

# State Child Welfare Report

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Friday  
February 22, 1980

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## Part II

### Department of Health, Education, and Welfare

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Office of Human Development Services

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Guidelines for the Development of State  
Child Welfare Services Plans

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Office of Human Development Services

#### Guidelines for the Development of State Child Welfare Services Plans

**AGENCY:** Office of Human Development Services, Department of Health, Education, and Welfare.

**ACTION:** Notice of Proposed Guidelines for the Development of State Child Welfare Services Plans.

**SUMMARY:** This Notice contains the proposed Guidelines for the Development of State Child Welfare Services Plans, under the authority of sections 420-425 of the Social Security Act (title IV-B), and the current regulations (45 CFR Part 220). The Guidelines describe the elements of the State Plan and the revised process by which the Administration for Children, Youth and Families/Children's Bureau and each State agency will jointly develop its State Plan. The required elements of the State Plan and the processes are revised in part. They are based on the current regulations. This Notice is being published to enable the Department to receive comments from the public on the Guidelines so that they may be strengthened, revised and clarified, if necessary, before they are finalized.

New State Plans will be developed during 1980, to be effective no later than October 1, 1980. The first year plans will be effective for approximately one year. These Plans will be developed using the new guidelines.

**DATE:** In order to be considered, comments must be in writing and received no later than March 21, 1980.

**ADDRESS:** Comments should be sent to—Associate Chief, Children's Bureau, P.O. Box 1182, Washington, D.C. 20013.

**FOR FURTHER INFORMATION CONTACT:** Beatrice D. Moore, Director, Child Welfare Services, State Grant Division, Children's Bureau, P.O. Box 1182, Washington, D.C. 20013, (202) 755-8888.

#### SUPPLEMENTARY INFORMATION:

##### A. Introduction

The Administration for Children, Youth and Families/Children's Bureau (ACYF/CB), is undertaking two major activities during 1980 in the title IV-B (Child Welfare Services States Grant) Program: (1) Under the authority of the regulation at 45 CFR 220.71, instructions on the form and subject matter of the State Plan are being revised; and (2) States are being required to jointly

develop new State Plans with ACYF/CB, to be effective no later than October 1, 1980.

This Notice contains in proposed form the new instructions, entitled Guidelines for the Development of State Child Welfare Services Plans, and provides for public comment. The regulations do not require that these instructions be published. This Notice is being published, however, for the reasons stated below.

First, we hope that comments we receive will enable us to clarify and otherwise improve the Guidelines. Second, over the past year, ACYF/CB has been discussing with States the revision of the regulations, and new State Plans under them. ACYF/CB is committed to involving States in the process of revising requirements.

However, the regulatory revision process is so lengthy that new State Plans could not be developed for FY 1981. Further, the Congress has before it proposed amendments to the title IV-B program. If the bill (H.R. 3434) is enacted into law, the regulations will have to be revised. Therefore, revision of the regulations has been delayed pending enactment of the proposed amendments.

Federal leadership and joint State-Federal planning under the Program have been lacking for several years. During that time, child welfare services have declined in quality and have had limited relevance to the needs of children and their families. New, more effective plans are needed to improve child welfare services beginning with FY 1981.

These Guidelines are also being sent to the Office of Management and Budget (OMB) at this same time for preliminary review. The final revised Guidelines will be submitted to OMB for formal reports review.

##### B. Background

The purpose of State grants for child welfare services under title IV-B is to assist State agencies:

- (1) To develop a greater capability to provide child welfare services;
- (2) To foster development of comprehensive and coordinated services;
- (3) To better serve those children and their families in need of these services by:
  - (a) Extending the scope and resources of the services;
  - (b) Improving the quality of the services through qualified staff and innovative methods; and
  - (c) Extending community planning and participation in the provision of services.

The Child Welfare Services Program has been a part of the Social Security Act since the Act's inception. The Program is conducted under title IV-B (Sections 420-425) of the Act (42 USC 620-625). Historically, the Program has provided Federal grants to establish, extend, and strengthen child welfare services in the States. Grants are made to State agencies on the basis of a plan developed jointly by the Children's Bureau and the State agency. A partnership was firmly established between the Federal and State governments for the provision of child welfare services by the State.

Under title IV-B, formula grants are allocated to the States for providing and improving child welfare services to children and their families in need of services without regard to income.

In most States, the primary use of the funds in recent years has been for foster care. Other services provided with the IV-B funds include adoption, day care and protective services to abused and neglected children.

State Plans currently in force are those which were developed in 1969. Since that time States have submitted some amendments (the last in 1975) and an annual budget, which has been the basis for awarding the grants.

Wide recognition of the problems in the child welfare services system has led the Administration and the Congress to propose amendments to title IV-B (and to the closely related areas of AFDC-Foster Care Maintenance and adoption subsidies). These Amendments would strengthen the title IV-B program. If the Amendments are enacted, however, substantial progress in strengthening families and improving children's lives will depend on active Federal leadership and increased joint planning.

Therefore, ACYF/CB and the States will jointly develop new State Plans during 1980, to be effective by October 1, 1980. These new State Plans will be developed in accordance with the procedures described in these Guidelines.

##### C. Changes in the Format of State Plans

Currently, the State Plan consists of two parts, the Basic Plan and the Annual Budget. The current Basic Plans are detailed, narrative descriptions of how the State agency meets each of the requirements of 45 CFR Part 220. Most of these descriptive Plans have not been updated for several years. They do not provide a picture of the child welfare services system within the State. Thus, the current Basic Plans are ineffective vehicles for improving the child welfare services system.

The Annual Budget is primarily a mechanism for awarding funds to States. It provides minimal information about service provision. It is generally completed by a fiscal official and is rarely reviewed by a program official. It is not linked to planning for the improvement of child welfare services.

The current State Plan format also requires State agencies to complete a request for funds each quarter. Thus, States must complete five fiscal documents, none of which are aids to improved plans for the next year.

In order to make the State Plan and the planning process more useful for improving services, the instructions for State Plan development are being revised. New State Plans will be developed under the new instructions.

The proposed Guidelines, published in this Notice, describe the revised instructions for State Plans. The regulation provides clear authority for these changes under paragraphs (a), (b), and (d) of 45 CFR 220.71, which states, in part, "The basic plan \* \* \* shall be developed in accordance with instructions as to form and subject matter issued by the Social and Rehabilitation Service". (The Office of Human Development Services (OHDS) is the successor agency to the Social and Rehabilitation Service.) OHDS has delegated the authority to administer the title IV-B program, and therefore to issue instructions as to the form and content of the "basic plan", to the Administration for Children, Youth and Families.

The new format requires the State agency to make changes necessary to meet the ongoing specific requirements stated in the regulation. It also requires development of goal-oriented plans for future years that specify how the goals will be reached.

The regulations, at 45 CFR 220.71(b), make clear that the Plan will include "the total State program of child welfare services." Thus, the State Plan will include all child welfare services in the State under the administration or supervision of the State agency designated to carry out the State's responsibilities. This will include the child welfare services reimbursed under title XX of the Social Security Act as well as under title IV-B.

The title IV-B legislation, regulations, and State Plan Guidelines are directed toward development of a plan to improve all child welfare services, not only those supported by one funding source. However, no funds other than title IV-B funds would be at issue where the State and ACYF/CB are unable to jointly develop a Plan or where the State fails to adhere to the Plan.

States will have the latitude to coordinate their planning processes for title IV-B and XX (the Comprehensive Annual Services Plan or CASP) to avoid unnecessary duplication of effort. These processes may include development and submission of the Plans at the same time and use of information for determining needs for both programs.

Under the new State Plan Guidelines, the CWSP will include: (1) the Assurances, (2) the Long Range Strategy, (3) the Annual Operating Plan, and (4) the Annual Budget Request.

(1) *The Assurances:* The Assurances constitute the State agency's commitment to meet the basic requirements of the Act in its child welfare services program. The Assurances are basically a series of requirements concerning the organization and administration of the child welfare services system within the State, the provision of certain basic services, and the need to establish and adhere to certain standards when providing services. The Assurances also provide commitments related to the structure and procedures for State operation of the child welfare services program. They are expressed in the language of the regulations, except where organizational or legislative changes or proper phrasing require rewording.

The Assurances do not alter the substantive requirements that States must meet. The requirements continue to be based on the act and regulations.

ACYF is, however, changing the format by which the State agency must indicate it meets the Assurances. Under the current State Plan, the documentation that the State agency provides to demonstrate that it is meeting the requirements constitutes the major portion of the Plan. Under the new format, the State agency will be required to submit a preprinted form signed by the State Administrator, to assure its commitment to meeting these requirements. The State will not need to submit supporting documentation of its adherence to the Assurances. However, the State agency will continue to be responsible for having this documentation available for monitoring purposes and for actually providing the required services.

Commentary on the Assurances has also been developed, to clarify meaning and to provide the basis for a common understanding.

(2) *The Long Range Strategy:* The Long Range Strategy expresses the State agency's goals for establishing, strengthening, extending, and otherwise improving child welfare services over the two or three year period of the

CWSP. The State agency jointly develops the Strategy with the ACYF/CB. The Long Range Strategy consists of two sections, the needs analysis and long range goals and objectives.

The needs analysis is a critical element in the development of an effective strategy for strengthening and extending child welfare services. The analysis is a review and comparison of the services needs of children and families and of the program requirements in relation to the nature, scope and availability of services in the State. In this process, deficiencies or duplications and barriers to improved services delivery are identified. It also will ensure that plans are not made in the absence of critical information.

Identification and analysis of the deficiencies in the State's capability to provide the basic child welfare services required in the Assurances must be a major consideration in an analysis of program and services needs. Assurances that the State cannot meet must be addressed in the goals of the Long Range Strategy.

States must establish priorities among the program and services needs identified in the analysis and establish goals and objectives for meeting priority needs in the Long Range Strategy. The rationale for not including other unmet needs must be briefly discussed.

The goals of the Long Range Strategy express the expected outcomes of the State's efforts to improve child welfare services. They must reflect the priorities, based on the needs analysis. The Strategy must include a brief justification of the goal and a description of the approach to be used in goal achievement. A resource statement is also required. This statement should estimate the costs of accomplishing the goal, including funds and staff resources.

Measurable objectives must be developed for each goal. Each objective should reflect a specific accomplishment related to the State child welfare program. Each objective must include a statement of the objective indicating in measurable terms a target related to overall goal attainment and specifying a time for completion of the activity.

(3) *The Annual Operating Plan:* The Annual Operating Plan provides a status report on the goals of the Long Range Strategy, and includes an Annual Summary of Child Welfare Services.

The status report reviews the State's activities and progress in meeting the goals and objectives during the previous year. It includes accomplishments and identification of problems and efforts to resolve them. This report must include

any changes or amendments to the Long Range Strategy.

The Annual Summary of Child Welfare Services gives estimates of State child welfare services expenditures and clients to be served during the next State planning year, by source of funds and by service. It provides an overview of the State child welfare services program for the coming year. It should be developed jointly by the State agency and ACY/CB as part of the planning process.

(4) *The Annual Budget Request*: The Annual Budget Request is a request for title IV-B funds. It replaces the four Quarterly Requests for Funds (CWS-10) with a single, simplified form.

In summary, the Basic Plan is being changed from a single descriptive document with attachments to a tripartite plan consisting of a preprinted commitment to meet the regulatory requirements (Assurances), a Long Range Strategy, and an Annual Operating Plan, all of which emphasize the joint Federal-State planning process. The fourth component of the State Plan, the Annual Budget Request, simplifies the paperwork and eliminates delays in making payments of title IV-B funds.

