

## **THE SUPPORTING STATEMENT**

### **Specific Instructions**

**Please do not remove or alter the headings below**

#### **A. Justification**

##### **1. Circumstances Making the Collection of Information Necessary**

This supporting statement is for the Child and Family Services Plan (CFSP), Annual Progress and Services Report (APSR), the CFS-101, Parts I, II and III, and caseworker visit data. This information collection requirement incorporates many reporting requirements established by various statutes, as discussed below. Federal regulations implementing the CFSP, APSR, and CFS-101 are codified at 45 CFR 1357.15.

States, Territories, and Tribes are required to submit the CFSP, APSR, and CFS-101's in order to receive funding under title IV-B, subparts 1 and/or 2 (section 422 of title IV-B, subpart 1 [42 U.S.C. 622] and section 432 of title IV-B, subpart 2 [42 U.S.C. 629b] of the Social Security Act (the Act,) respectively.)

A title IV-B reporting requirement for States, established by The Child and Family Services Act of 2006 (P.L.109-288, codified at section 424(e) of the Act,) requires States to collect and report caseworker visit data for children under the care and responsibility of the State. The legislation requires States to report (1) the percentage of children in foster care under the responsibility of the State who were visited on a monthly basis by the caseworker handling the case of the child; and (2) the percentage of the visits that occurred in the residence of the child. States are also required to establish annual targets for each fiscal year and to outline the steps to be taken to ensure, by October 1, 2011, that 90 percent of children are visited on a monthly basis and that they majority of visits occur in the child's home.

States and Tribes, as applicable, that receive funding through the Child Abuse Prevention and Treatment Act (CAPTA) Chafee Foster Care Independence Program (CFCIP), and/or the Chafee Education and Training Vouchers (ETV) have additional reporting requirements that are incorporated into the CFSP, APSR, and CFS-101's to ease the collection burden on States. Tribes are not eligible to receive funding under CAPTA and, therefore, do not have to meet its reporting requirements.

The CAPTA Reauthorization Act of 2010 (Public Law 111-320) changed the requirements that States must meet to receive funding through the CAPTA State grant program for child abuse and neglect prevention and treatment services. States are no longer required to submit a CAPTA State Program Plan every five years but instead the new law allows States to submit one plan that will remain in effect for the duration of the State's participation in the grant program. The CAPTA Reauthorization Act of 2010 still mandates that the CAPTA plan be coordinated "to the maximum extent practicable" with the title IV-B State Plan (section 106(b)(2)(A) of the CAPTA, as amended). States are still required prepare and submit an annual report describing how the funds provided under CAPTA were used to address the purpose and achieve the objectives of the grant program (section 108(e)).

In addition, Section 477 of title IV-E of the Social Security Act [42 U.S.C. 677], authorizing the CFCIP and ETV, requires the submission of a State/Tribal program plan every five years describing how the State/Tribe intends to “design and deliver programs to achieve the purposes of the section” (Section 477(b) of the Act).

In order to help States/Tribe plan comprehensively for the full array of child welfare services and minimize the collection burden. Applicants (States and Tribes, as applicable) are required to report on the progress in achieving stated goals and service delivery under title IV-B, CAPTA, CFCIP, and ETV in the CFSP and APSR (45 CFR 1355.15(a)). The CFSP and the CAPTA plans were consolidated in FY 2000 and the Chafee Foster Care Independence Program (CFCIP) was incorporated in the CFSP beginning in FY 2001. ETV was added in FY 2004. The five-year CAPTA Plan will no longer be required as part of the CFSP submission, but information will continued to be collected in the APSR.

The caseworker visit data requirement was added in 2007. The Children's Bureau believes this approach reduces the burden on the State by allowing the State to submit one plan and to submit all plans on the same schedule. This approach encourages comprehensive planning and service delivery to children being served by the State’s child welfare system.

## 2. Purpose and Use of the Information Collection

The CFSP and APSR are designed to guide the improvement of States’ and Tribes’ child welfare services, as well as to provide a single reporting mechanism for the many Federal program areas. States and Tribes submit a CFSP once every five years and the APSR in each of the interim years. The CFS-101’s are submitted every year, as required. The CFSP contains the goals and objectives that States and Tribes intend to achieve during the five years and a strategic plan with tasks for each year. The CFSP also provides an update on the current year and acts as a final report for the previous five year period. The APSR provides updates on the progress the State or Tribe is making in meeting its goals and objectives and details any necessary changes to the plan for the next fiscal year. States are also required to outline in the APSR targets for improvement relating to caseworker visits and the steps to be taken to ensure, by October 1, 2011, that 90 percent of children are visited on a monthly basis and that they majority of visits occur in the child’s home.

