

# ACF

Administration  
for Children  
and Families

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Children, Youth and Families

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**4. Key Words:** Title IV-B Annual Progress and Services Report; Chafee Foster Care Independence Program; Educational Training Vouchers Program

## PROGRAM INSTRUCTION

**TO:** Indian Tribes, Indian Tribal Organizations, or Indian Tribal Consortia administering Title IV-B, subparts 1 and/or 2, and Title IV-E of the Social Security Act; and Tribal Independent Living and Education and Training Voucher Coordinators.

**SUBJECT:** June 30, 2017 submission of: (1) the Annual Progress and Services Report (APSR) required under Title IV-B of the Social Security Act (the Act) for the Stephanie Tubbs Jones Child Welfare Services and Promoting Safe and Stable Families (PSSF) Programs; the Chafee Foster Care Independence Program (CFCIP); and the Education and Training Vouchers (ETV) Program; and (2) the CFS-101, Part I, Annual Budget Request; Part II, Annual Summary of Child and Family Services; and Part III, Annual Expenditure Report—Title IV-B, subparts 1 and 2, CFCIP, and ETV, as applicable.

**LEGAL AND RELATED REFERENCES:** Title IV-B, subparts 1 and 2, sections 421-425, 428, 430-438, and title IV-E, section 477 of the Act; the Indian Child Welfare Act of 1978 (Pub. L. 95-608); the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638); 45 CFR Parts 1355 and 1357; and the Preventing Sex Trafficking and Strengthening Families Act (Pub. L. 113-183).

**PURPOSE:** This Program Instruction (PI) provides guidance to Indian tribes, tribal organizations, and tribal consortia (tribes) on actions they are required to take in order to receive their allotments for Fiscal Year (FY)<sup>1</sup> 2018 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP, and the ETV program.

Please note that tribes with either an approved title IV-E plan or a title IV-E tribal/state cooperative agreement or contract have the option to apply to receive FY 2018 CFCIP and/or ETV funds directly from the Secretary. (See Section D of this PI.)

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<sup>1</sup> Unless otherwise noted, "FY" refers to the federal Fiscal Year, October 1 – September 30.

This PI summarizes the actions required to complete and submit the APSR and the CFS-101, Parts I, II, and III.

## **INFORMATION: Organization of the Program Instruction**

Section A. Background

Section B. Instructions for Tribes for APSR submissions

Section C. Requirements for Title IV-E Training Plans (Applicable Only to Tribes Operating or Planning to Operate a Title IV- E Program)

Section D. Requirements for the Chafee Foster Care Independence and Education and Training Vouchers Programs

Section E. Financial Information

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### **Section A. Background**

#### Child and Family Services Plan (CFSP)

The CFSP is a 5-year strategic plan that sets forth the vision and the goals to be accomplished to advance the tribe's overall child welfare system. A primary purpose of the plan is to strengthen the programs that serve children and families, including title IV-B, subparts 1 and 2 of the Act, into a continuum of services. For eligible tribes that choose to apply for direct funding under the CFCIP and/or ETV programs, the CFSP also addresses the tribe's plans for those programs.

Federal regulations at 45 CFR 1357.15 and 1357.16 provide the requirements for a 5-year comprehensive CFSP and annual updates on the progress made toward accomplishing the goals and objectives in the CFSP. The CFSP sets forth the framework for a system of services that are coordinated, integrated, culturally relevant, and child- and family-focused. The CFSP for FYs 2015–2019 was due on June 30, 2014. If a tribe did not submit a CFSP in June 2014 (or in June 2015 or 2016), but wishes to apply for FY 2018 funds, then the tribe must submit a 2-year CFSP covering FYs 2018–2019. Tribes in this situation may contact their Children's Bureau (CB) Regional Office (RO) for more assistance.

#### Annual Progress and Services Report (APSR)

The APSR is the annual update report that the tribe submits on the progress made toward accomplishing the goals and objectives in the CFSP. Completion of the APSR satisfies the federal regulations by providing updates on a tribe's annual progress for the previous FY and planned activities for the upcoming FY.

**In order to receive FY 2018 funds for title IV-B, CFCIP, and ETV programs, tribes must submit the APSR electronically to CB ROs by June 30, 2017. APSRs received after June 30, 2017, will not be considered for funding for FY 2018.** The ROs will work with the tribe to

ensure that the information provided adequately addresses the requirements. Upon approval, the RO will forward the tribe's request for funding to CB Central Office.

It is important that applicants address all requirements outlined in this PI. Missing or incomplete information will result in the withholding of funds for the program(s) affected until the information is complete and approval can be granted by ACF. If there are questions in preparing the APSR, please contact the tribe's CB RO Program Specialist.

Plans and activities included in the APSR must meet the provisions of 45 CFR 1355.21, 45 CFR 1357, and title IV-B, subparts 1 and/or 2, as well as the CFCIP and ETV programs (section 477 of the Act) for tribes seeking direct funding. These programs provide a critical source of funding for ensuring the safety, permanency, and well-being of children.