#### E. Fiscal Year 1980 Supplemental Appropriation

If the proposed Child Welfare Amendments are enacted into law and if the Congress appropriate additional funds for FY 1980, special instructions governing State eligibility for the funds will be sent to all States.

#### F. Fiscal Year 1981 State Plans

The Guidelines, in their final form, will serve as the basis for the development of new State Plans to be effective no later than October 1, 1980 (the beginning of Federal FY 1981), for a period of approximately one year. The State may have the Plan begin either July 1 or October 1, 1980 and end June 30 or September 30, 1981. This first Plan will not, of course, include a status report of last year's activities. The Long Range Strategy for this Plan may cover two or three years, or it may be limited to one year.

The more limited duration of this first Plan is necessary so that Plans can be developed to be effective no later than October 1, 1980, and so that the State agencies and ACYF/CB may further perfect the joint planning process. This limited Plan also will allow the requirements of the proposed Child Welfare Amendments if enacted, to be incorporated more readily and quickly into State Plans.

As a part of the development of these Guidelines, field tests using the revised

State plan format discussed in this Notice are underway in three States. In addition, meetings will be held with representatives of States and private organizations to receive their comments. Written comments sent to the Children's Bureau/ACYF at the address listed above will also provide a basis for revision of these Guidelines.

Dated: February 6, 1980.

Herschel Saucier,

*Acting Commissioner for Children, Youth, and Families.*

Approved: February 8, 1980.

Manuel Carballo,

*Assistant Secretary for Human Development Services.*

#### Guidelines For Development of the State Child Welfare Services Plan

##### Contents

##### Introduction:

Relationship of the CWSP to Other Planning Processes  
Plan Submittal

##### I. Assurances

The Preprint  
Documentation  
Program Deficiencies

##### II. The Long Range Strategy

Needs Analysis  
Long Range Goals and Objectives

##### III. Annual Operating Plan

Status Report  
Annual Summary of State Child Welfare Services

##### IV. Annual Budget Request

##### Governor's Review

##### The FY 1981 Plan

Appendix A: Form and Instructions for Preparation of Annual Summary  
Appendix B: Procedures for Development of FY 1981 State Child Welfare Services Plan

##### Introduction

Title IV-B of the Social Security Act (Sec. 421) requires that a State submit a Child Welfare Services Plan (CWSP) jointly developed by the State Agency and the Administration for Children, Youth and Families (ACYF) in order to receive its allotted share of Federal funds for child welfare services.

Joint planning for child welfare services is the process of Federal-State review and analysis of the State child welfare program in relation to the service needs of children and their families and the development of measurable goals and objectives to assure the State's ability to meet these needs. Joint planning may be described as continuous in that the data gathering and problem identification process which later becomes the basis of formal planning (the needs analysis, priority setting and barrier identification) is continuous.

The CWSP describes the State Agency's total child welfare services

program—the basic services, program deficiencies and plans for improvement, and resource allocation by type of service. The CWSP must include all child welfare services provided by the State Agency without regard to their funding sources. The CWSP contains the following components:

I. Assurances—The Assurances constitute the State Agency's commitment to meet the basic requirements of the law and regulation. It is submitted only once, unless otherwise required by the Commissioner of ACYF.

II. Long Range Strategy—The Strategy incorporates the priorities, goals and objectives developed through the joint planning process; these become the State's focus for program improvement. The Strategy will be in effect for two or three years at the discretion of the State Agency.

III. Annual Operating Plan—The Operating Plan provides a status report, updating and reporting on progress in the Long Range Strategy, and an Annual Summary of Child Welfare Services. It is submitted annually; and,

IV. Annual Budget Request—The Budget Request will be the basis for disbursing title IV-B funds. It is submitted annually, replacing existing quarterly budget requests.

##### *Relationship of the CWSP to Other Planning Processes*

Since the CWSP must include all child welfare services provided by the State Agency without regard to their funding sources, the CWSP requirements are sufficiently flexible to permit the State Agency to coordinate all its planning activities for child welfare services. Thus, a State may, if it chooses, develop the plan for Child Welfare Services while developing the title XX Comprehensive Annual Services Plan (CASP). Concurrent development of plans may enable a State to coordinate needs analyses, program evaluations and analyses, and planning cycles for the two plans. Whatever planning procedures the State chooses, the CWSP must provide accurate and reliable information and should not be considered a general statement of intention. The State also has the option with the CWSP, as with the CASP, of determining whether its planning year will coincide with the Federal fiscal year or the State fiscal year.

##### *CWSP Plan Submittal*

The Child Welfare Services Plan must be a clear, free standing document and must be submitted to ACYF apart from the CASP. After the first plan is submitted, only the Annual Operating

Plan (Part III) and the Annual Budget Request (Part IV) will be submitted annually. The Long Range Strategy (Part II) will be submitted in two or three year cycles; and the Assurances (Part I) will be submitted only once, unless otherwise required by the Commissioner of ACYF. The Plan must be certified by the Administrator of the State agency and submitted to the ACYF Regional Office for review and concurrence before a grant can be awarded. The ACYF Regional Program Director must review the material to determine that the CWSP requirements are met and that the document accurately represents the agreements reached through the joint planning process.

The CWSP must be submitted to the ACYF Regional Office 45 days before its effective date. However, if the State chooses to develop the CWSP concurrently with the development of the CASP, a proposed CWSP must be submitted to the ACYF Regional Office 90 days before the effective date, and the final CWSP submitted 20 days before the effective date. Only 20 days will be needed for final Plan review and grant award because of prior review of the proposed Plan.

#### I. Assurances

The Assurances specify the basic child welfare services requirements which the state must meet under the Act. These requirements concern the organization and administration of the child welfare services system within the State, the provision of basic services, and the need to establish and adhere to certain standards in the provision of those services. The Assurances also contain commitments related to the structure and procedures for State operation of the child welfare services program.

##### *The Preprint*

The Assurances are drawn from the Social Security Act, the program regulations, and policy interpretations. They set forth the specific requirements to which States must adhere. The Assurances are contained in the first section of the Child Welfare Services Plan in a preprinted format. The preprint is to be signed by the Administrator of the designated State Agency, committing that Agency to adhere to the specified requirements. This preprint will be submitted only once, with the submission of the first State Plan, and will not be resubmitted unless otherwise deemed necessary by the Commissioner of ACYF. It will remain in effect until revoked, amended, or superseded by other requirements.

#### *Documentation*

The State Agency must maintain documentation of the arrangements and services required in the Assurances. The documentation supporting the State's commitments made in the Assurances will be subject to Federal review to assure that the State is meeting the requirements as specified in the Assurances. Federal staff will also conduct reviews at the service level to assure that the services in the State's Plan are actually provided to children and families in need of services and are provided in the manner and using the criteria prescribed by the State.

#### *Program Deficiencies*

If the State is not meeting all of the requirements specified in the Assurances or if its services are not sufficient to meet the needs of families and children throughout the State, the State must develop goals in its Long Range Strategy for correcting these deficiencies.

#### II. Long Range Strategy

In the Long Range Strategy, the State develops the goals for establishing, strengthening, extending, and otherwise improving its child welfare services program over a period of two or three years. The Strategy is jointly developed by the State agency and the Children's Bureau. It must be submitted by the State agency to the ACYF Regional Office every two or three years at the State's option.

The Long Range Strategy consists of two discrete sections, the needs analysis and the long range goals and objectives. These two processes are interdependent. The needs analysis includes identification of needs and setting priorities among needs. Meeting the more important of these needs is a fundamental consideration in establishing the State's long range goals. The objectives are specific, measurable, short range activities necessary to achieve the goals. The needs analysis and the long range goals and objectives are discussed in greater detail below.

#### *Needs Analysis*

The needs analysis is a critical component in program analysis and improvement. The needs analysis is a review and comparison of the services needs of children and families and of the requirements of the Assurances in relation to the nature, scope and statewide availability of services. The purpose is to relate State child welfare services information (gathered in needs assessments and through other relevant

methods and documents) to the availability or potential availability of services and the current allocation of resources.

#### *Description of the Process*

The needs analysis process is the base from which the State develops the Long Range Strategy for delivering effective, appropriate services.

In summary, the process involves identifying the service needs of children and their families; developing an accurate profile of current services (description and location of services, of clients served, and of resources utilized), particularly those required under the regulations; identifying gaps between needs and current services; identifying deficiencies in services; and establishing and ranking priorities for the child welfare services system. In this process, problems in the delivery of services and the sources of the delivery problems (client, delivery system, operations, resources) should become apparent. In addition, a comprehensive needs analysis ensures that plans are not made in the absence of critical information. That information may also serve as a baseline against which to evaluate the effectiveness of changes in the system.

This needs analysis process is based upon the availability of current information and studies related to unmet needs, gaps in the service delivery system, the quality and quantity of available services, and problems and deficiencies in the provision and management of child welfare services throughout the State. A significant absence of such information may be the basis for establishing as a long range goal the conduct of an assessment of both the needs of children and families in the State and the adequacy of the services being provided. Information gathered in the course of a self-assessment using the *State Child Welfare Program Self-Assessment Manual*<sup>1</sup> is an example of the kind of data that could be valuable in the needs analysis.

Identification and analysis of the deficiencies or gaps in the State's ability to comply with the Assurances is an integral part of the needs analysis. That information, as well as information regarding the services needs of children and their families in the State, serve as primary bases for establishing the long range goals and objectives. Assurances

<sup>1</sup> Copies of this Manual, published by the Children's Bureau, have been made available to each State Social Service Agency. Additional copies may be obtained from the Children's Bureau.

that the States cannot meet must be translated into goals.

#### *Establishing Priorities Among Needs*

Numerous needs will be identified as a result of the needs analysis process. To limit the focus of the CWSP to a manageable level, the more important needs must be separated from those of less significance and given priority status. Generally, the State will develop a plan for meeting these priority needs through the long range goals and objectives; otherwise, it must provide the rationale for not setting a long range goal for that priority need.

Establishing priorities among needs is a complex weighting of numerous variables. At a minimum, the following factors should be considered: gaps or deficiencies in the State's ability to meet the Assurances; significant gaps or deficiencies in current services; important needs requiring the addition of services; and lack of availability of statewide services. In addition to these service functions, the State should consider needs relating to administrative and management functions such as information flow and retrieval, case management and staff development and training.

#### *Long Range Goals and Objectives*

The long range goals express the expected results of efforts to improve child welfare services within the State. They should reflect specific priorities for action evolving from the comprehensive analysis and ranking of needs and an analysis of current and potentially available resources. Each goal should generate multiple objectives, to be accomplished within the duration of the plan.

#### *Goals*

Each goal should include a brief justification and approach, indicating why and how the goal has been established and how meeting the objectives will achieve the goal. Barriers to goal attainment must be identified, with brief descriptions of methods to overcome them. The goal section must also include a resource statement which estimates the total cost of accomplishing the goal both in dollars and person years and which indicates what activities will be supported by Federal, State and local IV-B funds.

#### *Objectives*

Objectives are necessary to document what is involved in goal attainment and to provide a framework for assessing progress. Each objective must include a statement indicating in measurable terms the major focus of State child

welfare services program activities for the period specified. The objective must reflect the specific accomplishment necessary to achieve a part of the goal. Each goal should have two or more objectives designed to achieve the goal within the designated period. Objectives may, as circumstances require, be for one or several years.

Each objective statement should relate to a single issue, specify a time for completion, be quantifiable and specify a target related to overall goal attainment. Under each objective there must be a narrative description of how the objective will be achieved and what criteria will be used to determine whether an objective has been achieved.

