intergovernmental review process under the Executive Order.

## **PART V. APPLICATION INSTRUCTIONS**

### **A. Planning**

We expect and encourage States to take full advantage of the opportunity to use the 100 percent FY 1994 Federal funds, up to \$1 million, for comprehensive planning and other planning related activities, such as training, technical assistance, assessment, public information and education, and commissioning further analyses. We believe that such planning is critical to the development of a five-year State Plan for services and to the effective establishment of a continuum of services for children and families that includes family support and family preservation services.

To qualify for Federal funding for FY 1994 under title IV-B, Subpart 2, Family Preservation and Support Services, a State must submit an application to the ACF Regional Office. (See optional application preprint at Attachment D.)

All applications must:

1. Provide the name of the State agency that will administer the program. It must be the same agency that administers title IV-B, part 1.
2. Specify the estimated amount of the State's FY 1994 allotment that will be used for planning for family preservation and family support services, including development of a five-year State Plan for services in the context of a comprehensive child welfare services plan.
3. Describe the proposed use of FY 1994 funds for planning activities, including:
  - A description of the process the State will follow or the existing State/local planning processes it will use to ensure that parents, consumers, Indian Tribes, representatives of communities, and a variety of State, local, and non-profit agencies, community-based organizations and individuals having experience with services to vulnerable children and families, including family preservation and family support services, will be actively involved in the planning process;
  - A description of how the State will coordinate the provision of services with representatives of other Federal and federally assisted programs to develop a more comprehensive and integrated service delivery system;
  - A list of planned contacts and a description of the outreach activities, such as hearings or focus group meetings, that the State will use to ensure that interested parties in the State have an opportunity for active involvement in this planning process; and
  - A description of how the State will inform all appropriate parties about this new legislation and the planning, consultation, and coordination provisions.
4. Describe how the State will assess State and local needs (or describe a recently conducted prior planning process which assessed community needs and meets the requirements of this paragraph). The proposed approach to needs assessment should contain enough local detail to support State targeting decisions and include specific data collection strategies on service populations, service needs, available programs, and available resources. Examples of information that may be useful are local area data (including census tract data) on the number and types of child abuse and neglect reports and foster care placements, and data by community on child and family poverty, homelessness, substance abuse, teen pregnancy. (See Attachment C for reference materials on needs assessments.)
5. Describe how the State will collect information on the nature and scope of existing public and privately funded family preservation and family support programs in the State.

Information about these programs should be used to make informed decisions on investing or expanding existing services or moving in new directions.

6. Describe other activities the State will carry out to develop the five-year State Plan and implement service system reform, including activities such as:
  - Training and technical assistance; and
  - The approach the State will take to assess the implementation and effectiveness of the family support and family preservation services within the State and their effect on the broader child welfare and family services system.
7. Supply State FY 1992 summary fiscal data, as shown on the attached application preprint, on federally- or State-funded family support and family preservation programs to enable monitoring of the prohibition against supplantation of funds for these programs.
8. Provide the following general assurances:
  - The State will perform administrative procedures determined necessary by the Secretary of HHS, for the proper and efficient operation of the State's program.
  - The State will not use Federal funds provided to the State under this program to supplant Federal or non-Federal funds, including those provided to community-based programs, for existing family preservation or family support services. The State will furnish requested reports to the Secretary of HHS, that demonstrate the State's compliance with the prohibition against supplantation.
  - The State will furnish reports requested by the Secretary of HHS, including the SF-269.
  - The State will participate in any national or local (including local third party) evaluations of the program that may be required by the Secretary of HHS.

(A State may be asked to provide information about the number of children served by the new program, State goals on foster care caseloads, and on reports of child abuse and neglect.)