In preparing the APSR, each tribe must conduct an interim review of the progress made in the past year toward accomplishing the goals and objectives in the CFSP based on updated information and current data. When conducting this annual review, the tribe must include the agencies, organizations, and individuals involved in the development of the CFSP and in the ongoing CFSP-related consultation and must describe the coordination process used in developing the APSR. Examples of the agencies, organizations, and individuals with whom the tribe may need to collaborate include representatives from other tribal or state agencies providing services to children and families, the tribal court, the tribe's or state's court improvement program, state and county social service programs, the Temporary Assistance for Needy Families (TANF) program, the Child Support program, and other human service agencies.

NOTE: Tribes that plan to submit a title IV-E plan to operate a foster care, adoption assistance, and, at tribal option, guardianship assistance program **must also have an approved plan for title IV-B, subpart 1**. Both plans can be submitted for the same fiscal year. **Therefore, a tribe that wants to submit a plan to operate a federal direct title IV-E program in FY 2018 must submit an APSR to apply for title IV-B, subpart 1, by June 30, 2017, as described further below. If a tribe has not previously submitted a CFSP for the FY 2014 – 2019 cycle, it must submit a CFSP by June 30, 2017.** The requirements for a CFSP are delineated in the PI, ACYF-CB-PI-14-04 at: <http://www.acf.hhs.gov/programs/cb/resource/pi1404>. If there are questions in preparing the APSR or CFSP, please contact the tribe's CB RO Program Specialist.

## **Section B. Instructions for Tribes for APSR Submissions**

To receive funding for FY 2018, a tribe must submit its APSR to the RO by June 30, 2017. The submission must include:

- An electronic copy of the APSR in Word format. (Paper copies will not be accepted.)

In addition, tribes must submit required budget forms by mail or e-mail in portable document format (PDF), including:

- CFS-101, Part I for FY 2018 with signature, title and date;
- CFS-101, Part II with planned expenditures for FY 2018;
- CFS-101, Part III with previously estimated and actual expenditures for FY 2015 with signature, title and date. Part III is not required if the tribe did not receive funding in FY 2015.

The CFS-101 Parts I, II, and III, which were formerly provided as three separate Excel worksheets have been consolidated into one Excel workbook with three tabs. The workbook and instructions are provided in Attachment B. Section F of this Program Instruction has additional information on updates made to the CFS-101 forms and instructions.

In addition, if a tribe wishes to revise its previously approved funding request for FY 2017, either by releasing funds for reallocation or by requesting more funds than originally requested and approved, then the tribe must submit to the RO by June 30, 2017, a revised CFS-101, Part I for FY 2017 (with signature, title and date) indicating:

1. the amount of funds from its FY 2017 allocation that the tribe does not expect to utilize during the upcoming year to carry out the title IV-B, subparts 1 and/or 2 program activities;
2. for tribes that received CFCIP and/or ETV awards for FY 2017, any amount of CFCIP and/or ETV funds that the tribe does not expect to utilize from its FY 2017 CFCIP allocation; and/or
3. the amount of funds the tribe is requesting if additional funds become available for the title IV-B programs, and/or the CFCIP and/or ETV programs (if different from earlier requests).

Certifications and Assurances: Certifications and assurances submitted with the 2015–2019 CFSP do not need to be resubmitted unless a change has occurred that warrants a new certification. If this is a new application for title IV-B, CFCIP, or ETV, the application must include the signed certifications and assurances for the respective programs. Copies of the assurances can be found at: <http://www.acf.hhs.gov/sites/default/files/cb/pi1404.pdf#page=53>.

Plan Availability: The tribe must make the APSR available to interested parties. The plan must describe how the APSR will be made available. States and tribes are required to share their plans with each other.

The APSR must address each of the following programs for which the tribe is eligible and wishes to receive funding:

- **Stephanie Tubbs Jones Child Welfare Services Program (title IV-B, subpart 1)**

Funds under this program may be used for:

1. protecting and promoting the welfare of all children;
2. preventing the neglect, abuse, or exploitation of children;

3. supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;
  4. promoting the safety, permanence, and well-being of children in foster care and adoptive families; and
  5. providing training, professional development, and support to ensure a well-qualified child welfare workforce.
- **The Promoting Safe and Stable Families Program (title IV-B, subpart 2)**

Funds under this program may be used to support services in the following four areas:

1. family preservation;
  2. family support;
  3. time-limited family reunification; and
  4. adoption promotion and support services.
- **The Chafee Foster Care Independence Program and the Education and Training Vouchers Program**

Funds under CFCIP are used to help youth in foster care and former foster youth ages 18–21 make a successful transition from foster care to self-sufficiency by providing educational, vocational, and other services and supports. The ETV program provides funds for vouchers for postsecondary education and training. Information on tribal eligibility for these programs and additional information on the use of funds under these programs is discussed in Section D of this PI.

Optional CFSP/APSR Template: To assist tribes in the development of the CFSP, CB prepared a template for tribes to use. Although the use of the template is optional, a number of tribes developed their CFSP using the template. The template was designed to be used throughout the entire 5-year period of the CFSP/APSR process. Each requirement has the fiscal year listed below it for the tribe to update or describe any changes to what was previously submitted. Therefore, if the tribe used the template, updates should be entered on the template on the line below each requirement labeled “APSR—2018.” Specific instructions on the information to be updated are provided below.

For each of the above programs under which the tribe received funding for FY 2017 and/or is requesting funding for FY 2018, the APSR must address **Service Description, Collaboration, and Program Support** as detailed in items 1–3 below.