#### **III. Annual Operating Plan**

The Annual Operating Plan is the yearly update of the State Child Welfare Services Plan. It will report the current status of the long range goals and objectives, indicate change and new initiatives, and present an Annual Summary of Child Welfare Services.

#### *Status Report*

The status report in the Annual Operating Plan summarizes and reviews the goals and objectives of the previous year, including accomplishments and descriptions of slippage or problems and efforts to resolve them. It will briefly indicate the progress toward achievement of objectives scheduled for completion at a later date. Anticipated problems and their proposed solutions should be identified. The report must also identify changes or amendments to the Long Range Strategy of the State Child Welfare Services Plan. Changes may be new goals, objectives or strategies related to funding, legislative mandates, court orders or changes in State or national policy.

#### *Annual Summary of State Child Welfare Services*

The Annual Summary of State Child Welfare Services (Annual Summary) estimates the State Child Welfare Services expenditures for the State planning year according to funding sources and the anticipated number of clients to be served. This form replaces the current Annual Budget for Child Welfare Services (CWS-2). (The form appears at Appendix A).

#### **IV. Annual Budget Request**

The Annual Budget Request replaces the Quarterly Estimate of Expenditures and Request for Grant Award Form (CWS-10) and the CWS-2 with a simplified form. The Budget Request will be prepared by the State agency and signed by the Administrator of the State

agency and the Director of the designated Single Organizational Unit. It must be submitted with the Annual Operating Plan to the designated ACYF/CB Regional Representative.

Quarterly disbursement of funds will be based on requests made and approved on the form. These requests may be modified by the State through submission of a revised form with a brief explanation for the requested change at least thirty (30) days before the beginning of the affected quarter. Quarterly payments will be made without submission of additional forms.

#### **Governor's Review**

Each year the State Agency Administrator must submit a document with the State Plan, certifying that the Plan being submitted (90 or 45 days before its effective date) has simultaneously been submitted to the Governor's office or the designated agency for review, in accordance with OMB Circular A-95. If a draft or proposed Plan was submitted 90 days before the effective date, comments or approval by the Governor or his designated agency shall be attached to the final submittal. If the final Plan was submitted 45 days before its effective date, the results of the Governor's review shall be forwarded to the ACYF Regional Office before the Plan's effective date. The final submittal should so indicate if no comments were received from the Governor or his designated agency.

It will be assumed that the intent of the A-95 process was met if the Governor signs the State Plan submittal.

#### **The Fiscal Year 1981 Plan**

The format of the FY '81 CWSP will be an abbreviated version of the standard CWSP format. The abbreviated version will be used in FY '81 only. The modification is necessary in FY '81 because of the impending enactment of the Child Welfare Services Amendments. The Amendments will require revision of the regulations and may impose some new Plan requirements which cannot be addressed by regulation in time for FY '81 Plans.

Phasing in the modified State Plan format and initiating joint planning for the FY 1981 Plan will lessen the burden at all levels of government of any new requirements added under the Amendments. This approach will allow States and the Federal Government to incorporate a limited number of changes in the first year: the Plan requirements and those provisions of the new legislation which must be implemented to obtain supplemental FY '80 and FY

'81 funding, if such funds are appropriated.

The FY '81 Plan will cover a period of 9-15 months. The shortened period is the major variation from the standard format and process. If the State chooses, the FY '81 Plan may address only goals which can be accomplished within that Plan year. States may also choose to develop goals which require two or three years to implement and address only the first year's objectives in the FY '81 Plan. All subsequent Plans must be fully developed 2 or 3 year plans. Parts of the FY '81 Plan may, if appropriate, be incorporated into FY '82 plans. For example, many elements in the needs analysis and most services required in the Assurances are likely to remain relevant in FY '82.

The differences between the FY '81 Plan and the standard format are more fully discussed in Appendix B.

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APPENDIX A

ANNUAL SUMMARY OF CHILD WELFARE SERVICES  
STATE OF \_\_\_\_\_ FOR FISCAL YEAR \_\_\_\_\_ 19 \_\_\_\_ TO \_\_\_\_\_ 19 \_\_\_\_

Page 1 of 4

SERVICES/ACTIVITIES	ESTIMATED EXPENDITURES FOR CHILD WELFARE SERVICES BY PROGRAM (in \$ Thousands)										ESTIMATED NUMBER OF CLIENTS TO BE SERVED					
	FEDERAL			STATE		LOCAL		DONATED		TOTAL						
	Title IV-B (a)	Title XX (b)	Title IV-A (c)	Other* (d)	Match (e)	Certified Public Funds(f)	Other (g)	Match (h)	Other (i)	Match (j)		Other (k)	(l)			
1) Preventive/ Supportive Services(Specify _____)																
2) Protective Services(Specify _____)																

\* OTHER FEDERAL PROGRAMS \_\_\_\_\_



ANNUAL SUMMARY OF CHILD WELFARE SERVICES  
 STATE OF \_\_\_\_\_ FOR FISCAL YEAR \_\_\_\_\_ 19 \_\_\_\_ TO \_\_\_\_\_ 19 \_\_\_\_  
 Page 2 of 4

SERVICES/ACTIVITIES	ESTIMATED EXPENDITURES FOR CHILD WELFARE SERVICES BY PROGRAM ( \$ Thousands)										ESTIMATED NUMBER OF CLIENTS TO BE SERVED					
	FEDERAL					STATE		LOCAL		UNASSIGNED		TOTAL				
	Title IV-B (a)	Title XX (b)	Title IV-N (c)	Other* (d)	Match (e)	Certified Public Funds (f)	Other (g)	Match (h)	Other (i)	Match (j)			Other (k)			
3) Substitute Care (Specify)																

\* OTHER FEDERAL PROGRAMS \_\_\_\_\_

SERVICES/ACTIVITIES	ESTIMATED EXPENDITURES FOR CHILD WELFARE SERVICES BY PROGRAM (\$ Thousands)										ESTIMATED NUMBER OF CLIENTS TO BE SERVED						
	FEDERAL			STATE			LOCAL		DEFERRED			TOTAL					
	Title IV-B (a)	Title XX (b)	Title IV-A (c)	Other* (d)	Match (e)	Certified Public Bonds (f)	Other (g)	Match (h)	Other (i)	Match (j)		Other (k)	(l)				
4) Adoption (Specify)																	
5) Other Services (Specify)																	

\* OTHER FEDERAL PROGRAMS \_\_\_\_\_

ANNUAL SUMMARY OF CHILD WELFARE SERVICES  
 STATE OF \_\_\_\_\_ FOR FISCAL YEAR \_\_\_\_\_ 19 \_\_\_\_ 10 \_\_\_\_ 19 \_\_\_\_  
 Page \_\_\_\_ of \_\_\_\_

SERVICES/ACTIVITIES	ESTIMATED EXPENDITURES FOR CHILD WELFARE SERVICES BY PROGRAM ( \$ Thousands)											ESTIMATED NUMBER OF CLIENTS TO BE SERVED			
	FEDERAL				STATE		LOCAL		MATCHED		TOTAL				
	Title IV-B (a)	Title XX (b)	Title IV-A (c)	Other* (d)	Match (e)	Certified Public Funds (f)	Other (g)	Match (h)	Other (i)	Match (j)	Other (k)				
6. Administration and Management (Specify)															
TOTAL															

\* OTHER FEDERAL PROGRAMS \_\_\_\_\_  
 BILLING CODE 4110-92-C

### Instructions for the Preparation of the Annual Summary of Child Welfare Services

**General:** This form summarizes the State Agency's child welfare services program for the next year by service, by source of funds, and by number of clients to be served. The form is an integral part of the State Child Welfare Services Plan and should be discussed by Children's Bureau and State Agency Representatives. It is also a working document that presents an overview of the State Agency's planned program for the next year.

**Specific:**

#### Services/Activities

Under each of the categories listed, specify the services the State Agency will provide. A recommended list of services is attached. If necessary, the State Agency may use terms and definitions which conform to its own program categories, funds disbursement and client population categories.

Services for which a reliable estimate of funds can be made should be listed with attendant resources. A particular service may be specified under more than one of the categories in the services/activities column but appropriate resources must be specified in the same manner.

The recommended list of services/activities, especially Substitute Care, Adoption, and Administration and Management, should be utilized if reliable estimates can be made.

Include services purchased from another State or local, public or private agency. Do not include similar services provided by another State or local public agency which have not been arranged for or purchased by the State Agency responsible for child welfare services.

Services/activities listed under Section 5 ("Other Services") should be specified.

#### Estimated Expenditures for Child Welfare Services by Program

(a) Title IV-B: Indicate for each specified service/activity the amount to be expended from the Federal program indicated. Do not include the State/local match.

(b) Title XX: Indicate for each specified service/activity the amount to be expended from the Federal program indicated. Do not include the State/local match.

(c) Title IV-A: Indicate for each specified service/activity the amount to be expended from the Federal program indicated. Do not include the State/local match.

**Note.**—The Total IV-B funds listed under column (a) should be consistent with the total IV-B funds requested in the Annual Budget Request.

(d) Other Federal: If other Federal funds will be used by the State Agency, specify the other Federal programs in the space at the bottom of the page.

(e) State Match: List funds to be used to match Federal funds. This may include local funds.

(f) State Certified Public Funds: Funds of another public agency which under 45 CFR 228.53 are certified by the contributing public agency as representing expenditures for services eligible for FFP.

(g) State Other: List State funds not matched by any Federal funds. This may include local funds.

(h) Local Match: A State may list local public funds to be used to match State (and Federal funds here, rather than under (e) or (f)).

(i) Local Other: Where a reliable estimate can be made, list local public funds not to be matched by State or Federal funds.

(j) Donated Match: Where a reliable estimate can be made, list funds from voluntary agencies and organizations which are used to draw Federal matching funds.

(k) Donated Other: Where a reliable estimate can be made, list funds from voluntary agencies and organizations. Do not include services to be purchased by the State agency.

(l) Total: Add columns (a) thru (k) to obtain the total.

#### Estimated Number of Clients to be Served

Estimate as accurately as possible the number of clients to be served during the next year with these funds.

#### Suggested List of Specified Services/Activities

This suggested list of services/activities is recommended for use under the six categories listed in the Annual Summary of State Child Welfare Services. If a State gathers and maintains its data using different terms and definitions, it may use those terms and definitions to make the required estimates.

Services/Activities relegated to the "other" category should be specified.

(1) *Preventive/Supportive Services (Home Based Services):* Counseling; Day Care; Homemaker; Other.

(2) *Protective Services:* CPS investigation, intake and case management; Emergency services; Self-help groups; Other.

(3) *Substitute Care:* Foster family care—

- Services
- Maintenance
- Group/institutional care
- Services
- Maintenance
- Independent living
- Services
- Maintenance
- Other.

#### (4) Adoption:

- Services
- Maintenance subsidy
- Medical subsidy

#### (5) Other Services:

- Services which are not appropriate under the categories listed above. These may include specialized services to runaway youth, domestic violence, or Indians and Migrant programs or funds utilized for activities with volunteers and advisory committees.
- (6) *Administrative and Management:*
  - Administration and management
  - Training and staff development
  - Licensing
  - Planning and evaluation
  - Systems development and operation

**Note.**—Administration and Management costs which can be allocated to the specific services listed in items (1)-(4) should be identified as such and placed under the appropriate service.

#### Glossary

##### *Administration and Management:*

Include costs of supervisors and staff whose activities support child welfare services which cannot be allocated under other services/activities.

*Adoption:* The range of services provided for the child for the purpose of adoption. These services include study of the child, study and selection of the adoptive home, and placement and supervision of the child for a stated period of time prior to the legalization of the adoption.

