

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
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	3. Originating Office: Children's Bureau	
	4. Key Words: Coronavirus Aid, Relief, and Economic Security Act (CARES Act); Title IV-B	

PROGRAM INSTRUCTION

TO: State, Tribal and Territorial Agencies Administering or Supervising the Administration of Title IV-B of the Social Security Act (the Act)

SUBJECT: Supplemental funding under Title IV-B, Subpart 1 of the Act to prevent, prepare for, or respond to, Coronavirus Disease 2019 (COVID-19).

LEGAL AND RELATED REFERENCES: Public Law 116-136, Title VIII of Division B of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), enacted March 27, 2020; Title IV-B, Subpart 1 of the Act.

PURPOSE: The purpose of this Program Instruction (PI) is to provide guidance to agencies administering title IV-B, subpart 1 of the Act (the Stephanie Tubbs Jones Child Welfare Services Program) on the supplemental fiscal year (FY) 2020 funding provided under the CARES Act. The PI provides information on the allowable use of the funding and actions states, territories and tribes must take to report on planned and actual use of the funds.

BACKGROUND: On March 27, 2020, the President signed into law the CARES Act, which provides emergency funding under numerous federal programs to respond to COVID-19. Title VIII of Division B of the CARES Act includes \$45 million in additional appropriations for title IV-B, subpart 1 of the Act. These funds are to be used by child welfare agencies to prevent, prepare for, and respond to, child welfare needs arising from the coronavirus pandemic.

INFORMATION ON CARES ACT SUPPLEMENTAL TITLE IV-B, SUBPART 1 FUNDING

Eligible Grantees: All States, territories and tribes approved to receive FY 2020 funding under title IV-B, subpart 1 of the Act (Stephanie Tubbs Jones Child Welfare Services Program) are eligible to receive these funds.

Supplemental allotments: The Administration for Children and Families issued the supplemental awards to all title IV-B grantees on **April 23, 2020**. Grants were awarded according to the statutory formula. Allotment amounts are provided in Attachment A.

Approved Activities: The supplemental title IV-B, subpart 1 funds provided under the CARES Act must be used to prevent, prepare for, or respond to, coronavirus in a manner consistent with the purposes of title IV-B, subpart 1, found in section 421 of the Act:

...to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by—

1. protecting and promoting the welfare of all children;
2. preventing the neglect, abuse, or exploitation of children
3. supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;
4. promoting the safety, permanence, and well-being of children in foster care and adoptive families; and
5. providing training, professional development and support to ensure a well-qualified child welfare workforce.

The CARES Act funding may also be used to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, prepare for, and respond to coronavirus prior to the date of enactment. (See additional information under Obligation/Liquidation Period below.)

It is important that title IV-B agencies use the supplemental funding to ensure the safety, permanency and well-being of children in families involved in the child welfare system during the COVID-19 pandemic. In particular, it is critical that child welfare personnel and service providers have the tools and equipment to be able safely visit children in their family environments and in their foster homes whenever possible, as well the technological supports to remain in contact remotely when that is not possible.

Examples of allowable use of funds include:

- Perform outreach to families, including foster parents and kinship caregivers, to share information and educational materials from the Centers for Disease Control and Prevention (CDC) and/or state public health agencies on how to prevent transmission of coronavirus or seek coronavirus testing.
- Strengthen partnerships with local and state public health authorities, and community-based organizations that may be able to offer support to at risk-families during the pandemic.
- Partner with community-based organizations to conduct outreach and offer services and supports to prevent child abuse and neglect.
- Offer services and supports to parents, kinship caregivers and at-risk youth to alleviate the effects of social isolation.