### 1. Service Description

- For each goal and objective in the CFSP, report on the specific accomplishments and progress achieved in the past fiscal year to improve outcomes for children and families,

and to provide a more comprehensive, coordinated, and effective child and family services continuum (45 CFR 1357.16(a)(1)).

- Report on the steps the tribe has taken to expand and strengthen the range of existing services and to develop and implement services to improve child outcomes (45 CFR 1357.16(a)). Describe planned activities, new strategies for improvement, and the method(s) to measure progress in the upcoming FY (October 1, 2017, to September 30, 2018).
- Explain any revisions to existing goals and objectives (45 CFR 1357.16(a)(2)); and, if appropriate, update the goals and objectives to incorporate any new goals or objectives.
- Describe the services to be provided in FY 2018 under title IV-B, subpart 1 and/or 2 (as applicable), highlighting any changes or additions in services or program design and how the services will assist in achieving program purposes (45 CFR 1357.16(a)(3)). For each service described, provide the following information on Part II of the CFS-101 (Attachment B):
  1. the population(s) to be served;
  2. the geographic areas where the services will be available; and
  3. the estimated number of individuals and families to be served.
- For tribes applying for title IV-B, subpart 1 funds and who have tribal children under the age of 5 in foster care:
  - Provide an update on the activities that the tribe has taken since submission of the CFSP or will undertake in FY 2018 to reduce the length of time that young children under age 5 are in foster care without a permanent family, and a description of the activities the tribe has taken or will undertake to address the developmental needs of these children who receive services under the title IV-B or IV-E programs (section 422(b)(18) of the Act). CB understands this requirement to apply to all children under age 5 in foster care regardless of the child's permanency plan, or legal or placement status.
  - For tribes that do not directly operate a foster care program and whose children are served by the state agency, provide an update on the role of the tribe in working with the state to address these requirements relating to meeting the needs of young children in foster care.
- For tribes applying for title IV-B, subpart 2 funds, discuss any updates as to how the tribe identifies which populations are at the greatest risk of maltreatment and how services are targeted to these populations.

## **2. Collaboration**

- Provide an update on how the tribe has engaged in the ongoing process of coordination and collaboration efforts conducted across the entire spectrum of the child and family service delivery system to provide services to tribal children. Describe how stakeholders and partners were involved in the review of progress made in the past fiscal year and expected updates for the coming year (section 422(b)(2) of the Act).
- Describe how the tribe has demonstrated substantial, ongoing, and meaningful collaboration between the child welfare agency and the tribal or state courts, as appropriate, with regard to the development of the APSR. If applicable, describe any actions the tribe is taking in response to a state's Child and Family Services Review or title IV-E program improvement plans (section 422(b)(13) of the Act).

## **3. Program Support**

- Provide an update on changes to or accomplishments in carrying out the tribe's child welfare services' staff development and training plans, since submission of the CFSP.
- Discuss the child and family services program's research, evaluation, or management information systems and quality assurance systems that will be updated or implemented in the upcoming fiscal year. Specify any additions or changes in services or program design due to the tribe's own evaluation of programs that the tribe has found particularly effective or ineffective (45 CFR 1357.16(a)(5)).
- Describe the technical assistance and capacity-building needs that the tribe anticipates in FY 2018 in support of the tribe's CFSP/APSR goals and objectives. Describe how capacity building services will assist in achieving the identified goals and objectives (45 CFR 1357.16(a)(5)).

## **4. Consultation Between States and Tribes**

States are expected to consult, collaborate, and coordinate with federally recognized tribes in the development and oversight of their CFSPs and APSRs. In addition, state and tribal title IV-B grantees within the state must exchange copies of their CFSPs and APSRs.

Federal law and regulations separately identify several key child welfare issues about which each state must consult and coordinate with tribes. Specifically, section 422(b)(9) of the Act requires states to consult with tribes regarding the measures taken by the state to comply with the Indian Child Welfare Act (ICWA). Section 477(b)(3)(G) of the Act requires states to consult with each tribe in the state about the independent living programs to be carried out under their CFCIP plan and how Indian children are to be served. Respond to the following items regarding state/tribal consultation:

- Provide an update regarding the consultation between the state and the tribe with respect to state compliance with ICWA, as required by section 422(b)(9). Describe any concerns with respect to ICWA consultation and compliance and any recommendations for addressing these concerns.
- Provide an update on the understanding, gathered from state/tribal consultation, as to who is responsible for providing the child welfare services and protections for tribal children delineated at section 422(b)(8) of the Act, whether the children are under state or tribal jurisdiction. These services and protections include operation of a case review system (as defined in section 475(5) of the Act) for children in foster care; a preplacement preventive services program for children at risk of entering foster care to remain safely with their families; and a service program for children in foster care to facilitate reunification with their families, when safe and appropriate, or to place a child in an adoptive home, legal guardianship, or other planned, permanent living arrangement (subject to the requirements of sections 475(5)(C) and 475A(a)).