*Counseling:* The guidance and support by the caseworker of the child and his/her family provided independently of other services while the child is residing at home. (Exclude all cases of counseling related to income maintenance and eligibility.)

*Child Protective Services:* Specialized child welfare services developed for investigating suspected cases of child abuse and neglect and intervening in confirmed cases.

*Day Care:* Licensed or approved family or group services, operating less than 24 hours, for the care of children in their own home, family day care homes, centers and group day care homes operated by a public welfare agency or a local public welfare agency or by voluntary or non-profit organizations, including churches or by independent

proprietors. Include expenditures for service, food, transportation, medical or dental care.

**Emergency Services:** Services related to protection of a child and prevention of further maltreatment through availability of a 24 hour reporting mechanism and immediate intervention. This intervention may include hospitalization of the child, assistance in the home including homemakers, or removal of the child from the home to a shelter or foster home.

**Foster Family Care:** Twenty-four hour care in a private home which provides substitute family living for children whose biological families cannot care for them for a temporary or extended period of time. Where feasible, list by services and maintenance separately.

**Group or Institutional Care:** Care provided in a residential facility which provides 24-hour care in a group setting; this includes agency administered group homes.

**Homemaker:** Services which provide a qualified person to assist families with children in home maintenance and management in order to strengthen, support, supplement and/or restore parental capacity to care for the children and to prevent the unnecessary removal of the children from their home.

**Independent Living:** Living arrangements for a child independent of the household of the biological or adoptive parents, relatives, foster parents or guardians.

**Licensing:** A regulatory procedure, based on State statute, which authorizes certain activities only under conditions that are specified in licensing requirements (rules). Licensing is based in the executive branch of state governments, is carried out in accordance with state promulgated rules, and generally applies to non-governmental services and facilities.

**Planning and Evaluation:** Activities related to assessing the needs of children and families for services, evaluating services being delivered, and developing and monitoring plans for improving the delivery of child welfare services.

**Self-Help Group:** Groups of persons with similar problems who share concerns and experiences in an effort to provide mutual help to one another. Usually these groups are self-directed.

**Systems Development and Operation:** A process that begins with analysis of existing practices, followed by formulation of general and specific goals, the design and description of the methods by which those goals will be achieved, specifications for input data, for processing steps and for producing required outputs, conversion of the

specifications into instructions and finally, testing and implementation of the system in its programmed operations.

**Training and Staff Development:** Training of CWS State agency personnel and volunteers to improve the operation of the child welfare services program and to assure a high quality of service. This includes orientation of new staff, a program of continuing in-service training opportunities, conferences, institutes, and educational leave.

Appendix B  
**Procedures for Development of the Fiscal Year 1981 State Child Welfare Services Plan**

#### Assurances

In the FY '81 Plan, the requirements relating to the Assurances will be altered.

#### Operational Strategy

This section differs from the FY '82 format for the Long Range Strategy only in that goals may be developed either for a period of 9-15 months (the period of coverage for the FY '81 Plan) or for the 2-3 year cycle required in the standard format. Whichever period of time is chosen, goals should extend over the period necessary to achieve the State's priorities. Objectives under this Plan may encompass only one year.

The Operational Strategy must contain the following elements:

**A. Needs Analysis.** The needs analysis is an analysis of information currently available within the State to determine the services needs of children and families, geographic areas in which service needs are greatest, areas in which services are deficient and areas with greatest need for expanding and strengthening State child welfare services.

**B. Priorities.** A priority statement must be developed in the same manner as the priority statement for the FY '82 Plan.

**C. Goals and Objectives.** The content and process for developing goals and objectives are the same as in the FY '82 format. Goals by their nature, tend to be long range. Therefore, for the FY '81 Plan, goals should extend over the period necessary to achieve the stated priorities, even though they may extend more than one year. On the other hand, the objectives under the FY '81 Plan must be limited to the life of this plan (about one year). However, the State may wish to specify its objectives that extend beyond FY 1981, in order to provide a clearer, more complete explanation of how the goal will be met.

**D. The Annual Operating Plan.** The status report reviewing the previous

year's goals, objectives and achievements will not be included in the FY '81 Plan. It will be incorporated into all Plans thereafter.

The Annual Summary of State Child Welfare Services must be included in the FY '81 Plan.

**E. The Annual Budget Request.** The Budget Request must be included in the FY '81 Plan, using the same procedures required for FY '82.

#### Governor's Review

The procedures required for the FY '82 Plan will be required for the FY '81 Plan.

#### Plan Submittal

All four sections of the FY '81 Plan must be submitted to the ACYF Regional Office no later than September 10, 1980.

#### Assurances

##### Introduction

The Assurances specify the basic requirements which the State must meet in providing child welfare services under title IV-B of the Social Security Act and the regulations. They are a preprinted form in the State Child Welfare Services Plan (CWSP) through which the State agency Administrator submits a commitment that the State will meet the requirements of the regulations and the Act. They remain in effect until there is a need for revision or amendment because of changes in legislation, regulations, policies or program operations.

The Assurances apply to all child welfare services delivered under the CWSP regardless of funding source. They concern the provision of basic services and the need to establish and adhere to certain standards in the provision of those services. They also provide a number of commitments related to the structure, procedures and administration of the child welfare program. Assurances which the State agency does not meet must be addressed in the Long Range Strategy of the CWSP.

The State agency must maintain documentation of the arrangements and services required in the Assurances. The documentation will not be submitted with the State Plan but it may be reviewed to assure that the State has made arrangements to provide the services certified in the Assurances, and that the arrangements conform with the requirements in the regulations and the Act. Federal staff will also conduct reviews at the service level to assure that the services are actually provided to children and families in need of them and provided in the manner and using the criteria prescribed by the State.

Relevant sections of the Social Security Act, regulations, and formal Federal policy interpretations govern the State agency's administration of child welfare services. This preprint highlights specific requirements to which States must adhere. For clarity and brevity, the preprint provisions sometimes paraphrase or excerpt the regulations and the Act.

#### Table of Contents

45 CFR Section:	Title
220.1	General provisions.
220.2	Single organizational unit.
220.3	Full time staff for services.
220.4	Advisory Committees on Child Welfare Services.
220.5	Use of professional staff.
220.6	Use of subprofessional staff.
220.7	Use of volunteers.
220.8	Relationship and use of other agencies.
220.9	Delivery and utilization of services.
220.10	Staff development.
220.11	Appeals, fair hearing and grievances.
220.40(a)	Child welfare services statewide.
220.40(b)(1)	Needs assessment.
220.40(b)(2)	Services to children in own homes and foster care.
220.40(b)(3)	Case plans and case reviews.
220.40(b)(4)	Availability of child welfare services.
220.40(b)(5)	Child welfare services not limited to AFDC cases.
220.45	Community planning.
220.46	Reports and evaluation.
220.47	Implementation: local agencies and service contractors.
220.49	Other plan requirements.
220.56	Day care.
220.71(d)	Amendments to State plan.
231.2	Child abuse and neglect State plan requirements.
Sec. 442(a) SSA	Return of runaway youth.
Section 205.70	Availability of agency program issuances.
Part 46	Protection of human subjects.
Part 74	Administration of grants.
Part 80	Nondiscrimination under programs receiving Federal assistance through HEW—effectuation of Title VI of the Civil Rights Act of 1964.
Part 84	Nondiscrimination on the basis of handicap.
Section 205.50	Safeguarding information.

#### Section 220.1 General provisions.

The State, with respect to the administration of the child welfare services program:

(a) Meets the requirements in subpart A or Part 220;

(b) Will make progress in the extension and improvement of services;

(c) Will indicate the steps to be taken to meet the requirements; and

(d) Will submit implementation and progress reports as may be specified.

#### Section 220.2 Single organizational unit.

(a) There is established a single organizational unit at the State and local levels which provides or supervises provision of child welfare services included in the State plans for Part B of title IV and title XX.<sup>1</sup> This unit is responsible for setting service policies and for furnishing or assuring delivery of child welfare services.

(b) This unit, under the direction of its chief officer (who, at the State level, is not the head of the State agency) is responsible for:

(1) Development of policy and the maintenance of policy control for all parts of the child welfare service program.

(2) Direct program supervision of the local agency or otherwise assuring proper program implementation.

(c) There are documents which show the structure of such unit and its place in the overall agency and the distribution of responsibilities among the major divisions within the unit.

#### Section 220.3 Full-time staff for services.

(a) The functions of arranging or providing services to individuals is, to the maximum extent feasible, performed by persons other than those who determine eligibility for financial and medical assistance and provide financial assistance.

(b) There are adequate numbers of full-time staff assigned to service functions at all levels of agency operations and, to this end, there is progress toward the objective of relieving all staff of nonservice functions. (This does not include service at intake, i.e., providing information, screening and referral within the agency and community for all families and children seeking agency help and determining need for specific services).

#### Section 220.4 Advisory committees on child welfare services.

(a) An advisory committee on child welfare services has been established at the State level and at local levels where the program is locally administered, except that in local jurisdictions with small caseloads alternate procedures for securing similar participation have been established. There is documentation available for review which shows that the advisory committee:

(1) Advises the principal policy setting and administrative officials of the agency and has adequate opportunity for meaningful participation in policy development and program administration, including the furtherance of client participation in the program of the agency.

(2) Includes representation of other State agencies concerned with child welfare services, representatives of professional, civic or other public or private organizations, private citizens interested and experienced in service programs, and recipients of services or their representatives who shall constitute at least one third of the membership. Recipients or their representatives are selected in a manner that assures the participation of the recipients in the selection process and that they are representatives of recipients of services.

(3) Are provided staff assistance from within the agency and independent technical assistance as needed to enable it to make effective recommendations.

(4) Are provided with financial arrangements, where necessary, to make possible the participation of recipients in the work of the committee structure.

(b) An advisory committee on day care services has been established at the State level, either as a separate committee, or as part of the advisory committee on child welfare services. In either event, the committee must draw at least one-third of its membership from recipients or their

representatives, and include representatives of agencies and groups concerned with day care or related services, i.e., other State agencies, professional or civic or other public or nonprofit private agencies, organizations or groups.

(c) There is documentation which shows the structure and functions of the State and local committees for child welfare services and day care services; their relationships to other boards and committees associated with the State and local agencies; and the system for selecting recipients or other representatives.

#### Section 220.5 Use of professional staff.

(a) There are adequate numbers of suitably qualified personnel drawn from social work and other appropriate disciplines to plan, develop and supervise services and to provide specialized services to families and children. There is an adequate system of career development and progression for such personnel.

(b)(1) There are documents which show the staffing pattern for professional positions carrying out the service functions.

(2) There is an explanation of how the quantity and quality of services will be maintained in instances where the number of professional personnel performing eligibility and service functions results in a caseload or workload higher than that in effect during fiscal year 1968.

#### Section 220.6 Use of subprofessional personnel.

(a) There is training and effective use of subprofessional staff in the programs of child welfare services, including the part-time or full-time employment of recipients and other persons of low income.

(b) There are documents which show:

(1) The methods of recruitment and selection which offer opportunities for employment of such persons.

(2) A career service plan that permits such persons to enter employment at the subprofessional level and progress to positions of increasing responsibility and remuneration.

(3) An organized training program, supervision and supportive assistance for such staff.

(4) Annual progression in the utilization of increasing numbers of such staff until there is optimal use of subprofessional staff in achieving the service goals for families and children.

#### Section 220.7 Use of volunteers.

(a) There is training and effective use of nonpaid or partially paid volunteers representing various age groups, specifically including senior citizens and young persons, in child welfare services programs and assisting related advisory committees.

