

MN Department of Human Services

Social Services Manual

Title IV-B: Child Welfare Services

VII-5000

Based on statutes and rules in effect as of 08/01/99

VII

Title IV-B: Child Welfare Services

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Authority

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1. 42 USC 620-629e (Title IV-B of the Social Security Act)
2. 61 FR 58632 (Final Rule on Title IV-B) Federal Register, Nov. 18, 1996.
3. Pub. Law 95-608 (Indian Child Welfare Act of 1978).
4. Pub. Law 96-272 (Adoption Assistance and Child Welfare Act of 1980).
5. Pub. Law 103-66 (Omnibus Budget Reconciliation Act of 1993).
6. Pub. Law 103-382 (Multiethnic Placement Act of 1994).
7. Pub. Law 104-235 (Child Abuse Prevention and Treatment Act of 1996).
8. Pub. Law 105-89 (The Adoption and Safe Families Act of 1997).
9. Title IV-B, section 422 (b)(9) (Compliance with Multiethnic Placement Act Recruitment Requirements).
10. Title IV-B, section 677, Social Security Act (Independent Living Programs).
11. Minn. Stat. 256E.115 (1998) (Safe Houses, Transitional Housing, and Independent Living Services for Youth).
12. Minn. Stat. 256F.01-.256F.13 (1998) (Minnesota Family Preservation Act).

Definitions

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1. Annual Progress and Services Report (APSR): A report that is submitted annually to the federal government to document a state's progress in achieving the goals of the Child and Family Services Plan.

45 CFR 1357.16
2. Child and Family Services Plan (CFSP): The document developed through a joint planning process that describes the child welfare and related services programs for which the state agency is responsible. The CFSP covers services, program deficiencies, plans for program improvement, and allocation of resources by type of service. It is submitted every five years or as required by the federal government.

45 CFR 1357.10
3. Child Welfare Services: Public social services that are directed toward accomplishing these purposes:
 - a. Protecting and promoting the welfare of all children, including those who are handicapped, homeless, dependent, abused, or neglected;
 - b. Preventing, remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation, or delinquency of children;

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- c. Preventing the unnecessary separation of children from their families by identifying problems, helping families resolve problems, and avoiding family breakup when placement prevention is desirable and possible;
- d. Reunifying children with the families from which they have been removed;
- e. Placing children in suitable adoptive homes whenever restoration to the biological family is not possible or appropriate; and
- f. Assuring adequate care of children away from their homes in cases where the child cannot be returned home or cannot be placed for adoption.

Pub. Law 96-272, section 425 (a)(1)

4. Family Preservation Services: Activities that help families overcome a current crisis that might lead to the out-of-home placement of their children.

45 CFR 1357.10(c);

Minn. Stat. 26F.03, subd. 5

5. Family Support Services: Community-based prevention activities that are designed to help families avoid crisis situations and ensure the healthy development of their children.

45 CFR 1357.10(c);

Minn. Stat. 256F.03, subd. 5

6. Independent Living Programs: Programs designed to help children who have attained the age of 16 make the transition from foster care to independent living.

45 CFR 1357.10(c)

7. Joint Planning: State and federal review and analysis of the state's child welfare services. This review and analysis covers the service needs of children and their families, selection of unmet service needs that will be addressed in a plan for program improvement, and development of goals and objectives to enhance the capability of the state in providing child welfare services.

45 CFR 1357.10(c)

8. Preplacement Preventive Services: Activities that are designed to help children remain with their families.

42 USC 622 (b)(10)(B)(iv);

Minn. Stat. 256F.03, subd. 8

9. Reunification Services: Activities that are designed to help children return, whenever appropriate, to the families from which they have been removed or to be placed for adoption or legal guardianship.

42 USC 622 (a)(10)(A)(iii)

Background

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Title IV-B was added to the Social Security Act in 1935, to provide federal formula grants to states to establish, extend, and strengthen child welfare services.

The Adoption Assistance and Child Welfare Act of 1980 (Pub. Law 96-272) amended Title

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IV-B to focus on these specific goals: preventing the unnecessary separation of children from their families; improving the quality of care and services to children and their families; and ensuring permanency for children through reunification with their parents, adoption, or another permanent living arrangement.