- The State will not expend (obligate and liquidate) any amount paid under this program for any fiscal year after the end of the immediately succeeding fiscal year.
9. Certify that the State will meet the following certifications contained in the application preprint by signing the first and submitting the two remaining certifications. (The signature of the authorized State official on the application constitutes compliance with the drug-free workplace and the debarment certifications.)
    - Anti-Lobbying and Disclosure Form;
    - Drug-Free Workplace Requirements; and
    - Debarment Certification.
  10. Provide the name, signature and title of the State agency official certifying compliance with all assurances and certifications associated with the receipt of funds for family preservation and family support services. Also, provide the

name, title and telephone number of a State contact person responsible for the planning effort.

## **B. Services**

A State may apply to use FY 1994 funds for services in the following circumstances:

- a. Any funds over \$1 million used by the State must be used for services.
- b. If, after reviewing the FY 1994 application requirements for planning and the preliminary issues for possible regulatory action for the FY 1995 State Plan (see Attachment E), the State believes it can demonstrate that it has met or is in the process of meeting most of these requirements and will have funds from its allotment not needed for planning or developing the FY 1995 State Plan, it may apply to use these funds for services.

Before authorizing the expenditure of FY 1994 funds for services, we will want to be satisfied, for example, that the State expects to meet the requirements for consultation with community-based organizations, parents, and others in its design and funding of family support programs; that it has completed or expects to complete a needs assessment and obtain both State and local data necessary for services planning and/or expansion; and that it has coordinated with other State agencies and Federal and federally assisted programs in order to develop collaborative arrangements to improve service delivery to vulnerable families. The State also must be able to show how the family preservation and support services to be provided in FY 1994 are related to the State's current title IV-B Services Plan.

We urge States to consult with Regional Office staff as they prepare their FY 1994 application for planning/services. Regional Office staff will clarify requirements, review materials submitted as part of the application, and provide further guidance.

In order to receive funding for services in FY 1994, a State's application must include the following information:

1. Specify the estimated amount of the State's allotment that will be used for services, and the amount the State will contribute (at least 25 percent of the total, i.e., 33 percent of the Federal contribution). Include total estimates of the amounts to be used for training, technical assistance, and administrative costs.

2. Include the findings of a needs assessment or prior planning processes that led to the decision to spend FY 1994 funds for services and to the selection of the type of services, the populations to be served, and the geographic areas for each type of service. Include a description of the needs assessment/planning process and a list of the organizations and individuals that participated.
3. Describe how representatives from Indian Tribes, cities and communities, groups identified as having expertise in the field of family preservation and family support, parents, consumers, and others participated in the development of the application for FY 1994 services funds.
4. Identify the State's goals for services to vulnerable children and families in FY 1994 and indicate how the funds obtained under this program will assist in meeting these goals. Specifically, describe how these funds will be used to develop or expand family support and family preservation services and strengthen service delivery in the existing child welfare system.

Describe how these funds will link to other services (such as social, educational, juvenile justice, substance abuse, and health and mental health services) to improve the likelihood that children and families will receive care appropriate to meet their multiple needs.

5. Describe separately the family support services and the family preservation services that will be provided using FY 1994 funds. Include a description of the populations to which each type of service will be directed and the geographic areas where each type of service will be provided.

Describe the nature and scope of existing public and privately funded family preservation and family support services in the State.

6. Indicate the specific percentage of FY 1994 funds that the State will expend for community-based family support and for family preservation services, respectively, and the rationale for that choice. Include an explanation of how this distribution was reached and why it meets the requirement that a "significant portion" of the service funds must be spent for each service. Examples of important considerations might include the nature of the planning efforts that led to the decision, the level of existing State

effort in each area, and the resulting need for new or expanded services. While there is no minimum percentage that defines significant, States should be aware that the rationale will need to be especially strong if the request for either allocation is below 25 percent.

7. Estimate the amount of family support funds which the State will provide to community-based organizations and how organizations will be selected to receive these funds.
8. Specify the following information:
  - Describe the types of activities that will be claimed as administrative costs. These typically are the overhead costs associated with personnel, such as State agency rent, utilities, supplies, and so on.
  - Describe the types of training and technical assistance activities that will be carried out. (Costs directly associated with the provision of services are not considered administrative costs, e.g., training for individuals to administer or deliver family support or family preservation services.)
9. Provide the following assurances:
  - The State will not spend more than ten percent of family support and family preservation service funds on administrative costs.
  - The State will spend a significant portion of funds for family preservation and for family support services, respectively.
  - The State will not use Federal funds to meet the State's share of costs of services not covered by the amount received under this law.