(b) There are documents which show:

(1) The methods of recruitment and selection which will assure participation of volunteers of all income levels.

(2) A program for organized training and supervision of such volunteers.

(3) Assignment of a specific position which has responsibility for the development, organization, and administration of the

<sup>1</sup>In the territories, title IV-A services rather than title XX services apply.

volunteer program and for the coordination of the program with related functions.

(4) Provision for meeting the costs incident to volunteer service.

(5) Annual progression in the utilization of volunteers until such use is sufficient for the achievement of the service goals for families and children.

*Section 220.8 Relationship and use of other agencies.*

(a) There is maximum utilization of and coordination with other public and voluntary agencies that provide services similar or related to the services provided under the Plan where such services are available without additional cost.

(b) Consideration is given to the appropriate use of other public and voluntary agencies as sources for the purchase of care and services. Such use will be based on a determination that required program standards are met and a comparison of the effectiveness of services rendered and their anticipated costs.

(c) There is documentation available for review that shows ways in which public and voluntary agencies are used, including types of services to be purchased.

*Section 220.9 Delivery and utilization of services.*

(a) There is progress in achieving organizational patterns and simplified administrative procedures that assure effective delivery and utilization of services;

(b) There are continued assessments and necessary adaptations to achieve this requirement.

*Section 220.10 Staff development.*

There is staff development on a continuing, progressive and comprehensive basis for all staff responsible for the development and provision of child welfare services. This staff development includes orientation, in-service training and educational leave. There will be increases each year in the number of educational leaves for professional training and to assure an adequate number of professional staff for child welfare services.

*Section 220.11 Appeals, fair hearings and grievances.*

(a) There is in operation a system for fair hearings under which applicants and recipients may appeal denial of or exclusion from the child welfare services program, failure to take account of recipient choice of service or a determination that the individuals must participate in the child welfare services program. The results of appeals are formally recorded and are made available to the State advisory committee and all applicants and recipients are advised of their right to appeal and the procedures for such appeal.

(b) There is in operation a system through which recipients may present grievances about the operation of the child welfare services program.

(c) There are documents which describe the system for appeals and grievances and the methods of informing recipients of their right to appeal.

*Section 220.40 Child welfare services statewide.*

(a) Child welfare services are available in all political subdivisions of the State for all children in need of them. If child welfare services are not available in all political subdivisions, the State assures it will provide them in all political subdivisions. There is annual progress in one or more of the following areas:

(1) Reaching additional children in need of services;

(2) Expanding the range of services provided;

(3) Improving the quality of services through additional trained child welfare personnel.

(b)(1) Priority is given to extending the provision of child welfare services to communities with the greatest need for such services. Determination of those communities with the greatest need will be accomplished through a reasonable and objective method of needs assessment that takes into consideration relative financial need.

(2) Child welfare services are provided to children in their own homes and foster care is provided for children who cannot remain in their own homes.

(3) There is a case plan, including diagnostic evaluation and plan for treatment, when a child is accepted for child welfare services; and there is periodic review of such plan.

(4) Child welfare services are available on the basis of need for services and are not denied on the basis of financial need, legal residence, social status or religion.

(5) Child welfare services are not limited to AFDC cases.

*Section 220.45 Community planning.*

(a) There is progress in developing State and local agency leadership for participation in community affairs which will result in the development of community resources necessary to achieve the program objectives of title IV-B.

(b) There is documentation to show the steps taken to achieve this objective, including the staffing for this function.

*Section 220.46 Reports and evaluations.*

The State agency furnishes reports and evaluations to the Secretary as may be specified, showing the scope, results and costs of services for families and children.

*Section 220.47 Implementation; local agencies and service contractors.*

(a) The State agency has methods of assuring that local agencies are meeting the plan requirements, and where services are purchased, of monitoring local agencies and service contractors to insure that the plan requirements are being met and funds are being appropriately and effectively used. In addition to the requirements of 45 CFR 74.166, any contract also specifies that no fees shall be imposed by providers other than those set by the State.

(b) There is a description of the methods used to carry out this requirement.

*Section 220.49 Other plan requirements.*

(a)(1) *Designation of Appropriate State Agency.* (i) The Governor of the State has

designated a State agency as the single agency for the administration of the plan or for supervision of the administration of part of the plan by local agencies.

(ii) The State agency designated to administer or supervise the administration of the child welfare services program under title IV-B is the same agency that administers or supervises the administration of the social services program under title XX of the Act. (If, on Dec. 1, 1974 there were separate IV-A and IV-B agencies, the requirement that the IV-B program be administered by the agency administering the title XX program is not applicable as long as the title XX program agency has not been designated to administer title IV-B, too.)

(iii) In Puerto Rico, Guam, the Virgin Islands and the Commonwealth of the Northern Mariana Islands, the State agency administering or supervising the program is the same agency that administers or supervises the administration of the State's services plan under title IV-A.

(2) There is documented authority of the State agency under State law for the administration of the program. Where there is administration by local agencies, there is a documented legal basis for such administration or for the supervision of such administration by the State agency. There are documents which show citations to all directly pertinent laws, copies of all interpretations of such laws by appropriate State officials, and citations to all directly pertinent interpretations of laws by courts.

(b) *Organization for Administration.* There is a description of the organization of the State agency for the administration of the plan and of any local agencies engaged in such administration. There is also a description of the methods of administration utilized by the State agency in the administration of the plan and by any local agencies engaged in such administration. Where there is administration by local agencies, there is a description of the nature and extent of the supervision exercised by the State agency.

(c) *Personnel standards.* (1) There is, with respect to the employees of the State agency and those of local agencies, personnel administration on a merit basis which is in accordance with current Federal Standards established in 5 CFR Part 900 and any standards prescribed by the U.S. Office of Personnel Management pursuant to Section 208 of the Intergovernmental Personnel Act of 1970.

(2) The State agency is implementing an affirmative action plan to ensure equal employment opportunity in all aspects of personnel administration as specified in 5 CFR 900.4. The plan provides for specific action steps and timetables to assure such equal opportunity. The plan is available for review upon request.

(d) *Coordination with services under AFDC.* There is coordination between child welfare services and services for families receiving AFDC with a view to provision of welfare and related services which best promote the welfare of such children and their families.

(e) *Reports.* There is provision for reports with respect to any and all phases of the

State program of child welfare services in such form and containing such information as the Bureau may find necessary. There is documentation to show that the State is meeting the requirements of this section.

*Section 220.56 Day care services.*

If day care services are included under title IV-B, they meet the standards required in § 220.18(c)(2) and the following:

(a) Cooperative arrangements exist with State health and education agencies to assure maximum utilization of such agencies in the provision of health and education services for children in day care.

(b) There is an advisory committee on day care services as set forth in § 220.4(b).

(c) There is in operation a reasonable and objective method for determining the priorities of need for day care for members of low-income or other groups in the population and for geographic areas which have the greatest relative need for the extension of day care.

(d) There are specific criteria for determining the need of each child for care and protection through day care services.

(e) There are criteria employed to determine that day care is in the best interests of the child and the family.

(f) There is provision for determining on an objective basis the ability of families to pay for part or all of the cost of day care and for payment of reasonable fees by families able to pay.

(g) There is provision for the development and implementation of arrangements for the more effective involvement of the parent or parents in the appropriate care of the child and the improvement of the child's health and development.

(h) Day care is provided only in facilities (including private homes) which are licensed by the State or approved as meeting the standards for such licensing.

*Section 220.71(d) Amendments to State plan.*

The State agency will amend the State Plan whenever necessary because of any material change in the program provided by the plan, in the organization, policies or operations relating to the program, or any change in pertinent law and as otherwise deemed necessary by the Commissioner of ACYF. Revisions are subject to joint development by the State agency and ACYF, and shall be submitted to ACYF, certified by a duly authorized officer of the State agency, for approval. Revisions shall be incorporated into the State plan and shall be in effect for the purposes of the Act upon, and in accordance with, the approval. Except when it is not feasible for a revision to the annual budget to be submitted to ACYF a reasonable time in advance of being carried out by the State agency, approval of revisions shall be prospective.

*Section 231.2 Child abuse and neglect.*

Child abuse and neglect State plan requirements are included under the title IV-B child welfare services program and there is documentation available to show compliance with these requirements:

(a) *State laws or legally binding administrative procedures.* There are in

effect State laws or legally binding administrative procedures for reporting known or suspected instances of abuse or neglect of children up to age 18 or the age specified by the child protection law of the State, for investigation of such reports, and for action pursuant to the results of investigation, as certified by the State Attorney General.

(b) *Provision for reporting.* The State or local agency administering the program under Part B of title IV:

(1) Provides for reporting known or suspected instances of child abuse and neglect;

(2) Complies with all State laws and legally binding administrative procedures regarding such reporting; and

(3) If it enters into agreement for purchase of services or for performance of any aspect of a program or project related to child abuse or neglect, includes a requirement that the provider report instances of child abuse or neglect.

(c) *Prompt investigation.* Upon receipt of a report of known or suspected instances of child abuse or neglect, regarding a child covered by the State's child welfare services program under title IV-B, the State or local agency will promptly initiate an investigation to substantiate the accuracy of the report, unless, under State law or legally binding administrative procedures, such responsibility is exclusively reserved to some other agency, or unless the report involves the acts or omission of the State or local agency itself. In that case, the investigation must be conducted by a different agency or organization.

(d) *Action upon a finding of abuse and neglect.* Upon a finding of abuse or neglect resulting from an investigation required pursuant to paragraph (c) of this section, the State or local agency will take immediate steps to protect the health and welfare of the abused or neglected child, as well as that of any other child under the same care, who may be in danger of abuse or neglect.

(e) *Confidentiality of records.* The State or local agency has in effect methods to preserve the confidentiality of all records concerning reports of child abuse and neglect in order to protect the rights of the child and his or her parents or guardians, in accordance with 45 CFR 205.50 of this chapter.

(f) *Cooperation among agencies.* Law-enforcement officials, courts of competent jurisdiction, and appropriate State agencies providing human services in relation to prevention, identification, and treatment of child abuse and neglect cooperate with the State or local agency in carrying out the IV-B program.

(g) The State agency meets these requirements, using the following definitions expressed in 45 CFR 231.1:

"Act": means the Social Security Act.

"Child": means a person under the age of eighteen or the age specified by the child protection law of the State.

"Child abuse and neglect": means harm or threatened harm to a child's health or welfare by a person responsible for the child's health or welfare.

"Harm or threatened harm to a child's health or welfare" can occur through: Non-

accidental physical or mental injury; sexual abuse as defined by State law; or negligent treatment or maltreatment, including the failure to provide adequate food, clothing, or shelter. Provided, however, that when a parent or guardian legitimately practicing his religious beliefs fails to provide specified medical treatment for a child, such failure for that reason alone shall not be considered neglect. "A person responsible for a child's health or welfare" includes the child's parent, guardian, or other person responsible for the child's health or welfare, whether in the same home as the child, a relative's home, a foster care home, or a residential institution.

*Section 422(a)(2) Return of Runaway Youth (SSA).* If runaway youth services are provided under title IV-B there is provision for the costs of returning any runaway youth who has not attained the age of eighteen to his or her own community in another State, and of maintaining such child until such return for a period not exceeding fifteen days, if the costs cannot be met by the parents of such child or by any person, agency, or institution legally responsible for the support of such child.

*205.70 Availability of agency program manuals.* (a) Program manuals and other policy issuances which affect the public, including the State agency's rules and regulations governing eligibility, need and amount of assistance, recipient rights and responsibilities, and services offered by the agency, are maintained in the State office and in each local and district office for examination on regular workdays during regular office hours by individuals, upon request for review, study, or reproduction by the individual.