- Provide concrete assistance to families, such as purchasing food or arranging food delivery, obtaining household supplies, or paying utilities and rent. Agencies should be careful to ensure that such assistance is not duplicative of other assistance families may be receiving, including supplemental food and utility assistance that was provided by the CARES Act and other COVID-19 response legislation.
- Provide respite care services.
- Review, update, and/or implement the Child Welfare Services Disaster Plan submitted with the Child and Family Services Plan, to ensure that it has adequate procedures for maintaining contact with families and ensuring essential agency operations during the pandemic.
- Provide training to child welfare staff and managers on pertinent topics relating to working with children and families during the coronavirus pandemic.
- Enhance agency telecommunications hardware, software, and service infrastructure to support telework and remote participation by agency employees in caseworker visits, family team meetings, and court hearings. Examples of hardware to support activities include cell phones, tablets, and laptop computers. Examples of software include video conferencing applications, electronic case file applications, or systems for secure electronic document transmission. Services may include software subscription payments, internet service, or cell phone plans.
- Purchase cell phones, tablets, laptops, internet service, cell phone plans or other technological tools for families and youth to ensure that they are able to participate in remote visits, court hearings or access other needed services.
- Purchase personal protective equipment (PPE) for child protective service investigators and caseworkers to minimize exposure to coronavirus when conducting critical child protective service investigations or in-home caseworker visits.
- Identify, secure, staff, and monitor emergency placements for children in foster care who have been exposed to coronavirus.

These are just a few examples of allowable uses of funds. Agencies are free to use funds for other purposes that are consistent with title IV-B, subpart 1 purposes and that support efforts to prevent, prepare for, and respond to the coronavirus pandemic.

Obligation/Liquidation Period: The supplemental title IV-B, subpart 1 funding provided under the CARES Act must be obligated by September 30, 2021, and liquidated by December 30, 2021. These funds can be used to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, prepare for, and respond to, COVID-19 beginning January 20, 2020 and prior to the effective date of the Federal award.

Matching Requirements and Limitations: Funds for this program are awarded with a **100 percent** Federal Financial Participation (FFP) rate for program costs; therefore, no

match (non-federal share) is required to receive these supplemental title IV-B, subpart 1 CARES Act.¹

Use of Funds to Purchase Supplies and Equipment: Agencies that choose to use funds for purchase of supplies or equipment, such as cell phones or laptops, must meet specific conditions as outlined in 45 CFR Part 75 described below:

- Identify whether the purchase constitutes supplies or equipment pursuant to the applicable definitions at 45 CFR § 75.2.
- If classified as equipment, regulatory provisions regarding management, use, and disposal (discussed below) must be considered (45 CFR § 75.320).
- If classified as supplies, regulatory provisions regarding use and disposal must be considered (45 CFR § 75.321).
- Assure that any procurement meets applicable state/tribal policies and procedures used for procurements made with non-Federal funds (45 CFR § 75.326).
- Address whether use of the cell phones or other technological devices will continue to serve a program purpose over time and either recover or repurpose these devices when a program purpose is no longer served.
- Assure that purchase and operation costs are appropriately cost allocated to all benefiting programs pursuant to the applicable regulations at 45 CFR § 75.405 and § 75.453.

Used Equipment: When equipment funded by the Department of Health and Human Services (HHS) has reached the end of its useful life, the title IV-B agency may use the items in other activities funded by the original program or other HHS programs (see disposition rules for equipment at 45 CFR § 95.707 and § 75.320). Title IV-B agencies may dispose of this equipment by giving it to other children or youth in foster care, their parents or foster parents being served under title IV-B, or other federal child welfare programs, as deemed appropriate and beneficial.

Administrative Cost Limitation: Grantees may spend no more than 10 percent of the combined total federal funds received under this award (CARES Act) and the grantee's regular FY 2020 allotment under the title IV-B, subpart 1 program on administrative costs (section 424(e) of the Act).

Other Financial Limitations: States (including the District of Columbia, Puerto Rico and the U.S. Virgin Islands) may not spend more federal funds received under this award (CARES Act) and the grantee's regular FY 2020 allotment under title IV-B, subpart 1 combined for child care, foster care maintenance and adoption assistance payments than the state expended for those purposes in FY 2005 (section 424(c) of the Act). This financial limitation is not applicable to tribes or to insular areas that consolidate title IV-B funding.

¹ Any reduction in FFP applying to a state's regular allotment under title IV-B, subpart 1 for not meeting the caseworker visit standards, per section 424(f) of the Act, does not apply to the supplemental CARES Act title IV-B, subpart 1 award.