**Note:** The State will meet the general assurances in the law (see p. 23) by submitting the signed planning section of this application.

10. Provide the name, signature and title of the State agency official certifying compliance with all assurances and certifications associated with the receipt of funds for family preservation and family support. Also, provide the name, title and telephone number of a State contact person for family support and family preservation services.

**INQUIRIES**  
**TO:** ACF Regional Administrators  
Olivia A. Golden  
Commissioner  
Administration on Children, Youth and  
Families

**Attachments:**

- Attachment A: State Allotments FY 1994 and Estimated State Allotments for FY 1995-98  
Attachment B: Statute and Conference Report Language  
Attachment C: List of Resources/Models  
Attachment D: FY 1994 Application Preprint  
[Attachment E](#): FY 1995 State Plan Issues for Regulation  
Attachment F: List of ACF Regional Administrators

## Attachment E

**FY 1995 Five-Year State Plan - Issues for Future Regulations**

We plan to publish a notice of proposed rulemaking in the spring of 1994. In our discussions with focus group participants and others, we have received a number of policy recommendations which are under consideration for inclusion in the proposed rule. The following is a list of preliminary regulatory issues under consideration for the FY 1995 State Plan:

- The State Plan should include a State vision or philosophy statement for services to children and families.
- The plan should include clearly stated goals and outcomes based on documented data on families and children; should reflect analysis of existing child welfare and related social welfare delivery systems; and should specify the steps that will be taken to measure outcomes and accomplish the goals.
- The plan should document current, proposed, and ongoing coordination and collaboration with specified programs, agencies, organizations, and individuals at the State and community levels.
- The plan should articulate a continuum of coordinated services in the State from prevention (family support services) to child abuse and neglect investigation, family preservation services, foster care and adoption services, reunification services and other supportive activities. The State should show how multiple State and local agencies and services programs, both public and private, are a part of this continuum, e.g., mental health, the courts, education, community action agencies, foundations, non-profit community-based organizations, housing, income security. The State should show how the continuum reflects the multiple sources of funding that contribute to this service system and how services are family-centered, flexible, easily accessible, and provide an improved service delivery system to children and families.
- The plan should identify specific existing and planned family preservation services and family support services and describe how they fit into the continuum of services.
- The plan should include a complete and detailed description of the family preservation services and the family support services in the State, the target populations for each service, and the geographic areas in which each service will be provided in the upcoming year. This information must also be made available to the public (Section 432(a)(5) of the Social Security Act).

- The plan should describe the realistic and measurable results and benefits that are expected to be derived from the family support and family preservation services programs and the manner in which actual results and benefits would be measured and substantiated to determine if stated objectives and goals are met. This should include a description of the methods to be used to evaluate annual progress and to evaluate the effectiveness of the family support and family preservation programs, such as:
  - a. types of data collection activities that will document the frequency, intensity, and duration and results of service delivery to children and families, including data that will come from management information systems;
  - b. evaluations of ongoing programs;
  - c. process evaluations focusing on implementation strategies at the State and local level; and
  - d. impact evaluations assessing the impact of new service delivery efforts.
- The plan should specify the quality standards used in the development, expansion, or operation of family preservation and family support services.
- The plan should document contracts or subgrants with community-based organizations for family support services.

Additional requirements under consideration for proposed regulations include:

- Specification of the public notification process States must use to publicize their Annual Report information on services, target populations, and geographic areas.
- A definition of the term "administrative cost" to clarify for States the ten percent limitation on administrative costs.
- A definition of the term "significant portion" to clarify for States what percentage of funds must be spent for family preservation and for family support services, respectively.
- A requirement for annual documentation of funds spent for family preservation and family support services to permit monitoring of the supplantation prohibition.