

Broad Overview of the Tribal Title IV-E Program

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AGENDA

- PURPOSE OF TITLE IV-B
- PURPOSE OF TITLE IV-E
- DISCRETIONARY GRANT OPPORTUNITIES

Overview

- P.L. 110-351 amended Social Security Act at §479B allowing Federally-recognized Indian Tribes, Tribal organizations and Tribal Consortia to apply for direct funding from the Federal government.
- Tribes can also operate the program through an agreement with a State (existing or new).

What is IV-E funding? How does it work?

- Reimbursement program based on an individual child's eligibility
- Reimbursement for the costs of room and board for individual children in foster care (foster care maintenance), adoption assistance, and an optional program of kinship guardianship assistance.
- Reimbursement for administration including training and case management.

Reimbursement

- Percentage of actual expenses for eligible children are reimbursed.
- Uncapped program

IV-E Requirements

- Title IV-E plan
- Program requirements
- Adoption and Foster Care Analysis and Reporting System (AFCARS)
- Fiscal requirements
- Title IV-B Subpart 1 Child Welfare Services
- Collaborate with other programs

Title IV-E Plan

- Includes documentation of compliance with all IV-E plan requirements (see Part E of the Social Security Act beginning at section 471)
- Includes evidence of no uncorrected significant or material audit exceptions for Federal social service grants for the 3 prior years.
- Includes a description of the Tribes' service area and population to be served.
- Includes assurance that program funding only goes to eligible children.
- Must be submitted to ACF for approval.

Foster Care Maintenance Program Requirements

- Entitlement program based on an individual child's eligibility
- Foster care maintenance payments for an eligible child in a licensed foster family home or child care institution
- Judicial requirements

Judicial Requirements

- Contrary to the welfare determination must be in first removal order
- There must be a judicial determination that reasonable efforts to preserve the family were provided or not needed
- There must be a judicial determination that reasonable efforts were made to achieve permanency for children in out of home care within 12 months
- Tribes may use nunc pro tunc orders or affidavits in lieu of judicial determination requirements for first 12 months of operation of IV-E plan

Adoption Assistance Program

Payments up to the amount of the foster care rate are available to children who meet the definition of a child with special needs and

- In the care of a public or private child welfare agency or Indian Tribal organization via a contrary to the welfare judicial determination; a voluntary placement agreement or a voluntary relinquishment OR
- Would have been AFDC eligible OR
- Is eligible for SSI OR
- Is a child of a minor parent in IV-E FC, OR
- The child was eligible in a prior adoption and is being adopted

Guardianship Assistance Program (GAP) Optional Program

- Must be implemented statewide/tribal service area-wide.
- A child is eligible if s/he was eligible for IV-E foster care for 6 consecutive months in the home of the prospective relative guardian who was a licensed foster parent, being returned home/adoption is not an option, strong attachment exists to the relative guardian and the child was consulted if over age 14
- “Relative” may be defined broadly to include kin.

GAP continued

- Payment may not exceed the foster care maintenance rate which would have been paid
- Siblings placed with the same guardian are eligible. The sibling does not need to meet any of the eligibility criteria.
- The agency must reimburse for total nonrecurring costs up to \$2,000. The GAP agreement must be in place before the guardianship is finalized. The GAP payment continues if the child and guardian move to another state.

AFCARS

- Mandatory case level data reporting of:
 - Children under placement and care responsibility of Tribe in foster care and adoptive placement
 - Children who are adopted with the involvement of the Tribe's title IV-E agency
- Data is electronically submitted semi-annually to the Children's Bureau
- Use of an automated information system is not required.

Fiscal information

- Maintenance costs are based on the federal medical assistance percentage (FMAP) rate
 - Tribal FMAP Rates are between 50%-83%
 - Ute Tribe is at 83%
- Administrative costs are reimbursed at 50%
- Allowable training costs are reimbursed at 75%:
 - Long-term training for employees & persons preparing for employment
 - Short-term training for parents, court staff & others

Fiscal Information (con't)

- Title IV-E expenditures and matching
 - Tribes must provide match for non-Federal share of expenditures
 - Tribal share of match may come from other Federal sources if permitted by law
 - Tribal share of match may be in-kind from certain 3rd party sources – limited to match for administrative and training costs

Stephanie Tubbs Jones Title IV-B Subpart 1 Required

- Provides federal funds for a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families.
- We will discuss Title IV-B funding in more detail today.

PURPOSE OF IV-B PLAN

- Integrate programs that serve children and families into a continuum of services
- Plan comprehensively for a full array of child welfare services, from prevention through permanency.

Title IV-B Subparts 1 and 2: A Brief on Tribal Funding

What is it?

Flexible funding to Tribes (and States) for child welfare services and prevention activities

Who is eligible?

All Federally-recognized Tribes are eligible for Title IV-B Subpart 1;

Only Tribes with larger populations are eligible for \$10,000 or above may apply for Subpart 2 (list published annually by DHHS/ACF).

Tribes are eligible to apply and received funds, whether or not they take legal custody of Tribal children

Collaborating with Other Programs

- TANF
- Medicaid – all title IV-E eligible children are categorically eligible
- Child Support

Helpful Link:

- **Children's Bureau** - www.acf.hhs.gov/programs/cb/
- **Social Security Act**
 - Child Welfare Policy Manual
- **Tribal Title IV-E Program Considerations, Technical Assistance Document** – a technical assistance tool to use in considering how to plan for the resources, policies, and procedures needed to implement a direct title IV-E program.
- **Technical Assistance Listing**
- **Title IV-E Brochure (NRC)**
- **Grants.gov**



Thank you