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INFORMATION MEMORANDUM

TO: STATE AGENCIES AND INDIAN TRIBES/INDIAN TRIBAL ORGANIZATIONS
ADMINISTERING TITLE VI-B OF THE SOCIAL SECURITY ACT.

SUBJECT: Joint Planning for Title IV-B, Child Welfare Services

LEGAL, AND RELATED REFERENCES: Section 422 of the Social Security Act (the Act);
45 CFR Parts 1355, 1357.10, 1357.15, and 1357.20.

CONTENT: This transmittal summarizes the requirements for a title IV-B Child Welfare Services Plan (CWSP); suggests an approach to the joint planning progress, and provides some examples of Child Welfare Services Plans.

BACKGROUND: In order to be eligible for Federal financial participation (FFP) under title IV-B of the Act, a State or an eligible Indian tribe must have a CWSP which meets the requirements of section 422(a) and (b) of the Act and 45 CFR Parts 1355 and 1357.

The CWSP must have been developed jointly by State and Federal representatives and must meet the requirements of the Act listed at section 422(b). Implementing regulations found at 45 CFR 1357.10 define the CWSP and joint planning.

The CWSP is defined as " ...the document developed through joint planning which describes the child welfare services program for which the State agency is responsible, including services, program deficiencies, plans for program improvement and allocation of resources by type of services."

The joint planning process is also defined in 45 CFR 1357.10 as "... State and Federal review and analysis of the State's child welfare services, including analysis of the service needs of children and their families, selection of unmet service needs that will be addressed in a plan for program improvement, and development of goals and objectives to enhance the capability of the State in providing child welfare services.

For purposes of this Information Memorandum, our discussion will center on the CWSP as developed by the State agency. However, the Act at section 428(a) also permits title IV-B payments to be made directly to eligible Indian Tribal Organizations (ITOs). The implementing regulations for section 428 found at 45 CFR 1357.40. ACYF-IM-83-04, issued on June 6, 1983, gives information on joint planning and the submission of a CWSP for eligible Indian Tribes. Tribes must meet the same requirements as States, where appropriate.

CWSP PROCESS REQUIREMENTS:

Submission of Plan

The CWSP must be submitted to the appropriate regional office of ACYF, which will notify the State when the plan meets all the requirements. The CWSP may be submitted in a form determined by the State.

The assurances section of the plan need only be submitted on a one time basis. The descriptive requirements section may cover a period of one, two or three years. The Annual Budget Request and Annual Summary of Child Welfare Services (CWS 101) must be submitted annually, regardless of the time period for which the plan is developed. The State also has the option of determining whether the planning years for the CWSP will coincide with the Federal fiscal year or the State fiscal year.

Amendments to the Plan

The CWSP must be amended whenever necessary to reflect new or revised Federal statutes or regulations or material change in any phase of State law, organization, policy or State agency operation (45 CFR 205.5). In particular, assurances, which are only required with the initial plan, must be amended when significant changes are made in a State's program in areas affected by the assurances (45 CFR 1357.15(b)).

Coordination

The CWSP must provide for coordination between the services provided for children under the plan and the services and assistance provided under the Title XX Social Services Block Grant, Title IV-A, Title IV-E and other State, Federal or Tribal programs related to child welfare (section 422(b)(2), 45 CFR 1357.15(a) and 45 CFR 1357.40 (e)).

Since the CWSP must include a description of all child welfare services provided by the State without regard to their funding sources, the CWSP requirements are sufficiently flexible to permit the State to coordinate all planning activities for child welfare services. Thus, if it chooses, a State could develop the Child Welfare Services Plan while developing the Title XX Social Services Block Grant Pre-Expenditure Report. Some States are also beginning to utilize comprehensive plans under Executive Order 12372.

Concurrent development of plans may enable a State to coordinate needs analyses, program evaluations and analyses, planning cycles and funding for the two or more plans. Whatever

planning procedures the State chooses, the CWSP must provide accurate and reliable information and should be more than general statements of intention.

When an Indian Tribal Organization (ITO) in a State applies for and receives direct title IV-B funding under section 428 of the Act, the State agency must make every reasonable effort to coordinate its title IV-B program with the title IV-B program of the ITO. The State must provide a copy of the title IV-B State plan upon request to the ITO and the ITO must provide a copy of its plan to the State(s) upon request to the ITO and the ITO must provide a copy of its plan to the State(s) on request (45 CFR 1357 (e)(2) and 45 CFR 1357.15 (d)).

Governor's Signature and Intergovernmental Review

The CWSP must be submitted to the Governor for review and comment. The plan must provide that the Governor will be given opportunity to review State plan amendments and long range planning projections or other periodic reports, except periodic statistical, budget or fiscal reports (45 CFR 204.1).