States and Tribes must submit a CFSP/APSR with all applicable requirements met in order to receive funding under title IV-B, subparts 1 and/or 2. In addition, States’ CFSP/APSR must include CAPTA, CFCIP, and ETV reporting requirements in order to receive funding under those program areas. Also, States must meet the caseworker visit reporting requirements in order to receive the full 75 percent Federal match available under title IV-B, subpart 1. However, funding for one program area is not impacted by the approval or disapproval of the plan for the other programs.

The CFSP and APSR are also used by agencies, organizations, and others with whom the State and the Tribes coordinate services to achieve goals and objectives in the plan. The Children's Bureau Regional Offices use the information as a basis for providing support and technical

assistance to States and Tribes. The caseworker visit data is a required component of an Annual Child Welfare Outcomes report to Congress (section 479A(5) of the Act).

The ACF grants management office uses the CFS-101's to track and allocate funding to States and Tribes. The CFS-101, Part I is the annual budget request for all program areas. States and Tribes may also use this form to request additional funds or to return unneeded portions of its allocation, which is then re-allocated to other grantees. The CFS-101, Part II is a summary of the estimated expenditures from each program area for each service or activity, as well as the projected number, population, and geographical areas to be served with the upcoming year's budget request. The CFS-101, Part III is an annual summary of the estimated and actual expenditures for the most recently completed fiscal year. The form also includes estimated number, population, and geographical areas served for the completed fiscal year. ACF is required to compile the CFS-101 reports and to submit the compilation to the Congress each year (section 432(c) of the Act).

The Children's Bureau also responds to requests for information from the Government Accountability Office (GAO), Congress, and other entities on the types of services States and Tribes are providing, the amount of funds they are expending in various areas, and on the type of initiatives they are implemented using title IV-B, CAPTA, CFCIP, and ETV funds.

### 3. Use of Improved Information Technology and Burden Reduction

The Children's Bureau allows the States and Tribes to submit the CFSP/APSR in Word format. The CFS-101 portion of the submission requires a signed paper or electronic PDF copy with signature. In collecting the caseworker visit data, States with an automated case management system were encouraged to pull data directly from the database when feasible. Overall, there is no automated collection technique possible as the majority of the information collected in the CFSP/APSR is narrative text.

### 4. Efforts to Identify Duplication and Use of Similar Information

The CFSP/APSR consolidates the reporting requirements of title IV-B, subparts 1 and 2, CAPTA, CFCIP, and ETV into one document and one reporting cycle, reducing the duplication of data collection efforts. There are similarities between Child and Family Service Review (CFSR) processes including assessment information collected, caseworker visit data, and requirements for coordination with stakeholders. In order to avoid redundant reporting, States are encouraged to use the information required by the CFSR in the CFSP, where appropriate.

### 5. Impact on Small Businesses or Other Small Entities

The collection of information is restricted to States and Tribes as only States and Tribes are eligible to apply for Federal funds under these program areas. This information collection requirement has been held to the absolute minimum required to meet the statutory and regulatory requirements to receive funding under title IV-B, CAPTA, CFCIP, and ETV.

In addition, for information collection from Tribes, ACF has waived certain requirements and reduced the scope of other title IV-B reporting requirements in order to minimize the burden. (See 45 CFR 1357.15, 1357.40, and 1357.50 for more information.)

#### 6. Consequences of Collecting the Information Less Frequently

The submission of the CFSP, APSR, and CFS-101's are required prior to awarding Federal funding as mandated by statute and regulation. If the collection is not conducted or conducted less frequently, the consequence to Federal program or policy activities is that funds would not be able to be awarded to States and Tribes. Without funds, States and Tribes would not be able to provide needed services to the populations, as required by law. This collection burden can only be eliminated as a result of a legislative change.

#### 7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

There are no special circumstances required in the collection of this information in a manner other than required by OMB.

#### 8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

ACF published a notice in the Federal Register according to the requirements in 5 CFR 1320.8(d) on November 12, 2010. The citation for this notice is 75 FR 69446. One comment was received by the Children's Bureau with respect to the requirement to report caseworker visit data. The first part of the comment was in response to the due date of the caseworker visit data. Caseworker data is reported for the Federal fiscal year, from October 1 to September 30. States are asked to report the data by December 15, 76 days after the close of the fiscal year. The commenter recommended that the data submission date be set 90 days after the close of the fiscal year. The Children's Bureau has found that most States are able to meet the current due date. In instances where a State reports that it is unable to meet the date, extensions have been granted. Therefore, we have determined that no further adjustment in the due date is warranted, as adjustments can be made on a case-by-case basis, as needed.

