

## GRANTS TO STATES FOR ACCESS AND VISITATION PROGRAMS

### Sec. 469B. [42 U.S.C. 669b]

(a) In General—The Administration for Children and Families shall make grants under this section to enable States to establish and administer programs to support and facilitate noncustodial parents' access to and visitation of their children, by means of activities including mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision and neutral dropoff and pickup), and development of guidelines for visitation and alternative custody arrangements.

(b) Amount of Grant—The amount of the grant to be made to a State under this section for a fiscal year shall be an amount equal to the lesser of—

1. 90 percent of State expenditures during the fiscal year for activities described in subsection (a); or
2. the allotment of the State under subsection (c) for the fiscal year.

(c) Allotments to States—

1. In general—The allotment of a State for a fiscal year is the amount that bears the same ratio to \$10,000,000 for grants under this section for the fiscal year as the number of children in the State living with only 1 biological parent bears to the total number of such children in all States.
2. Minimum allotment—The Administration for Children and Families shall adjust allotments to States under paragraph (1) as necessary to ensure that no State is allotted less than—

(A) \$50,000 for fiscal year 1997 or 1998; or

(B) \$100,000 for any succeeding fiscal year.

(d) No Supplantation of State Expenditures for Similar Activities—A State to which a grant is made under this section may not use the grant to supplant expenditures by the State for activities specified in subsection (a), but shall use the grant to supplement such expenditures at a level at least equal to the level of such expenditures for fiscal year 1995.

(e) State Administration—Each State to which a grant is made under this section—

1. May administer State programs funded with the grant directly or through grants to or contracts with courts, local public agencies, or nonprofit private entities;
2. Shall not be required to operate such programs on a statewide basis; and
3. Shall monitor, evaluate, and report on such programs in accordance with regulations prescribed by the Secretary.

## 45 CFR Part 303

### PART 303--STANDARDS FOR PROGRAM OPERATIONS

Section 303.109 (a) *Monitoring.* The State must monitor all programs funded under Grants to States for Access and Visitation Programs to ensure that the programs are providing services authorized in section 469B(a) of the Act, are being conducted in an effective and efficient manner, are complying with Federal evaluation and reporting requirements, and contain safeguards to insure the safety of parents and children.

*Evaluation.* The State:

- Section 303.109 (b)
1. May evaluate all programs funded under Grants to States for Access and Visitation Programs;
  2. Must assist in the evaluation of significant or promising projects as determined by the Secretary;

*Reporting.* The State must:

- Section 303.109 (c)
1. Report a detailed description of each program funded, providing the following information, as appropriate: service providers and administrators, service area (rural/urban), population served (income, race, marital status), program goals, application or referral process (including referral sources), voluntary or mandatory nature of the programs, types of activities, and length and features of a completed program;
  2. Report data including: the number of applicants/referrals for each program, the total number of participating individuals, and the number of persons who have completed program requirements by authorized activities (mediation--voluntary and mandatory, counseling, education, development of parenting plans, visitation enforcement--including monitoring, supervision and neutral. drop-off and pickup) and development of guidelines for visitation and alternative custody arrangements; and
  3. Report the information required in paragraphs (c)(1) and (c)(2) of this section annually, at such time, and in such form, as the Secretary may require.