In participating in consultation with states, tribes should be aware of the amendments made to the case review system by Pub. L. 113-183, the Preventing Sex Trafficking and Strengthening Families Act (See ACYF-CB-IM-14-03). In general, the amendments went into effect on September 29, 2015; however the new case review provision that requires the tribal title IV-B/IV-E agency to limit use of Another Planned Permanent Living Arrangement (APPLA) as a permanency plan to youth age 16 and older (section 475(5)(C)(i)) of the Act) becomes effective on September 29, 2017. The requirement applies for children in foster care under the responsibility of an Indian tribe, tribal organization, or consortium. Note that states were required to comply with this requirement effective September 29, 2015. The new case review provisions also require the title IV-B/IV-E agency to:

- Follow additional case review and case plan requirements for all children in foster care with a permanency plan of APPLA including:
  - Documenting at each permanency hearing the efforts to return a child home or to secure a placement for a child with a relative, or with a guardianship or adoptive parent (sections 475(5)(C)(i) and 475A(a)(1) of the Act).
  - Implementing procedures to ensure that the court or administrative body conducting the permanency hearing asks the child about his/her desired permanency outcome and makes a judicial determination at each permanency hearing that APPLA is the best permanency plan for the child and specifies compelling reasons why it's not in the best interest of the child to be returned home, placed with a relative or legal guardian, or placed for adoption (section 475A(a)(2) of the Act).
  - Documenting at the permanency hearing and the 6-month periodic review the steps the agency is taking to ensure that the foster family or child care



institution follows the “reasonable and prudent parent standard”<sup>2</sup> and whether the child has regular opportunities to engage in “age or developmentally-appropriate activities”<sup>3</sup> (sections 475(5)(B) and 475A(a)(3) of the Act).

- In addition, for children age 14 and older, the title IV-B/IV-E agency must:
  - Document in the case plan the child’s education, health, visitation, and court participation rights, the right to receive a credit report annually, and a signed acknowledgement that the child was provided these rights and that they were explained in an age appropriate way (section 475A(b) of the Act);
  - Develop the case plan in consultation with the child, and at the option of the child, two members of the case planning team, who are not the caseworker or foster parent (sections 475(1)(B) and (5)(C)(iv) of the Act);
  - Describe in the case plan and at the permanency hearing the services to help the youth transition to successful adulthood (formerly required at age 16) (sections 475(1)(D) and (5)(C)(i) of the Act); and
  - Provide a copy of his/her credit report annually and assist in fixing any inaccuracies (formerly age 16) (section 475(I) of the Act).
- In the APSR, describe any questions, concerns or technical assistance needs the tribe has identified with respect to implementation of the new case review requirements outlined above, including limitations on the use of APPLA as a permanency plan.
- Describe how the tribe has been consulted about the programs to be carried out under the CFCIP and explain the results of the consultation, specifically as it relates to determining eligibility for benefits and services and ensuring fair and equitable treatment for Indian youth in care under the CFCIP (section 477(b)(3)(G) of the Act).

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<sup>2</sup> The “Reasonable and prudent parent standard” is defined as the standard characterized by careful and sensible parental decisions that maintain a child’s health, safety, and best interests while at the same time encouraging the child’s emotional and developmental growth, that a caregiver must use when determining whether to allow a child in foster care under the responsibility of the state/tribe to participate in extracurricular, enrichment, and social activities. Caregiver (for this purpose only), is a foster parent or designated official at a child care institution (section 475(10) of the Act).

<sup>3</sup> “Age or developmentally-appropriate” is defined as suitable, developmentally appropriate activities for children of a certain age or maturity level based on the capacities typical for the age group and the individual child (section 475(11) of the Act).

## **5. Plan for diligent recruitment of potential foster and adoptive parents:**

For tribes that operate foster care programs:

- Discuss updates to the tribe's plan for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the tribe for whom foster and adoptive homes are needed (section 422(b)(7) of the Act). Examples of components to include in the diligent recruitment plan are: a description of the characteristics of children for whom foster and adoptive homes are needed; specific strategies to reach all parts of the community; strategies for assuring that all prospective parents have access to the home study process; and strategies for training staff and community partners.

For tribes that do not directly operate a foster care program and whose children are served by the state agency:

- Discuss any activities the tribe is undertaking in coordination with the state agency to support diligent recruitment of foster and adoptive families.

CB funds the National Resource Center for Diligent Recruitment at AdoptUSKids to provide free services and materials to support states, tribes, territories, and courts as they recruit foster, adoptive, and kinship families and make lasting systemic changes to improve safety, permanency, and well-being outcomes for children and families. For additional information on diligent recruitment and a customizable tool to use in developing a diligent recruitment plan, please see <http://www.nrcdr.org>.

## **6. Health Care Oversight and Coordination Plan**

Tribes were required to submit the Health Care Oversight and Coordination Plan in the CFSP. In the APSR, all tribes receiving funding under title IV-B, subpart 1, are required to address how the Health Care Oversight and Coordination plan requirements are being met for tribal children in foster care.

For tribes that operate foster care programs:

- Describe the progress and accomplishments in implementing the tribe's Health Care Oversight and Coordination Plan.
- Describe any changes to the plan that the tribe, in conjunction with health care professionals, has determined are necessary. Provide information on the change, if any, or update to the Health Care Oversight and Coordination Plan. If no changes have been made, report that fact.

For tribes that do not directly operate a foster care program and whose children are served by the state agency:

- Note in the APSR that the state agency is responsible for developing the Health Care Oversight and Coordination Plan and for providing health care information as part of the transition plan development process.
- Describe how the tribe is involved in contributing to the state processes. (See sections 422(b)(15)(A) and 475(5)(H) of the Act.)