(b)(1) A current copy of such material is made available without charge or at a charge related to the cost of reproduction for access by the public through custodians who (i) request the material for this purpose, (ii) are centrally located and publicly accessible to a substantial number of the recipient population they serve, and (iii) agree to accept responsibility for filing all amendments and changes forwarded by the agency.

(2) Under this requirement the material, if requested, is made available without charge or at a charge related to the cost of reproduction to public or university libraries, the local or district offices of the Bureau of Indian Affairs, and welfare or legal services offices or organizations. The material is also available, with or without charge, to other groups and to individuals.

(c) Upon request, the agency reproduces, without charge or at a charge related to the cost of reproduction, the specific policy materials necessary for an applicant or recipient, or his representative, to determine whether a fair hearing should be requested or to prepare for a fair hearing; and has established policies for reproducing policy materials without charge, or at a charge related to cost, for any individual who requests such material for other purposes.

The State agency adheres to the following HEW regulations of general applicability: Part 46—Protection of human subjects. Part 74—Administration of grants. Part 80—Civil rights.



Part 84—Nondiscrimination on the basis of handicap.  
 45 CFR 205.50—Safeguarding information.  
**Effective Date and State Official's Signature**

I hereby certify that, with the exception(s) indicated below, the State complies with the requirements of law and regulation listed above in the Assurances.

The State agency is including in this Plan goals and objectives which will enable it to meet those assurances which, as indicated below, are not being met.

(List by number and title those assurances with which the State agency is not in compliance)

Dated: \_\_\_\_\_  
 Certified by: \_\_\_\_\_  
 Administrator, Social Service Agency  
 Dated: \_\_\_\_\_  
 Reviewed by: \_\_\_\_\_  
 ACYF/CB Representative

**Guidelines for Adherence to the Assurances Governing Child Welfare Services; Title IV-B of the Social Security Act**

**Introduction**

This document contains explanations of the Assurances in the State Child Welfare Services Plan (CWSP), under title IV-B of the Social Security Act. These explanations do not change the content of the regulations which is controlling. Rather, they are intended to assure a common understanding by Federal, State, and local agencies of the purpose, scope and meaning of the regulations; the specific expectations placed on the States and the options that are available to States. These explanations are intended to assist States in planning their child welfare services programs and in determining their conformity to the requirements in the Assurances.

The Children's Bureau of ACYF in some instances has made good practice recommendations. These recommendations, along with publications of the Children's Bureau, other Federal agencies, national standard setting agencies and existing studies and materials, should be utilized in extending and improving the child welfare services provided under the State Child Welfare Services Plan.

The explanations have been developed to correspond with sections of the regulations and efforts have been made to avoid repetition of the language of the Assurances and the regulations. Therefore, these explanations must be read with reference to the related section of the Assurances and regulations. Where the Assurances seem self-explanatory, no guidelines are provided.

**Table of Contents**

45 CFR section	Titles
220.1.....	General provisions.
220.2.....	Single organization unit.
220.3.....	Full time staff for services.
220.4.....	Advisory Committees on Child Welfare Services.
220.5.....	Use of professional staff.
220.6.....	Use of subprofessional staff.
220.7.....	Use of volunteers.
220.8.....	Relationships and use of other agencies.
220.10.....	Staff development.

**Table of Contents—Continued**

45 CFR section	Titles
220.11.....	Appeals, fair hearings and grievances.
220.49(a).....	Child welfare services statewide.
220.40(b)(1)....	Needs assessment.
220.40(b)(2)....	Services to children in own homes and foster care.
220.40(b)(3)....	Case plans and case reviews.
220.40(b)(4)....	The availability of child welfare services.
220.47.....	Implementation; local agencies and service contractors.
220.56.....	Day care services.
231.2.....	Child abuse and neglect.
205.70.....	Availability of agency program manuals.

**Section 220.1 General provisions.** (a) The requirements in this section establish the framework for implementation of the mandatory provisions of Subpart A of Part 220. In this section, States assume responsibility for each of the requirements specified in the provisions. Within this framework each State must determine the scope of its services program for children, youth and families and plan the actions necessary to broaden the scope and improve the effectiveness of services.

(b) In this section, States will also agree to submit implementation and progress reports necessary to document adherence to the requirements.

(c) The State agency must have clearly stated and promulgated policy, standards, practices and procedures for all requirements, and methods to monitor and assure adherence to the requirements.

**Section 220.2 Single organizational unit.** (a) **State Organizational Unit.** (1) At the State level there must be a unit which is responsible for the development of policy pertaining to all child welfare services for children, youth and families in the State, regardless of funding source, or to make recommendations to the State Agency Administrator in response to such policy. It is not intended that the unit head be necessarily responsible for making final policy decisions. Rather, the Chief executive officer or agency administrator should look to the unit head for advice, counsel and recommendations on policy, planning and program development for State's programs for serving children, youth and families.

(2) There should be, at a minimum, one fulltime person responsible for planning, policy and program development, implementation and review, and standards development.

(3) The unit should be responsible for development of the Child Welfare Services State Plan and for assuring collaboration with title XX planning, coordination and program development. In most States, these functions will require a unit with specialized staff.

(4) The unit should be responsible for the universally accepted child welfare services which supplement or substitute for parental care and supervision, such as protective services, placement and after care services. Other related activities such as supportive services to families, day care, regulatory services, respite care and homemaker services may be lodged in another unit of the agency. There should be arrangements,

however, through which the single organizational unit maintains responsibility for policy formulation and implementation regarding these services to children, youth and families.

(5) The organizational structure of the State agency should facilitate and assure effective communication and cooperation between the unit administering child welfare services to children, youth and families, the executive decision-making unit of the agency, and all units providing related and supporting services.

(b) **Local organizational unit.** (1) Single organizational units should also be established at the local level. These units should be responsible for development, supervision and provision of child welfare services. The unit may be located in a county, city, district, or regional agency.

(2) There should be at least one full-time person with responsibility for planning, policy and program development and implementation of child welfare services in locally administered agencies. In some States these functions will require a large unit with specialized staff. In counties with a small population where full-time assignment for child welfare services delivery is not feasible, a multicounty or district plan for a full-time services worker may be needed.

(3) Some States may need to reassess or redesign methods of supervision of locally administered programs to assure uniformity of policy and program implementation. There should be sufficient support staff in the State level unit to provide sustained program assistance to local agencies whether they are locally or State administered.

(4) Single organizational units may arrange for provision of services through purchases of service arrangements or other methods such as agreements with other public or voluntary agencies. However, the unit must retain responsibility for policy setting and implementation.

(5) Where appropriate, State or local agencies and Indian tribes and organizations should make agreements regarding provision of services to Indian children and their families to assure availability and provision of services and to avoid jurisdictional disputes which can prevent children and families from receiving needed services.

(6) The State agency should have clearly articulated policy (standards, practices and procedures) that spell out how it meets its responsibility under this requirement.

**Section 220.3 Full time staff for services.**

(a) This requirement recognizes that an effective system for delivery of social services for children and their families, including program planning, supervision, and case management, requires staff assigned full time to these functions at both State and local levels.

(b) At each level of responsibility, there should be:

(1) A staffing plan which identifies and describes the staff to be used in the delivery of each type of service;

(2) Position descriptions describing the work to be performed by each staff member with respect to activities, responsibilities, and standards of performance;

(3) Standards defining the education and experience required for each position; and

(4) Standards defining the workload size and level of supervision for each type of client service operation.

(c) The State agency should establish personnel policies and procedures to implement this requirement which are consistent with standards of good practice as defined by the Child Welfare League of America, or the American Public Welfare Association or for service delivery criteria developed by the Children's Bureau in its *Detailed Design for a System of Social Services for Children and their Families*.

(d) Social services for children and their families shall to the maximum extent feasible be provided by personnel with social work training at levels prescribed by the National Association of Social Workers: at the entry level of service, a Bachelor's Degree in Social Work; and, at the supervisory level, a Master's Degree in Social Work, from an accredited college program.

#### Section 220.4 Advisory committee on child welfare services.

(a) This requirement calls for establishment of:

(1) A State-wide advisory committee on all phases of CWS programs;

(2) Committees in local administrative jurisdictions where the program is locally administered; and

(3) An advisory committee on day care services at the State level.

Such committees may be combined or be part of a larger State or local advisory committee on the total public welfare program.

(b) Well-organized advisory committees can serve a number of purposes including:

(1) Increasing policy and administrative officials' awareness of problems in programs, and the opportunities for improvement;

(2) Increasing the client's sense of participation in development and operation of the program;

(3) Increasing the public's understanding and support of programs; and

(4) Increasing understanding and cooperation among groups within a community or State.

(c) Advisory committees should have adequate opportunity for meaningful participation in both policy and program development including:

(1) Recommendations on priorities for the use of funds and changes in levels of funding;

(2) Recommendations for candidates to senior level positions and the opportunity to express views on the qualifications of candidates considered for such positions, (within the limits of merit system regulations);

(3) Participation in development of administrative policies relating to provision and scope of services, and priority areas to be served;

(4) Review of the operation of the agency personnel system and suggestions for modifications;

(5) Participation in evaluations of program operations and the effects of policy; and

(6) Review of the effectiveness of grievances and appeals systems.

(d) To function effectively committee members should be adequately trained, have access to information on a wide array of areas including services delivery, the mission and policies of the agency, and the availability of resources, and be able to seek alternative views and judgments.

#### Section 220.5 Use of professional staff.

(a) This requirement emphasizes the need for adequate numbers of suitably qualified personnel drawn from social work and other appropriate disciplines to plan, develop, supervise and provide specialized services to children, youth and families. Decisions affecting the future of children and their families should be made by persons with training which prepares them to recognize and effectively respond to the complexities of the problems often encountered in delivering child welfare services.

(b) Generally, three types of personnel are required for effective delivery of child welfare services to clients:

(1) *Caseworker*. The primary responsibility of the child and family caseworker is to ensure the care and protection of the child, whether the client is defined as an individual child or a family, and to improve family functioning. The caseworker must provide a variety of services directly to the client or on his behalf, but this person is especially critical for the primary function of developing a supportive and therapeutic relationship with the child or family to effect changes in problem behaviors or to help them accept and utilize other service elements to their benefits. The caseworker's role is a comprehensive one requiring a variety of responsibilities and skills. Caseworker's must have the skills to:

(i) Develop a supportive and therapeutic relationship with the child or family;

(ii) Study and assess the family's situation, and develop a case plan;

(iii) Select and employ appropriate treatment approaches to different types of client problems;

(iv) Implement a variety of therapeutic techniques such as role modeling and counselling to individuals or groups;

(v) Coordinate the delivery of services to ensure services continuity and integration; and

(vi) Engage in advocacy, for example, intervening on a client's behalf during threatened eviction or ensuring the protection of his/her rights in consumers or legal disputes.

The Bachelor of Social Work (BSW) degree is the recommended minimum acceptable level of training for caseworkers.

(2) *Supervisor*. Supervisors should be highly skilled and accessible to support and direct the activities of workers who, in turn, must be able to respond to serious human problems and make high risk decisions. The worker's ability to handle the stress of participating in a client's often urgent and upsetting problems, and to help the client make difficult and appropriate decisions can be strengthened by the supervisor-caseworker relationship. Supervisors should supervise a maximum of 5 caseworkers.

Supervisors should have sufficient knowledge and skills about child welfare services to:

(i) Perform the dual role of teacher and administrator;

(ii) Be sensitive to each worker's capabilities and level of skill; and

(iii) Be able to develop basic casework capability in less skilled workers and enhance the abilities of more skilled workers.