Intergovernmental review required by Executive Order 12372 and the Code of Federal Regulations, Part 100, is intended to foster an intergovernmental partnership and to strengthen Federalism. This would be achieved by relying on State review processes and on State, areawide, regional, and local coordination for review of proposed Federal financial assistance and direct Federal development. Those entities which are directly affected by the CWSP have 60 days from the date of submittal of the CWSP to the regional office for comment.

ACYF will notify a State agency of any CWSP received which has no indication that the State, through its process, had an opportunity to review the submissions. An exception is made in those States which have chosen to exclude the title IV-B program for review under Executive Order 12372.

Public Review

The CWSP must be available for public review and inspection (45 CFR 1355.21 (c)).

CWSP CONTENT REQUIREMENTS: The CWSP consists of a series of assurances, required either by statute or regulations, several elements which States are required to describe about their program on a one, two or three year basis; and an annual request for funds. A complete list of the statutory and regulatory requirements is included in TAB A.

Assurances

The first submission of a CWSP must contain a statement certifying that the State is in compliance with a series of requirements in section 422(b). These requirements cover the following topics:

- that the agency administering the State's title XX services program also administers the title IV-B plan, and that a single organizational unit will be responsible for furnishing child welfare services;
- that the plan provides for coordination between services provided under title XX, titles IV-A and IV-E and other related State programs;
- that the standards and requirements for child day care under title XX apply to day care services under title IV-B;
- that the plan provides for the training and use of paid paraprofessionals and nonpaid or partially paid volunteers;
- that the plan provides for use of facilities and experience of voluntary agencies; and
- that the agency administering the plan will furnish whatever reports, information and evaluation that the Secretary may require.

Descriptive Requirements

Each CWSP must also contain the following:

- a description of the services to be provided and the geographic areas where such services are to be provided,
- a description of the steps which the State will take to provide child welfare services and to make progress in:
 1. covering additional political subdivisions,
 2. reaching additional children in need of services, and
 3. expanding and strengthening the range of existing services and developing new types of services.
- a description of the State's child welfare services staff development and training plans, and
- specification of which replacement preventive and reunification services are available to children and families in need (45 CFR 1357.15(e)).

Request for Funds

On an annual basis the State must submit the Annual Budget Request and Annual Summary of Child Welfare Services (CWS 101). A copy of this form is found at TAB. B.

Safeguarding Information

The State CWSP must provide safeguards on the use and disclosure of information which meet the requirements of section 471(a)(8). These safeguards restrict the disclosure of information concerning persons assisted under the State plan to activities directly connected to administration or investigation of the plan or title IV-B programs, administration of other Federal programs, and authorized audits of the plan or program.

Requirements Concerning Child Abuse and Neglect

The State must assure that any child abuse and neglect programs funded under title IV-B will meet the requirements of paragraph (3) of section 4(b) of the Child Abuse Prevention and Treatment Act of 1974, as amended.

In addition to the assurances in section 422(b) and those listed above, there are a number of other general requirements to which the State must certify, which apply to the title IV-B plan. These are included in Tab. A. States can certify that they meet these requirements by including (or referring to) a listing of all the assurances (including those in section 422(b) and regulatory requirements, followed by a statement of compliance signed by the appropriate official. As with the certification for section 422(b), certification to other general requirements may occur on a one time basis.

SUGGESTED APPROACHES FOR JOINT PLANNING: While a variety of joint planning approaches have been used and will continue to be used in joint planning, this memorandum includes for your reference several examples of planning activities which have been useful to States in developing substantive Child welfare State Plans.

Review Statutory and Regulatory Requirements

1. We suggest participants begin the planning process with a review of State implementation of title IV-B statutory and regulatory requirements and consideration of the following questions:

- a. Have there been changes in relevant State or Federal laws, regulations or administrative policies or procedures since the last plan was submitted?
- b. Has these changes been submitted previously as amendments to the CWSP or should they be prepared for submittal now?
- c. Are there areas of State implementation of statutory or regulatory requirements that the State has identified for improved performance or upgrading?

If the answer to any of these questions is "yes", the State will want to review its assurances, and determine what revisions and modifications it must make or wishes to make.

Conduct Needs Analysis

2. For each CWSP, whether it is a one, two or three year plan, the State should collect and systematically review a variety of data pertaining both to the general population and the child welfare population. These data could include general population statistical information, projections by size and needs of the child welfare population and special factors which influence child welfare needs and resources. A systematic needs analysis assists a State in identifying unmet needs, gaps in the service delivery system, and other issues and problems in the provision and management of child welfare services and assists in establishing priorities. The analysis may be accomplished through a variety of approaches, such as State planning task forces, public hearings, formal and informal involvement of a cross section of citizen groups, professional organizations and interested individuals and/or analysis by State employees. If the data are based on complete and comprehensive reports concerning the needs of children and families in the

State, the analysis of such data should be useful not only for planning purposes, but also for budget preparation and legislative justification.

A review of form CWS-101, Annual Summary of Child Welfare Services (TAB. B) is also useful in the State's needs analysis. This document includes an estimate of funds available from all sources for child welfare and an estimated number of clients to be served.