## **7. Disaster Plans**

Section 422(b)(16) of the Act requires that tribes have procedures in place explaining how the programs assisted under title IV-B, subparts 1 and 2, or title IV-E, would respond to a disaster, in accordance with criteria established by the Secretary, which include how the tribe will:

- Identify, locate, and continue availability of services for children under tribal care or supervision, who are displaced or adversely affected by a disaster;
- Respond, as appropriate, to new child welfare cases in areas adversely affected by a disaster, and provide services in those cases;
- Remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster;
- Preserve essential program records; and
- Coordinate services and share information with states and other tribes.

Tribes are required to review their previously submitted disaster plan to determine if changes are needed. If the tribe determines changes are necessary, describe in the APSR the changes the tribe is making or include an updated disaster plan. If the tribe determines that no changes are necessary, note this fact in the APSR. If the tribe has been affected by a disaster in the past year, describe how the plan was used and assess its effectiveness.

## **8. Certification of Population Count**

Determinations of tribal allocations for funding under the programs authorized by title IV-B, subparts 1 and 2, are based on a count of the population of children and youth under the age of 21. For the title IV-B, subpart 1 program (Stephanie Tubbs Jones Child Welfare Services), a tribe's allotment is taken from the funds that would otherwise be provided to the state(s) in which the tribe is located.

Beginning with the FY 2016 grant awards, ACF began using 2010 Census data as the default population estimate for tribes that do not submit a new population certification form. In addition, ACF continues to accept submission of a tribal population certification form as an alternative figure to be used in making title IV-B allocations. (For additional information, please see [ACYF-CB-PI-15-10](#), issued December 11, 2015).

Many tribes submitted a self-certification form in 2016 or 2017, following issuance of ACYF-CB-PI-15-10. Tribes that did so are not required to submit a new self-certification form with the APSR provided the information is still accurate. Tribes that did not previously submit a self-certification form or that wish to update the population count may submit a new one with the

APSR, using the form found at Attachment C of this PI. (This is the same form that was updated and issued as an attachment to last year's ACFY-CB-PI-16-04.)

## **9. Training**

For all tribes submitting an APSR, provide an update, if any, to the tribe's child welfare services staff development and training plan in support of the goals and objectives of the CFSP which addresses the title IV-B programs covered by the plan.

### **Section C. Requirements for Title IV-E Training Plans (applicable only to tribes directly operating or planning to operate title IV-E program)**

Tribes directly operating a title IV-E foster care, adoption assistance and, at the tribe's option, guardianship assistance program, are required to submit a combined title IV-B-IV-E training plan, as required by 45 CFR 1356.60(b)(2). Detailed information on requirements for a title IV-E training plan, can be found in Section E and Attachment G of [ACYF-CB-PI-14-04](#) available at: <http://www.acf.hhs.gov/programs/cb/resource/pi1404>.

Tribes with an approved title IV-E plan to operate directly a foster care, adoption assistance and, at the tribe's option, guardianship assistance program, who previously submitted a combined title IV-B/IV-E training plan must provide any updates to the plan as part of the APSR submission.

Tribes that intend to submit a title IV-E plan to operate directly a foster care, adoption assistance and, at the tribe's option, guardianship assistance program in the future are not required to submit the title IV-E training plan with the APSR due on June 30, 2017, but if approved to operate a title IV-E program must submit such information prior to submitting claims under title IV-E for reimbursement of allowable training costs.

### **Section D. Chafee Foster Care Independence and Education and Training Vouchers Programs**

The CFCIP, including the ETV Program, provides supports and services to youth who are likely to age out of foster care and to those young adults, ages 18 – 21, who have left foster care.

Some tribes are eligible to apply to receive funds directly to operate independent living and education and training voucher programs. Tribes that are not eligible or that do not wish to apply for a direct allocation are reminded that states are required to ensure fair and equitable treatment of Indian youth in foster care. States are also required to negotiate in good faith with any tribe that requests to develop an agreement to administer or supervise the CFCIP or an ETV program with respect to eligible Indian children and to receive from the state an appropriate portion of the state's allotment for such administration or supervision. (See section 477(b)(3)(G) of the Act.)

Tribes with an approved title IV-E plan to operate a title IV-E program directly and tribes that have a title IV-E tribal/state cooperative agreement or contract have the option to apply to receive FY 2018 CFCIP and/or ETV funds directly from the Secretary. These tribes may receive directly a portion of the CFCIP and/or ETV funds allotted to the state(s) in which the tribe is located. In order to calculate the tribe's allocation under the CFCIP and ETV programs, the tribe must submit data on the number of children in foster care under the responsibility of the tribe, tribal organization, or tribal consortium (either directly or under supervision of the state) in the most recent fiscal year for which information is available. Tribes receiving direct funding under CFCIP and/or ETV will also be required to provide a 20 percent match.

Note that, consistent with section 479B(f) of the Act, ACF has determined that tribes who receive direct funding for CFCIP and/or ETV are not required to implement the National Youth in Transition Database.

#### Requirements for Tribes Applying to Receive Direct Funding for the First Time:

Eligible tribes that wish to receive funds directly from HHS, pursuant to section 477(j) of the Act, must meet all the requirements listed in Section F of ACFY-CB-PI-14-04 and sign the Certifications for the CFCIP and/or Tribal Leader's Certification for the ETV Program/CFCIP in Attachment C of that same PI. The documents can be found at: <http://www.acf.hhs.gov/programs/cb/resource/pi1404>.