Because social, cultural, and economic conditions sometimes limited child welfare services to crisis intervention, Congress again amended Title IV-B to create a new program of family preservation and family support services. Title IV-B, subpart 2, was added to the Social Security Act under the Omnibus Budget Reconciliation Act of 1993 (Pub. Law 103-66) to provide states and eligible Indian tribes with federal funding for family preservation and family support services. To access funds under Title IV-B, subpart 2, States and eligible Indian tribes were required to develop a five-year plan for providing a continuum of services to families and their children.

In 1996, the Administration of Children and Families required the consolidation of the planning requirements for Title IV-B, subparts 1 and 2. It also asked States to include in their consolidated plans information from the Independent Living Program (ILS) and the Child Abuse Prevention and Treatment Act (CAPTA).

The 1997 Adoption and Safe Families Act changed and clarified a wide range of policies established under the 1980 Adoption Assistance and Child Welfare Services Act. The new law renamed the Family Preservation and Support Services Program as the Promoting Safe and Stable Families Program. It reauthorized funding for the program and included new requirements for time-limited reunification services and adoption promotion and support services.

In 1998, the Minnesota Legislature passed child welfare legislation under Chapter 406, article 3, section 1. It required the Commissioner of Human Services to submit annually to the legislature a statewide plan for child welfare services consistent with the five-year comprehensive child and family services plan required for Title IV-B, subparts 1 and 2 of the Social Security Act. The plan must establish statewide and county specific targets for improved outcomes for the safety, permanency and well being of children and families and reform of the service delivery system.

Principles of Child and Family Services

VII-5400

The federal government proposes the following principles to States and eligible Indian tribes in developing, operating, and improving the continuum of child and family services.

1. The safety and well-being of children and all family members is paramount.
2. Services are focused on families as a whole.
3. Services promote the healthy development of children and youth, promote permanency for all children, and help prepare youth emancipating from foster care for self sufficiency and independent living.
4. Services may focus on prevention, protection, or other short or long-term interventions to meet the needs of the family and the best interests of those who may be placed in out-of-home care.

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5. Services are timely, flexible, coordinated and accessible to families and individuals.
6. Services are organized on a continuum designed to achieve measurable outcomes.
7. Most child and family services are community-based.
8. Services are intensive enough and of sufficient duration to keep children safe and meet family needs.

45 CFR 1355.25

Goals

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Four goals for child welfare, family supports, and family preservation services are identified in the federal guidance for Title IV-B, subparts 1 and 2:

1. Assure safety for all family members.
2. Enhance parents' ability to create safe, stable, and nurturing home environments that promote healthy child development.
3. Help children and families resolve crises, connect with necessary and appropriate services, and remain safely together in their homes whenever possible.
4. Avoid unnecessary out-of-home placement of children and help children who are already in out-of-home care to be permanently reunited with their families or placed in another planned permanent family.

Consolidation of Plans and Reports

VII-5600

The federal government requires consolidation of the planning and reporting responsibilities for both of the Title IV-B programs, subparts 1 and 2. Information required for the Independent Living Program (ILP) and the Child Abuse Prevention and Treatment Act (CAPTA) program must accompany the combined plan. The two Title IV-B programs were consolidated because they are part of a child and family service continuum; both services are administered by the same agency; and both address common problems of the same population.

State Plan

VII-5700

To meet the requirements of federal law, among other requirements, a State plan must:

1. provide that the State agency administers the State's child welfare programs;
2. set forth goals to be accomplished under the plan by the end of the fifth year the plan is in operation, describe methods for measuring progress; and contain assurances that the State will conduct an interim and final review of progress;
3. provide for the coordination of services;
4. contain assurances that no more than ten percent of expenditures will be used for administrative costs; and

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5. assure that the State will make available to the public a description of services, populations to be served, and geographic areas in which services will be available.

Title IV-B, Social Security Act (42 USC 629b)

Plan Approval

VII-5800

To be eligible for funding under Title IV-B, subparts 1 and 2, States and eligible Indian Tribes must submit and have approved a consolidated, five year Child and Family Services Plan (CFSP) and Budget Request and Estimated Expenditure Report. Each state must also submit an Annual Progress and Services Report (APSR) that updates the State's progress in meeting its goals.

The State's plan can be approved if it was developed jointly by the State and federal government, after consultation by the state agency with appropriate public and non-profit private agencies and community organizations with experience in administering programs of services for children and families. These programs include: family preservation, family support, time-limited family reunification and adoption promotion and support.

Adapted from Title IV-B, Social Security Act (42 USC 629b)