Supervisors should have a Masters of Social Work (MSW) degree and training in supervision and administration.

(3) *Specialist*. Specialists are staff who serve a particular function or a specific type of client need. They may function as consultants or be part of the Agency staff. Special staff support agency functions through:

(i) Assisting caseworkers and supervisors in decisions on difficult cases;

(ii) Providing specialized training to improve and expand service delivery skills;

(iii) Providing policy and programmatic direction to the service delivery process; and

(iv) Introducing improved techniques and knowledge to the service delivery process.

The types and numbers of specialists required to support agency needs will vary in terms of the volume and nature of client problems. Currently, the following types of specialized consultation are necessary and appropriate to client service needs:

(i) Home-based services to avoid separation of child from family;

(ii) Protective services, to assess the risk and assist in treatment of parents who have abused and neglected their children;

(iii) Substitute care, to determine the most suitable type of placement for a particular child;

(iv) Permanent planning, to move children into permanent care arrangements; and

(v) Psychiatric or clinical social work, to assist in the diagnosis and treatment of child, parental, marital, or family anomalies.

Specialized staff to perform these functions should have MSW degrees and specialized training and experience. Consultative services of physicians, psychiatrists, lawyers, psychologists and other such specialists should be available to assist staff where their services are appropriate.

Specialized staff to perform these functions should have MSW degrees and specialized training and experience. Consultative services of physicians, psychiatrists, lawyers, psychologists and other such specialists should be available to assist staff where their services are appropriate.

#### Section 220.6 Use of subprofessional personnel.

(a) This provision requires agencies to utilize subprofessionals or paraprofessionals. Subprofessionals include all of those persons performing work related to professional activities, such as day care aides, parent aides, homemakers, health aides, and social service outreach workers. Clerical and janitorial positions or other positions of this type are not included.

(b) One of the most beneficial and effective uses of subprofessional staff is in the capacity of homemakers and emergency caretakers. Emergency caretakers are staff carefully selected and trained to provide short term adult care and supervision for children in their homes during a crisis precipitated by the absence, desertion or incapacity of parents. Homemakers perform emergency caretaker functions but also do role modeling, assist the parent(s) with household chores, and assist the parent(s) in better performance parental roles. Generally, homemakers are part of an overall plan to

assist children and families; therefore, the homemaker's work may not be limited to a specific crisis. Agencies which do not utilize paraprofessionals in this manner should consider developing units of homemakers to be staffed by paraprofessionals.

(c) This requirement recognizes that persons with limited education have knowledge and skills to complement (but not substitute for) the skills of professional staff. Subprofessionals may generally perform the following functions as part of a team or with other professional supervision:

(1) Specialized or individualized interpretation of service programs to ethnic or cultural groups and to help such groups or individuals express their needs;

(2) Helping to overcome language barriers, case-finding in the community, and encouraging eligible persons to use available services;

(3) Acting as liaison between an agency and a defined group or organization in the community;

(4) Assisting individuals or groups with day-to-day problems such as job-finding, locating sources of assistance, or organizing community groups to work on specific problems; and

(5) Transporting children to clinics and hospitals.

#### Section 220.7 Use of volunteers.

(a) Interested citizens can make a major, distinctive contribution in providing services to children, youth and families and in advisory capacities to State and local agencies. Volunteers should be recruited from all income levels and from all parts of the community including clients. Where expenses, such as transportation or baby-sitting costs, limit the availability of volunteers, the State agency should assist with these costs.

(b) Volunteers have been effective in providing services such as parent-aides and homemakers, aides in day care facilities and institutions, care for children at agency intake, and promoting community support for special service projects or interagency coordination. Volunteers with special skills may also be useful in carrying out surveys and studies and in assembling information for advisory committees.

(c) The State agency should have a plan for the use of volunteers, and a designated coordinator for volunteer activities to assure effective leadership and planning and selection, training and supervision of volunteers.

The plan should include—(1) A recruitment program to secure volunteers in all areas where they can assist the agency's services.

(2) Orientation to agency policies and procedures.

(3) Provision of office space, equipment and materials necessary to complete assigned tasks.

(4) Reimbursement of costs incurred by volunteers.

(5) Guide materials relating to requirements and descriptions of tasks.

#### Section 220.8 Relationship and use of other agencies.

(a) The requirement emphasizes the importance of maximum coordination with

other public and voluntary agencies to provide effective and comprehensive services to all children, youth, and families in need. States are expected to develop agreements with public and voluntary agencies and to provide guides and supervision to local departments regarding responsibilities for similar arrangements with related local agencies.

(b) The purpose of inter-agency coordination is to develop a services network which ensures availability of necessary services and maximum utilization of each agency's resources. The roles of each agency must be clear and relationships must be established which avoid duplication, fragmentation and gaps in services.

(c) Effective State level arrangements for ensuring coordination of child welfare programs with other agencies and programs that serve children and their families include:

(1) A unit or designated person responsible for coordination of child welfare services.

(2) Established arrangements for the information exchange among agencies providing child welfare services and those providing other social services, e.g., AFDC, and Medicaid.

(3) Established policies and procedures for sharing information, where legally possible, on clients and families among referring agencies. Such policies must assure appropriate arrangements to assure confidentiality of information and safeguards for privacy as required under § 205.50.

(4) Written agreements regarding services responsibilities with State agencies serving children and their families, e.g., mental health, public health, juvenile justice.

(5) Assistance to local public social services agencies in developing cooperative agreements including written guidelines to assure:

(i) Provisions for inter-agency referrals.  
(ii) Reports to referring agencies to confirm client contacts.

(iii) Annual review of agreements.

(iv) Joint funding of projects and joint staff development where appropriate.

(6) Assistance to local agencies in developing and implementing agreements.

#### Section 220.10 Staff development.

(a) The State agency should have a plan for ensuring that State and local child welfare personnel are trained to the maximum extent feasible. The plan should describe the State's staff development activities including orientation, in-service training and education, and educational leave.

(b) State child welfare administrators and staff development specialists are ultimately responsible for development of programs that address the specific skills and knowledge needed by administrators, supervisors, case managers, specialists, direct service workers, volunteers and paraprofessional staff. Effective statewide staff development programs require:

(1) Methods of identification of local agencies' staff development and training needs.

(2) A person or unit responsible for coordination and provision of identified staff development needs.

(3) Utilization of title XX funds for training child welfare staff.

(4) Specialized management training programs for child welfare staff.

(5) Training for personnel in provider agencies.

(6) Assistance to local area colleges and universities in developing curricula for child welfare training programs.

(7) Educational leave and funding for workshops, seminars, special courses, professional conferences and meetings.

(8) Training programs for staff sensitivity to special clients and community cultural, ethnic and language considerations.

(9) Provision for purchase of professional journals and other related material for staff use.

(10) Assessment of staff development and training programs including:

(i) Availability of training programs

(ii) Number of staff attending

(iii) Evaluation of staff satisfaction and program relevance, and impact on quality and outcome of service.

(c) Personnel management policies shall be designed and implemented to ensure effective and appropriate services to children and their families and shall include the following provisions:

(1) Allocation and deployment of personnel resources capable of rendering an immediate, full-time (twenty-four hour) response to time-critical needs of children and their families.

(2) Recruitment policies to provide ethnic, cultural and racial diversity appropriate to the nature of the client population, at all staff levels.

(3) Standards and systems to evaluate staff performance and ensure accountability for achieving service goals.

(4) Educational opportunities through structured agency programs to enable professional advancement for staff along the entire career ladder.

(5) Recruitment, selection and promotion policies in accordance with objective criteria and established systems.

(6) Skilled and accessible supervision to support and direct activities of workers and to provide consultation upon their request, at a rate of one supervisor to five social workers.

(7) An established grievance procedure for all employees.

(8) Long-range planning strategies to support program development and to determine staffing requirements based on assessment of target population needs and community resources.

(9) Opportunities for all staff to participate through established channels in development of policies and procedures and in program planning in order to build a common purpose and common goals.

(10) Opportunities for professional staff to attend and participate in national and community meetings related to child welfare, and encouragement of communication and contacts with counterparts in the private child care sector.

(11) Empirical workload standards for all aspects of service for better workload management and staff projection.

(12) Employment of paraprofessionals and utilization of community volunteers under appropriate agency supervision.

(d) Long-range planning is necessary in determining information for the use of public

agencies. Some significant factors to be analyzed in personnel projections are:

- (1) Periodic and systematic needs assessment based on current and projected target population service needs, and current and projected resources.
- (2) Service goals and priorities, and service delivery standards.
- (3) New knowledge, methods and theories associated with meeting the special needs of children, with implications for agency practice.
- (4) Program development required to implement new legislation or new policy.
- (5) Workload measurements and standards for each function or service.
- (6) Professional qualifications of staff to meet standards proposed by the social work profession.
- (7) Purchase of service availability.
- (8) Agency setting (rural or urban).

*Section 220.11 Appeals, fair hearings and grievances.*

(a) This requirement is intended to protect the rights of individuals to request a fair hearing to appeal:

- (1) Denial of or exclusion from the services to which they are entitled under the State plan;
  - (2) Actions that negate the individual's right of choice with respect to specific service programs; and
  - (3) Actions to force involuntary participation in a service program.
- (b) Agencies must have procedures for handling grievances on any matter raised by an individual or individuals and must make the procedures readily accessible to individuals.

(c) Agencies must assure staff and client understanding of distinctions between agency out-reach efforts to offer services and coercion of acceptance of services.

(d) The results of appeals hearings should be available to the State Advisory Committee so that the Committee is aware of the nature and frequency of recipient grievances and can advise and assist the agency when grievances about policies and procedures indicate the need for review and possible changes. This requirement to make the results appeals available to the Advisory Committee is limited to reports and results and does not include provision of actual case records, recipient names, or other confidential information.

*Section 220.40(a) Child welfare services statewide.*

(a) As the foundation of a comprehensive plan of public child welfare services, every county or other political subdivision should have available a full range of services for children, youth and their families whose home conditions or individual needs require special attention. This requirement reinforces the purposes of the law to assist the States in establishing, extending and strengthening public child welfare services. Thus, the purpose of title IV-B can be realized through progressive, continuing and consistent expansion until the State is able to adequately meet the needs of children, youth and their families for child welfare services.

(b) Statewide compliance with this requirement should lead to systematic

development of all essential child welfare services. These services should include:

- (1) Preventive or supportive services to strengthen intact families and when necessary to avoid the need for foster care;
- (2) Protective and rehabilitative services;
- (3) Foster care services, after care services and adoption services, including adoption subsidies.

These services should be coordinated and provided through a mix of public and voluntary agencies.

(c) This requirement calls for extending and strengthening child welfare services in three dimensions:

- (1) Reaching additional children in need of services,
- (2) Expanding the range of services provided, and
- (3) Improving the quality of services through additional trained child welfare personnel.

*Section 220.40(b)(1) Needs assessment.*

(a) The State agency should develop a plan for periodic identification and assessment of needs, problems and resources relating to its provision of child welfare services. Needs assessment should be directed toward the total services program, not just to specific problems or special services.

(b) There should be a uniform assessment system throughout the State for defining needs and services to minimize program gaps and to avoid duplication of services. Needs assessment should produce clear definitions of populations at risk who are not receiving services as well as assess the adequacy of current services.

(c) Inability to meet currently identified needs should not deter the process of continuously assessing services needs.