#### Requirements for Tribes Reapplying to Receive Direct Funding:

Tribes that received direct funding under CFCIP and/or ETV in FY 2017 and wish to receive funds for FY 2018 must submit an updated plan that includes the information required under Section B, items 1-3 above (i.e., Service Description, Collaboration, and Program Support) for the CFCIP and report on the specific accomplishments achieved in FY 2015 and planned activities for FY 2018 for each of the program's purpose areas, as applicable.

The eight purposes of the grant applicable to the FY 2018 award are to:

1. Help youth likely to remain in foster care until age 18 transition to self-sufficiency by providing services;
2. Help youth likely to remain in foster care until age 18 receive the education, training, and services necessary to obtain employment;
3. Help youth likely to remain in foster care until age 18 prepare for and enter post-secondary training and educational institutions;
4. Provide personal and emotional support to youth aging out of foster care through mentors and the promotion of interactions with dedicated adults;
5. Provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition into adulthood;
6. Make available vouchers for education and training, including postsecondary education, to youth who have aged out of foster care;

7. Provide services to youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption; and
8. Ensure children who are likely to remain in foster care until 18 years of age have regular, on-going opportunities to engage in age or developmentally appropriate activities as defined in section 475(11) of the Act.

In keeping with the Act's emphasis on positive youth development, tribes are strongly encouraged to include youth presently in care, as well as former foster youth, as critical stakeholders in the development and updating of the plan.

In providing updates on the CFCIP, please

- Report on the tribe's specific accomplishments achieved since the 2015–2019 CFSP or subsequent APSR submissions.
- Provide information on the planned activities for FY 2018, including any planned use of funds in support of the new eighth purpose relating to engagement in age or developmentally appropriate activities.

Tribes applying to receive continued funding for CFCIP and/or ETV are not required to sign the certifications for these programs if there are no changes to the certifications signed with the plan previously submitted.

Note that if a tribe wishes to receive direct funding under the ETV program only (and not the CFCIP program), then the tribe's plan must address plans for achieving that purpose only.

In addition, in order to calculate the tribe's allocation under the CFCIP and ETV programs, the tribe must submit data on the number of children in foster care under the responsibility of the tribe (either directly or under supervision of the state) in the most recent fiscal year for which information is available. This data is required for all tribes applying or reapplying for these programs.

Education and Training Vouchers Program: Tribes should note that purpose 6 of section 477(a) is to make available vouchers of up to \$5000 per youth per year for postsecondary education and training to youths who have aged out of foster care. In addition to the information described in Section D, items 1-3 above (Program Description, Collaboration, and Program Support), the ETV program requires the following information be incorporated into the APSR:

- Describe the specific accomplishments and progress to establish, expand, or strengthen the tribe's postsecondary educational assistance program to achieve the purpose of the ETV program.
- Indicate how the ETV program is administered.

Consultation and Collaboration: Tribes applying for direct CFCIP and/or ETV programs must describe the consultation process regarding the CFCIP and ETV programs with each state for which a portion of an allotment would be redirected by the Secretary of HHS to the tribe. (See section 477(j)(2)(B) and (C) of the Act.) Provide an update to the results of that consultation, particularly with respect to:

- Determining the eligibility for benefits and services of Indian children to be served under the CFCIP and/or ETV programs that the tribe has opted to operate directly; and
- The process for consulting with the state in order to ensure the continuity of benefits and services for such children who will transition from receiving benefits and services under the state's CFCIP and ETV programs to receiving such benefits and services under programs carried out directly by the tribe.

Provide an update on how youth, caseworkers, and caregivers are made aware of the program.

Statistical Information: Identify the number of youth (unduplicated count) who received ETV awards from July 1, 2015 through June 30, 2016 (the 2015-2016 school year) and July 1, 2016 through June 30, 2017 (the 2016-2017 school year). Tribes may estimate a total if they do not have the total number for the 2016-2017 school year.

Report the number of youth who were new voucher recipients in each of the school years.

## **Section E. Financial Information**

### **1. Payment Limitations - Title IV-B, subpart 1:**

As required by section 422(b)(14) of the Act, tribes may spend no more than 10 percent of title IV-B, subpart 1 federal funds for administrative costs. As defined at section 422(c)(1) of the Act, administrative expenditures are costs for the following activities to the extent they are incurred in administering the title IV-B plan: 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 the oversight of programs funded under title IV-B, subpart 1). Because of the limitation on administrative expenditures, tribes may have to limit the application of their indirect cost rate. If the application of the indirect cost rate results in the administrative cost limit being exceeded, the tribe must reduce direct and/or indirect costs assigned to the program to ensure that total administrative costs are limited to no more than 10 percent of the federal share of program expenditures.

## **2. FY 2017 Funding-Revised Budget Request (See Attachment B)**

Unneeded portions of tribal allocations of title IV-B, CFCIP, and ETV funds will be re-allocated by ACF in accordance with prescribed formulas (Sections 423(e), 433(d), and 477(d)(4) of the Act).