From the analysis of all the data, the State will be able to develop a description of services to be provided and the geographic areas in which such services will be available during the next planning period.

Develop Long Range Strategies and Set Priorities

3. Many States have found the development of a long range strategy helpful in projecting needs and activities which must be addressed over a period of several years. A long range plan or strategy is useful whether a State develops a one, two or three years CWSP. It is also a useful foundation for setting priorities. In the long range strategy, the State may want to give special attention to issues or changes which arise from the review of statutory and regulatory requirements, significant gaps or deficiencies in the provision of services, or to issues brought to the attention of the State by community groups, advocacy organizations or individuals. Further, regardless of the format the State chooses to use for the CWSP, an effective plan is one which has both long range goals/strategies as well as specific operational goals and objectives, including measurable outcomes and action steps identified to bring about the outcomes. This type of systematic approach can give the State a framework to assess its progress and refine and alter its plan as needed.

The time period covered by the CWSP may vary for a variety of reasons. Some States may wish to use a two year cycle to coincide with its legislative sessions. Or, because of an anticipated change in leadership, the State may choose to submit a one year plan. In such cases, the State may still want to build on and revise longer range goals and objectives for itself, as a working document, so that it conceptualizes the relationship between its one or two years CWSP and longer range goals.

In other cases, the State may use a four or five year planning cycle in order to incorporate more complex and comprehensive approaches, when this is the case, a State may wish to submit a three year CWSP. Following the needs analysis and the identification of long and short range priorities, States should be ready to develop the specific content of the CWSP. As a result of the decisions made and the priorities identified, the State can then address the descriptive requirements and the staff development and training plans which are needed to support the achievement of the CWSP.

ADDITIONAL INFORMATION:

Examples of State Plans

We have attached to this Information Memorandum portions of three Child Welfare Services Plans submitted to HHS regional offices which illustrate different planning processes and methods for developing and displaying the information in the plan.

State "North" Plan (TAB C.)

This example of State "North" plan includes a statement of its philosophy, methodology, the need analysis, and long range goals and objectives for substitute care services and adoption services. State "North's" needs analysis is based on a five year plan developed for children, youth and families. From this, State "North" developed a three year CWSP.

State "South" Plan (Tab. D and Tab. E)

This example includes the needs analysis, goals and objectives for protective services and preventive/supportive services for two plans from this State: "South" (3) is a three year plan, and "South" (1) is a one year update. In "South" (3) the State prepare charts summarizing the needs analysis data for each area of the plan and an accompanying narrative which described goals, needs, barriers to reaching the goals, and specific objectives. In "South" (1) the State included a narrative discussion of what had been accomplished, the needs and the objectives.

State "West" plan (Tab. F)

This example includes a description of the State's planning process, a list of priorities resulting from its planning process, and the goals, objectives and action steps relating to foster care. This State developed action steps, listed resources which would be needed to carry them out, and cited how each objective would be evaluated. This State also developed a three year CWSP.

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

Signed: Dodie Livingston Commissioner

[Tab. A:-](#) Title IV-B State Plan Requirements

[Tab. B:-](#) CWS 101 form (Annual Budget Request and Annual Summary)

Tab. C: Sample Plan - State "North"

Tab. D: Sample Plan - State "South" (3)

Tab. E: Sample Plan - State "South" (1)

Tab. F: Sample Plan - State "West"

NOTE: Tab C - F not available online

TAB A**SUMMARY OF TITLE IV-B PLANNING REQUIREMENTS**

STATUTORY REFERENCE SOC.SEC. ACT	REQUIREMENT	REGULATORY REFERENCE 45 CFR
422(a)	Overall Requirement for joint planning	1357.15(a)
422(b)(1)(A)	Title IV-B Program administered by title XX Agency	
422(b)(1)(B)	Child Welfare Services furnished by a single organizational unit	
	Administration of plan by single State	
422(b)(2)	Coordination with Titles XX, IV-A, IV-E, & other relevant State programs	1357.15(b)(1)
422(b)(3)	Application of title XX daycare standards to title IV-B	1357.15(b)(1)
422(b)(4)	Training and use of paid paraprofessionals and volunteers	1357.15(b)(1)
422(b)(5)	Description of services to be provided and geographic areas available	1357.15(c)
422(b)(6)	Description of steps to make progress in expanding services	1357.15(b)(2)
422(b)(7)	Utilization of voluntary agencies	1357.15(b)(1)
422(b)(8)	Provisions of reports by State	1357.15(b)(1)
-----	Assurances only submitted with initial plan	1357.15.(b)(1)
-----	States may submit one, two or three year plans with descriptive information	1357.15(b)(2)
422(b)(6)	Description of State's child welfare services staff development and training plan	
-----	Coordination by State with Indian Tribal Organizations	1357.15(d)
-----	Specification of preplacement	1357.15(e)

prevention and reunification services