The commenter also addressed the method to determine compliance with caseworker visits. In implementing the statutory requirement to collect the data, the Children's Bureau determined that the requirement relating to monthly visits applies to all children considered to be in foster care. Therefore, in measuring performance, the State's record in visiting all children in foster care must be considered -- including, for instance, children who are placed out of State or children who have run away from the foster home in which they were placed. Further, in calculating the percentage of children in foster care who received a monthly caseworker visit, only those children who were visited in person each and every calendar month that they were in foster care during the fiscal year may be counted as meeting the requirement. While recognizing the high standard it presents, the Children's Bureau has determined that the interpretation is consistent with both the letter and spirit of the law that intends for each child in foster care to be visited by his or her caseworker at least once a month. Therefore, we are unable to make a change in response to the comment.

The commenter also addressed the financial burden hours associated with caseworker visits. The comment stated that it was unable to verify the burden estimate associated with the caseworker visit data. Since the comment offered no alternative estimate, no change was made in response to this comment.

9. Explanation of Any Payment or Gift to Respondents

No payment or gifts will be provided to any respondents.

10. Assurance of Confidentiality Provided to Respondents

Data and information in the applications are not confidential. States and Tribes are to make public both the CFSP and APSR (45 CFR 1357.15(v)). The CFS-101's and the caseworker visit data are required to be included in reports to Congress (section 432(c) and section 479A(5) of the Act, respectively.)

11. Justification for Sensitive Questions

There are no questions of a sensitive nature in the application requirements.

12. Estimates of Annualized Burden Hours and Costs

ANNUAL BURDEN ESTIMATES

Instrument	Number of Respondents`	Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours
APSR	232	1	76.58	17,766.56
CFSP	46	1	120.25	5,579.6
CFS-101	232	1	4.38	1,016.16
Caseworker Visits	52	1	99.33	5,165.16
Estimated Total Annual Hours				29,527.48

The information collection burden hours listed above are estimates. The CFSP is submitted once every five years therefore, the total CFSP hour burden is divided by five (5,580 hours). The APSR, the CFS-101, and the caseworker visit data are submitted annually. The estimated information collection burden is based on the estimated time that States and Tribes need to complete the reporting requirements multiplied by the number of States and Tribes eligible to receive funding under the different program areas.

The estimated total annual cost of the CFSP is \$167,400 (5,580 hours at \$30/hour.) The estimated total annual cost of the APSR is \$533,010 (17,767 hours at \$30/hour.) The estimated

total annual cost of the CFS-101 is \$30,510 (1,017 hours at \$30/hour.) The estimated total annual cost of the caseworker visit data is \$154,950 (5,165 hours at \$30/hour.)

### 13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There is no annual cost burden associated with these information collection instruments.

### 14. Annualized Cost to the Federal Government

There are no additional costs to the Federal government.

### 15. Explanation for Program Changes or Adjustments

The annual burden estimate for the CFSP/APSR reflects a program change and is a result of deliberate government action. There is a slight increase in the average burden hours per response in the CFSP/APSR from what was previously reported. Public Law 110-351, The Fostering Connections to Success and Increasing Adoptions Act of 2008, added a requirement for States and Tribes to develop a plan for ongoing oversight and coordination of health care services for children in foster care. The health care oversight and coordination plan is due with the CFSP and updates are required in the APSR. Therefore, the burden estimate for the CFSP has been increased by 10 hours as an estimate of how long it will take to complete the plan for ongoing health care oversight and coordination plan. The burden estimate for the APSR has also been increased by 2 hours to reflect how long it will take to update the plan requirement annually.

An adjustment was made to the number of CFSP, APSR, and CFS-101 respondents. This is not a result of a program change, but a more accurate number of respondents for the CFSP, APSR, and CFS-101. The adjusted number of respondents better reflects the number of Tribes responsible for completing the CFSP, APSR, and CFS-101. The estimated number of Tribal respondents has been decreased to 180. There are still 52 State and territory respondents. The new number of respondents is 232 State, Tribes, and territories, a significant decrease.

### 16. Plans for Tabulation and Publication and Project Time Schedule

Most information collected is not published by the Federal government. Basic tabulations will be conducted on the caseworker visit data for the Annual Child Welfare Outcomes Report to Congress. There is no end date for the collection of data.

### 17. Reason(s) Display of OMB Expiration Date is Inappropriate

The Department will display the expiration date on the Program Instruction to the States and Tribes describing the information collection requirements. The expiration date will also appear on the CFS-101 forms.

#### 18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.