- If the tribe has received an allotment for FY 2017 and wishes to receive more funds than its previously submitted CFS-101 for FY 2017 indicated, it must submit a revised FY 2017 budget form (CFS-101, Part I). Note: The revised total request for each program must be equal to or less than the sum of the re-allotment request(s) and the amount the tribe is eligible to receive in FY 2017 under title IV-B, subparts 1 or 2. (See Attachment A.)
- If the tribe intends to release or apply for funds for reallocation for the title IV-B, subpart 1 or 2 programs, please note the amounts the tribe is releasing or requesting on the appropriate lines of the FY 2017 CFS-101 (see form instructions for more detail). ACF will re-allocate the funds in accordance with the prescribed formulas. Funds will be re-allocated prior to the end of the fiscal year.

## **3. FY 2018 Budget Request-CFS 101, Parts I and II (See Attachment B)**

Instructions for completing the CFS-101, Parts I, II, and III have been consolidated into one document, rather than three separate documents. The forms (Parts I, II, and III) have also been consolidated into one Excel workbook, rather than three separate Excel worksheets. In addition, some functionality has been added to the workbook to assist grantees in submitting complete and consistent reports by linking certain information among the parts of the forms and by adding “autosum” features to certain cells. The updated instructions provide additional information.

- Complete Part I of the CFS-101 (the first tab in the Excel workbook) to request title IV-B, subparts 1 and 2, CFCIP and ETV funds, as applicable.
- The final FY 2017 allocation tables are not available. Tribes should use FY 2016 allocation tables in Attachment A as the basis for estimating FY 2018 budget requests for title IV-B, subparts 1 and 2. If interested in applying directly to receive CFCIP and/or ETV funds, please contact your CB Regional Office to obtain an estimate of the amount of funds that will be available to the tribe under these programs.
- Complete Part II of the CFS-101 (the second tab of the Excel workbook) to include the estimated amount of funds to be spent in each program area by source, the estimated number of individuals and families to be served, and the geographic service area within which the services are to be provided.



#### **4. FY 2015 Title IV-B Expenditure Report-CFS-101, Part III (See Attachment B)**

Complete Part III of the CFS-101 (third tab of the Excel workbook) to report the actual amount of FY 2015<sup>4</sup> funds expended in each program area of title IV-B funding by source, the number of individuals and families served, and the geographic service area within which the services were provided. The tribe must track and report annually its actual title IV-B expenditures, including administrative costs for the most recent preceding fiscal year. Tribes must report the actual title IV-B expenditures of FY 2015 funds and submit this with the APSR.

#### **5. Financial Status Reports (Standard Form 425 (SF-425))**

All grantees must report expenditures under title IV-B, subparts 1 and 2, CFCIP and ETV on the SF-425. The tribe must submit a separate SF-425 for each program and the federal funds awarded under it for each fiscal year. Listed below under the appropriate heading are the requirements for submission for each program. A negative grant award will recoup unobligated and/or unliquidated funds reported on the final SF-425 for the title IV-B programs, CFCIP and ETV programs.

For awards issued for FY 2016 or later, tribes are required to submit an electronic SF-425 for the programs listed above through the Payment Management System (PMS). Therefore, the tribe should not submit paper copies of the report. Tribes should continue to use the ACF Online Data Collection (OLDC) system to report awards prior to FY 2016. For more information on gaining access to and using the PMS system, please contact the PMS Help Desk at 1-877-614-5533. For more information on gaining access to and using the OLDC submission process, please contact the OLDC helpline at 1-866-577-0771. (See ACF Grants Management Action Transmittal OA-ACF-AT-01-05 and OGM-AT-13-01.)

##### *Title IV-B, subpart 1*

Tribes are required to submit the SF-425 for expenditures under title IV-B, subpart 1 at the end of each 12 months (October 1 through September 30) of the 2-year expenditure period. Both reports are due 90 days after the end of the fiscal year (December 29). The SF-425 covering the first 12-month budget period is the interim report, and the report covering the entire grant period is the final report. The tribe must report tribal match on the interim and final financial reports. The required 25 percent tribal match (non-federal share) must be met with the submission of the final financial report. (Note that the match is based on 25 percent of the total program costs, including the combined federal and non-federal share, which equals one-third of the federal amount awarded.) 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 (e.g., for FY 2018 grants, funds must be obligated by September 30, 2019, and liquidated by December 29, 2019). To determine

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<sup>4</sup> Federal funds for these programs are awarded to tribes on a yearly basis, but may be spent over a two-year period. For example, the FY 2015 grant allocation had an expenditure period from October 1, 2014 to September 30, 2016. Therefore, tribes may have obligated any fiscal year 2015 funds during that two-year period of time and subsequently report expenditures on the CFS-101, Part III.

the match, a Match Calculator is available at:  
<https://www.childwelfare.gov/cb/programs/state-tribal-cfsp/tribal-toolkit/iv-b-calculator/>.

#### *Title IV-B, subpart 2 – PSSF*

Tribes are required to submit the SF-425 for expenditures under title IV-B, subpart 2 at the end of each 12 months (October 1 through September 30) of the 2-year expenditure period. Both reports are due 90 days after the end of the fiscal year (December 29). The SF-425 covering the first 12-month budget period is the interim report, and the report covering the entire grant period is the final report. The tribe must report tribal match on the interim and final financial reports. The required 25 percent tribal match (non-federal share) must be met with the submission of the final financial report. (Note that the match is based on 25 percent of the total program costs, including the combined federal and non-federal share, which equals one-third of the federal amount awarded.) Funds under title IV-B, subpart 2 must be expended by September 30 of the fiscal year following the fiscal year in which the funds were awarded (e.g., for FY 2018 grants, funds must be obligated by September 30, 2019, and liquidated by December 29, 2019). To determine the match, a Match Calculator is available at:  
<http://www.acf.hhs.gov/programs/cb/programs/state-tribal-cfsp/tribal-toolkit>.