(d) States' arrangements for identification and assessment of the need for child welfare services should meet the following criteria:

- (1) Written procedures for assessment of the need for child welfare services;
- (2) An individual or unit responsible for needs assessment;
- (3) Criteria and procedures for a variety of methodologies to identify and assess needs for services, e.g., citizen surveys, client services data, special studies and surveys;
- (4) Schedules for periodic needs assessment;
- (5) Arrangements to compare data among counties and regions;
- (6) Methods for involving relevant community groups, e.g., services clients, advocate groups; and
- (7) Arrangements to coordinate needs assessment studies with activities of other agencies and organizations.

*Section 224.40(b)(2) Services to children in their own homes and foster care.*

(a) *Services to Children in Their Own Homes.* The State agency should develop procedures and criteria to assure that the circumstances of children referred for child welfare services are assessed in order to develop an appropriate plan to strengthen, support and improve family functioning. Home-based supportive and supplementary services should be provided where the assessment indicates that the family could

remain intact through the provision of such services. The specific supportive and supplementary services to be provided should be described in the individual case plan. The requirements regarding child welfare services to children in their own homes is intended to reinforce the conviction that the family is the first and best resource for the child. It emphasizes a major goal of child welfare services which is to preserve, strengthen and rehabilitate family life and prevent disruption and unnecessary removal of children from their homes. The following criteria are recommended for developing or improving a program of home based services for children, youth and their families:

(1) There is agency and staff commitment to providing services to strengthen and preserve the family and child in the home and this commitment is reflected in agency policy, practices and procedures.

(2) Services are complete, comprehensive and intensive including at a minimum, casework or counseling, day care, homemaker services with a parent education component, and respite care. These services should be available in the amount and for the length of time they are needed.

(3) The home is the primary service setting and community resources are utilized as needed to support and supplement services in the home.

(4) Parental roles are emphasized and supported and the family is the unit of service. This focus recognizes that the family is the primary source of nurture, education and health care for the child.

(5) Maximum use is made of family resources (strengths) including the extended family as appropriate.

(6) Home based services assumes an agency and staff commitment to deal with any problem presented by the family or observed by staff. If the necessary expertise or resources are not available within the agency, the staff should act as coordinator or facilitator to obtain the services from other sources in the community.

(7) The provision of home based services requires the development of community support systems such as ties with relatives, neighbors, community organizations, and volunteers.

Home based services, therefore, is inclusive, rather than exclusive. It is an integration of social, educational and medical services in behalf of family stability, unity and cohesion.

(b) *Foster care.* (1) The requirement regarding foster care is intended to assure appropriate placement and adequate agency supervision and emphasizes the importance of efforts to return children to their own homes or to develop an alternative permanent plan as early as possible. It relates to the growing criticism that public policies and practices regarding the placement of children in foster care have neither helped children to find permanent homes nor provided them with quality supervision and support while in care. It emphasizes timely decision making as well as services in the foster care process.

(2) When the State or local agency provides foster care directly or by purchase, it should:

- (i) Assure that the foster family home, group home or child care institution in which

the child is placed is licensed by the State or is certified by the State licensing staff as meeting the State standards for such licensing;

(ii) Assure that the placement is appropriate to the needs of the child, using criteria specified by the State which are based on standards recommended by the American Public Welfare Association (APWA) or the Child Welfare League of America (CWLA);

(iii) Assure that the child receives proper care in the placement using criteria specified by the State which are based on standards recommended by the APWA or CWLA;

(iv) Assure that the child and family will receive services to improve the conditions in the home from which the child was removed so that the child may be reunited with the family;

(v) Assure that where reunification services are inappropriate, the agency will place the child in the home of a relative, in an adoptive home, or, if necessary in planned long-term foster family care; and

(vi) Describe in the case plan how it plans to meet or is meeting the requirements of this section.

(3) When the State provides foster care services through purchase of service agreements, there should be written clarification of the responsibilities of agencies from which the State or local agency purchases services for foster care placement, including case supervision and case review and specification of the responsibilities retained by the State or local agency. The State should assure that the responsibilities described in the agreement are met.

*Section 220.40(b)(3) Case plans and case reviews.*

(a) *Case plans.* (1) The development of a case plan for a child and his family is an essential part of the process of child welfare service delivery. Without a plan, goals are difficult to define, and unplanned services may provide only a transient remedy to chronic problems. A case plan, developed jointly by the family and the agency, with decision making at critical points and periodic review, will provide the structure for achievement of short and long range goals, and an opportunity to assess the appropriateness of services and quality of care.

(2) The State agency should have a clearly stated and promulgated policy (standards, practices and procedures) that all children receiving child welfare services must have a written plan that is developed in cooperation with the family. The State agency should have a method to monitor and assure compliance with this policy.

(3) A structured plan should be developed for each child who is to receive services within thirty days following the agency's decision to provide services. It should contain sufficient information to guide the delivery and monitoring of services, and to assess services outcomes. The case plan should summarize the conditions of the home, and analyze the behaviors and needs of the family and the child(ren), and specify the services required to rectify or resolve major problems.

(4) The following are considered essential components of a case plan in a goal-oriented child welfare program:

(i) A written plan developed in cooperation with the family, for each child and family provided child welfare services;

(ii) An assessment of the circumstances which necessitate the provision of child welfare services;

(iii) The actions to be taken to resolve the identified problems within a specified period of time;

(iv) The services outcomes to be achieved; and

(v) A specific permanent goal for the child.

(5) The agency should develop and implement policies and procedures to assure that the planned services are provided to achieve the goals established for the child and his or her family and to ensure that all possibilities for arranging a suitable permanent plan, when appropriate, are explored and acted upon expeditiously.

(b) *Case review.* (1) The case plan should be reviewed at least semi-annually to assure its continued appropriateness, including the delivery of the services specified in the case plan, and to revise when necessary, according to its continuing relevance to the needs of the child. If the child is in foster care, the review should assess the continued necessity of placement outside the home and the appropriateness of the particular placement, using criteria specified by the State based on standards such as those developed by the Children's Bureau/American Public Welfare Association (APWA), the Child Welfare League of America (CWLA), or other recognized standard setting agencies.

(2) The review should include participation by State or local agency staff not directly delivering services to the child and family. This may include the first level supervisor or other reviewer(s) designated by the State or local agency.

(3) Another method of case review is the use of a team of agency personnel with direct responsibility for case action, other administrative staff, and consultants to the agency who are knowledgeable in the practice of child welfare. Other methods of review may involve the courts and citizen advocates. If information on the placements of children in foster care is to be shared with citizen or court review groups, the State's intention to use such a review group should be described in the State Plan.

(4) Case reviews serve as a casework support and an administrative control on all major decisions and actions in a case, ensuring that a client's needs are met appropriately and in a manner consistent with agency policies and standards. They can also be a valuable teaching device, used to develop and improve the skills of all service delivery personnel. Through a joint planning process with the family, case reviews also provide a vehicle for exercising the rights of all parties to participate in the planning and achievement of mutual goals.

*Section 220.40(b)(4) The Availability of child welfare services.*

(a) The only test of eligibility for child welfare services is the need of the child and

his family for these services. Thus, child welfare services are to be available to all children without regard to financial need, legal residence, social status, race, religion or national origin. Children in stable, intact families, as well as those in disrupted families, may have a range of needs requiring the services of child welfare agencies. Physical, mental and emotional handicaps, neglect and abuse, dysfunctioning family relationships, poor school adjustment, drug abuse and unmarried adolescent parents are major problems which transcend financial and social status, legal residence, race or religion.

(b) Provision of services to all groups in need of them may require improved outreach and development of new types and combinations of services, such as outreach activities, comprehensive child welfare services in a single location, neighborhood centers, agency or multiagency teams, client self-help groups, and staff training for services to special or target groups.

*Section 220.47 Implementation; local agencies and service contractors.*

(a) The State agency has continuing responsibility to assure that local agencies and service contractors are meeting service responsibilities appropriately and effectively and in accordance with the State Plan. Assisting and monitoring local agencies is not a new responsibility to State agencies, but the scope and nature of the services and accountability for results under the Regulation require careful assessment of the adequacy of current methods and staffing for this activity.

(b) State agencies should assist and monitor local agencies through:

(1) Promulgation and dissemination of standards, guidelines and licensing criteria for child welfare programs.

(2) Staff development and training for local agencies and offices providing child welfare services.

(3) Establishment of appropriate personnel policies and procedures for child welfare staff.

(4) Utilization of data from monitoring and evaluation studies to assist in correction of deficiencies and improving child welfare programs.

(5) Determination of compliance with criteria for using licensed contractors.

*Section 220.56 Day care services.*

(a) This provision pertains to all day care services supported by title IV-B funding and must meet the requirements described in the Assurances. Specific Federal regulations and guidance pertaining to provision of day care can be found in the Federal Interagency Day Care Requirements (FIDCR) and the accompanying guidance. The FIDCR, which apply to most Federally funded day care, are currently being revised by the Department of Health, Education, and Welfare.

(b) Day Care refers to a wide variety of organized care and supervision that supplements parental care and guidance for a part of the day, in or outside the home. Responsibility for such supplementary care is delegated by parents and generally provided in their absence. The home and family remain

the central focus of the child's life, and the parent(s) retain(s) primary responsibility for rearing their child(ren).

(c) Day care is an integral part of a system of supportive and supplemental child welfare services to children and families and, as such, should receive increased emphasis in planning. Day care services should be available as a respite for the child(ren) of parents experiencing extreme stress; a resource for care of the child(ren) while the parent(s) is relieved temporarily of their care. Such child care services are clearly supplemental in nature and generally should be one component of a more complete service network to support and strengthen families especially during times of crisis.

(d) Day care, like homemaker services, should be viewed as one of the service options available to prevent out-of-home placement of children. Before decisions are made to remove children from their homes, consideration should be given to day care as an alternative supportive service.

*Section 231.2 Child abuse and neglect.*

(a) Child protective services are vital social services for children who are neglected, abused or exploited and whose conditions are such that community intervention is necessary.

(b) Extensive technical assistance, publications, training and other forms of assistance are available on this subject from the Child Abuse and Neglect Resource Centers, as well as from the regional and central office staff of ACYF. Detailed guidance is available in the draft *Federal Standards for Child Abuse and Neglect Prevention and Treatment Programs and Projects* and the User Manuals. However, of the many significant issues of concern in delivering child protective services, the following five areas have been identified as especially critical:

(1) Prompt investigation is crucial to protect the health and welfare of the abused or neglected child. The National Center on Child Abuse and Neglect (NCCAN) recommends immediate investigation of crisis or emergency situations and investigation within 24 hours of all reports.

(2) Following resolution of any emergency situation, the worker should engage in a more detailed and comprehensive assessment of the family's needs and strengths. During this process the worker, with family members and relevant service providers (e.g., schools, hospitals, mental health agencies) should identify the elements of a case treatment plan for the family which describes the changes required to alleviate the family's problem(s).

(3) Effective child protective services require close coordination with courts, law enforcement, health and medical systems, schools, mental health agencies and other service providers, for identification, and follow-up in cases of child abuse and neglect.

(4) The need for more staff development and training opportunities for child welfare staff has been repeatedly emphasized. This need for basic child welfare skills is particularly important for child protective service workers, who need skills in investigation, case assessment and court presentation.

(5) Policies and procedures which will assure that protective service staff will coordinate their efforts with those of placement and licensing staff, when abuse is alleged to have occurred in licensed services.

*Section 205.70 Availability of agency program manuals.*

There should be public involvement in planning child welfare services in the States. State and local agencies should maintain and make available program manuals and other policy issuances, including the State Plan. To make child welfare services as effective as possible, the State should seek comments and recommendations from individuals and groups, from the general public and from affected target populations. The State agency will gain more public involvement and support for its programs through making materials available. The availability of program manuals and policy issuances is a minimum requirement for informing the public about the State's child welfare program.

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