INSTRUCTIONS FOR REPORTING ON PLANNED AND ACTUAL USE OF CARES ACT FUNDS.

- *Narrative Report on Planned Use of CARES Act funding:* Each title IV-B agency receiving CARES Act funding must submit a brief narrative describing the agency's planned use of the supplemental title IV-B, subpart 1 funds provided through the CARES Act to respond to the coronavirus and ensure the provision of vital services to children and families. This narrative will serve as an update to agency's previously approved Child and Family Services Plan, requesting funds for FY 2020.

The Children's Bureau acknowledges that plans to use these funds may change over time to respond to changing community circumstances. Re-programming is allowable as long as activities supported by CARES Act funds continue to support in-scope, allowable expenses related to coronavirus prevention, preparation, and response activities, consistent with the terms and conditions of the award.

Submit the brief narrative by email to the appropriate Children's Bureau Regional Office (see Attachment C for list of Regional Program Managers) by July 10, 2020.

- *Progress Reporting:* Grantees will be required to provide an update on the use of funding and accomplishments as part of their regular Annual Progress and Services Reports (APSR) due June 30, 2021 and June 30, 2022. The Children's Bureau will provide additional information on how to report information in the APSR in future program instructions.
- *Financial Management and Reporting:* The supplemental title IV-B, subpart 1 CARES Act funding must be tracked and accounted for separately to ensure compliance with specific requirements and allowances of the CARES Act. Federal funds awarded under this grant must be expended for the purposes for which they were awarded and within the time period allotted.

Title IV-B agencies are required to submit an electronic SF-425 for the CARES Act funding through the Payment Management System (PMS). For more information on gaining access to and using the PMS system, please contact the PMS Help Desk at 1- 877-614-5533 or for more information see <https://pms.psc.gov>.

Title IV-B agencies must submit the SF-425 for expenditures under the CARES Act funding annually. Each report is due 90 days after the end of each federal fiscal year (i.e., by December 30, 2020 and December 30, 2021). A negative grant award will recoup any unobligated and/or unliquidated funds reported on the final SF-425 for the title IV-B CARES Act grant which will be due on December 30, 2021.

SPECIAL INSTRUCTIONS FOR INSULAR AREAS:

The U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands may submit consolidated grant applications in accordance with federal regulations at 45 CFR Part 97, allowing them to expend certain funds, including title IV-B of the Act, under the authority of another program that is available for consolidation.

The Virgin Islands has chosen to participate directly in the title IV-B program and has an approved Child and Family Services Plan. Therefore, the U.S. Virgin Islands should follow the instructions for states in the previous section.

Guam, American Samoa, and the Northern Mariana Islands have chosen to consolidate their allotments under title IV-B of the Act. In accordance with this election, ACF has awarded the supplemental title IV-B, subpart 1 funding provided under the CARES Act to the consolidated grant of each of these insular areas. However, insular areas must make assurances that the CARES Act title IV-B funding will be accounted for separately, and be used to prevent, prepare for or respond to coronavirus.

The insular areas that consolidate title IV-B funding (i.e., Guam, American Samoa, and the Northern Mariana Islands) must submit an assurance signed by the governor’s authorized representative. (See Attachment B.) This assurance must be submitted to the Children’s Bureau’s Region 9 office by July 10, 2020.

Paperwork Reduction Act:

Under the Paperwork Reduction Act of 1995 (P.L. 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The Control Number for this OMB approved information collection is 0970-0426, approved through January 31, 2021.

Inquiries To: Children’s Bureau Regional Program Managers

/s/

Elizabeth Darling
Commissioner
Administration on Children, Youth
and Families

Attachment A: Title IV-B, Subpart 1 CARES Act Supplemental Allotments

Attachment B: Assurance Form for Insular Areas

Attachment C: Children’s Bureau Regional Program Managers

Additional Resources on Coronavirus and Guidance for Child Welfare Agencies:

Children's Bureau:

<https://www.acf.hhs.gov/cb/resource/covid-19-resources>

Centers for Disease Control and Prevention:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>