The title IV-B, subpart 2 grant is comprised of both discretionary and mandatory funds. Since the discretionary funds under title IV-B, subpart 2 (PSSF) are to be expended for the same purposes as the mandatory funds, no separate reporting is required to distinguish between the expenditure of the two amounts. Grantees are to report the cumulative amount on the SF-425. Funds reported as unobligated on the final financial status report will be recouped from the discretionary amount first.

#### *CFCIP and ETV*

Funds under CFCIP and ETV must be expended within 2 years. Tribes are required to submit a separate SF-425 for the CFCIP and ETV programs. Tribes are required to submit the SF-425 for expenditures under the CFCIP and ETV programs at the end of each 12 months (October 1 through September 30) of the 2-year expenditure period. Reports are due 90 days after the end of each fiscal year (December 29). The SF-425 covering the first 12-month budget period is the interim report and the report covering the entire grant period is the final report. The tribe must report tribal match on the interim and final financial reports. The required 20 percent tribal match (non-federal share) must be met with the submission of the final financial report. (Note that the match is based on 20 percent of total program costs, including the combined federal and non-federal share, which equals 25 percent of the federal amount awarded). Funds under CFCIP and ETV must be expended by September 30 of the fiscal year following the fiscal year in which the funds were awarded (e.g., for FY 2018, funds must be obligated by September 30, 2019, and liquidated by December 29, 2019).

## Section F. Submittals

As of October 1, 2013, grantees must submit all applications, plans, and financial reports for mandatory grants electronically, consistent with Action Transmittal No. OGM-AT-13-01, issued September 25, 2013 by the ACF Office of Grants Management. In the future, ACF intends to use OLDC to facilitate online submission of plans, applications, and reports for mandatory grants, including the CFSP and APSR submissions. Once the system is capable of accepting these documents, CB will provide information on how to submit them through OLDC. Until that transition is complete, ACF requests that tribes continue to submit plans and applications electronically to the ROs.

### By June 30, 2017:

- Submit the APSR for FY 2018 as an electronic document in Word to the RO.
- If the tribe needs to update its population estimate, submit the signed Certification of Tribal Population Estimate under Age 21 (Attachment C) in PDF as a separate attachment. **Please use the version attached to this Program Instruction rather than any previous version.**
- Submit the signed CFS-101 forms in PDF format as a separate attachment(s) to the APSR. **The CB has revised the CFS-101s. Please use the new CFS-101s and instructions provided as Attachment B to this Program Instruction.** While no significant changes in content were made, the formatting of the CFS-101 has been modified slightly to assist grantees in submitting complete and consistent reports. The correct forms are labeled '2018 APSR' in the lower right hand corner of the form.

#### Submit as a PDF file or files:

- CFS-101, Part I for FY 2018 (signed by appropriate official);
  - CFS-101, Part II with planned expenditures for the use of FY 2018 funds;
  - CFS-101, Part III (signed by appropriate official) with estimated and actual expenditures of FY 2015 grants for the title IV-B, and, at if applicable, the CFCIP and ETV programs.
- If a tribe wishes to revise its previously approved funding request for the FY 2017 grants, either by releasing funds for reallocation or by requesting more funds than originally requested and approved, then the tribe must submit a revised CFS-101 Part I as a signed PDF indicating:
    - the amount of funds that the tribe does not expect to utilize from its FY 2017 allotment during the upcoming year to carry out the title IV-B, CFCIP and/or ETV program activities; and/or
    - the amount of funds the tribe is requesting if additional funds become available for the title IV-B, CFCIP and/or ETV program (if different from earlier requests).

The RO will review the application and contact the tribe with any questions or if revisions are needed. Once the RO has completed the review, it will forward a copy of the approved plans and CFS-101(s) to CB's Central Office.

**Paperwork Reduction Act:**

Under the Paperwork Reduction Act of 1995 (Public Law 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The Control Number for this OMB approved information collection is 0970-0426, approved through September 30, 2017.

**Inquiries To:** Children's Bureau Regional Program Managers

/s/

Naomi Goldstein  
Acting Commissioner  
Administration on Children, Youth and  
Families

**Attachment A:**

*Tribes should use FY 2016 allocation tables as the basis for estimating FY 2018 budget requests.*

Fiscal Year 2016 Allotments for Title IV-B, Subpart 1 - Stephanie Tubbs Jones Child Welfare Services

Fiscal Year 2016 Allotments for Title IV-B, Subpart 2 - Promoting Safe and Stable Families

Fiscal Year 2016 Allotments for Chafee Foster Care Independence Program

Fiscal Year 2016 Allotment for Education and Training Voucher Program

**Attachment B:**

CFS-101 Instructions

CFS-101 Forms, Parts I, II and III

**Attachment C:**

Certification of Tribal Population Under Age 21

**Attachment D:**

Children's Bureau Regional Program Managers