

Title IV-E Tribal-State Agreement Evaluation

Formative Data Collections for ACF Program Support

0970 – 0531

Supporting Statement

Part A – Justification

SEPTEMBER 2022

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Children's Bureau
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A1. Necessity for the Data Collection

The Administration for Children and Families (ACF) at the U.S. Department of Health and Human Services (HHS) seeks approval for a study to provide information about the current landscape of Title IV-E Tribal-state agreements.

Background

- Federally recognized Tribes have been able to access Title IV-E foster care funding directly from the federal government since 2008, with the passage of the Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351). However, since that time, fewer than 20 Tribes have been able to access these funds due to strict program requirements. Another mechanism available for Tribes to access Title IV-E funding is the Tribal-state Title IV-E passthrough agreement. There have been very few studies conducted that have examined Tribes' access to Title IV-E funding or systematically analyzed the components of passthrough agreements, and there is a gap in knowledge regarding the experience of Tribes who operate under IV-E passthrough agreements with their states. In 2010, the National Resource Center for Tribes conducted a study that found that fewer than 50% of IV-B funded Tribes had a formal agreement with their state to access IV-E funding, and fewer than half of those with formal agreements in place reported that it met the needs of their tribal child welfare programs.
- In 2018, the Capacity Building Center for Tribes conducted a study of Tribes with IV-E planning grants and found that a majority of tribal grantees were unable to develop an approved IV-E plan within the 18-month time period.

Tribal-state IV-E agreements are developed to help Tribal nations access available funds under the Social Security Act, for the purposes of promoting strong and thriving Native families and communities. The Children's Bureau recognizes a gap in their knowledge base in regard to existing Tribal-state agreements nationwide. No systematic analysis of the number and quality of tribal-state agreements has been conducted since the 2010 study. In addition, information and findings related to tribal-state collaborations and from implementation of smaller initiatives to build tribal-state partnerships are scattered across many informal sources, and have not been systematically compiled for tribal programs, technical assistance providers, and researchers to use.

This lack of information has made it challenging for the ACF Children's Bureau to support Tribes as they seek to increase capacity for their Tribal Child Welfare programs through expanded access to IV-E funding streams, which has resulted in decreased ability for eligible Tribes to apply for and access funds. To mitigate these challenges, the Children's Bureau proposes to collect information to examine the current state of agreements to better understand the facilitators and barriers to Title IV-E funding that Tribes may experience. This work will be completed by the Capacity Building Center for Tribes, which provides training and technical assistance (T/TA) to Tribes to increase capacity within their Tribal Child Welfare systems through a grant managed by the Children's Bureau. The Capacity Building Center for Tribes will

be supported by the Butler Institute for Families (Butler Institute) under a contract to the Children's Bureau.

Legal or Administrative Requirements that Necessitate the Collection

There are no known legal or administrative requirements that necessitate the collection, ACF is undertaking the collection at the discretion of the agency.

A2. Purpose of Survey and Data Collection Procedures

Overview of Purpose and Approach

The purpose of this formative evaluation is to gather information about Tribal-State IV-E agreements to understand the scope and scale of funding for Tribal child welfare programs nationally. This includes identifying promising practices and strategies that are helpful to Tribes as they seek to access IV-E funding and will highlight needs and strengths within this area.

The study will result in increased understanding of the needs of Tribes who wish to create collaborative partnerships and/or Title IV-E agreements with their respective states. The information collected will inform Children's Bureau's support of Tribes in this area. Specifically, the Children's Bureau will be able share information with Tribes and states who wish to adapt and implement strategies and interventions that have been shown to be promising in other jurisdictions and to inform the creation of resources to help TA providers develop effective supports.

A major goal of this work is to enhance tribal-state partnerships that result in Tribes having greater access to Title IV-E resources to operate their own child welfare programs, improved Indian Child Welfare Act (ICWA) compliance by states, and fewer Native children in state custody. This will lead to enhanced delivery of T/TA to help Tribes negotiate, implement, and maintain Title IV-E passthrough agreements by obtaining feedback from Tribes about best practices and needed supports. This will in turn increase the Children's Bureau's understanding of and ability to support Tribes as they operate under these agreements.

This proposed information collection meets the following goals of ACF's generic clearance for formative data collections for program support (0970-0531):

- Delivery of T/TA related to program implementation and grantee processes.
- Planning for provision of programmatic T/TA.
- Obtaining feedback about practices to inform ACF program support.
- Development of learning agendas.

Research Questions

1. What is the current landscape of Tribal-State agreements for IV-E funds?

- a. What are common elements and unique differences of these agreements?
- b. What are the barriers to Tribes establishing IV-E agreements with their states?

- c. How do tribal/state relationships affect the negotiation and implementation of the agreement?
 - i. What is the effect on Tribal/state relationships?
 - d. What information is available to tribes as they negotiate and/or implement their agreements?
- 2. To what extent do these agreements support Tribes in building and sustaining their child welfare programs?**
- e. How are these agreements operationalized in practice?
 - i. What are the challenges as Tribes implement and sustain their agreements?
 - f. How is IV-E funding impacting Tribes and their communities?
 - ii. How is the agreement working well?
 - iii. How could it be improved?
- 3. What are some promising practices and strategies that can serve as models for other Tribal-State IV-E agreements?**
- g. What factors within each Tribe (e.g., beliefs, customs, history, relationships, community partners, and/or capacity) have helped to make their agreements effective?
 - h. What is most important to each Tribal community within the agreement?
 - i. What contributions have states made to effective implementation of agreements?

Study Design

To inform their work and to better understand the landscape of Tribal-state IV-E funding, the Children’s Bureau has requested that the Butler Institute evaluate existing agreements as follows:

A single quantitative online survey (see Instrument 1: Title IV-E Tribal State IV-E Survey), will be sent to Tribal Child Welfare representatives, within all Tribes that currently operate under a Tribal-state IV-E agreement (approximately 98 Tribes). The primary respondents will be Tribal Child Welfare Directors and associated Tribal staff members with working knowledge of their Tribe’s passthrough agreements.

Participants within this sample will receive an invitation via email to complete the survey, which will be delivered electronically via Qualtrics. The survey consists of 27 multiple choice and open-ended questions for mixed methods data collection. These questions will focus on how well the tribe feels each agreement is working, specific elements that are of interest, and suggestions for improvement. Participants with Tribal-state IV-E agreements will be recruited via The Capacity Building Center for Tribes universal email listservs and through the Children’s Bureau Regional Officer emails to their regional lists. Participation is voluntary and each Tribe will provide one response.

All data from the mixed methods analysis will be coded and synthesized in quantitative and qualitative software, which may include but is not limited to SPSS and Atlas.ti. The results will be shared in a report sent to the Children’s Bureau, with information on lived experience and promising practices/strategies utilized by Tribes with strong Tribal-state agreements. The

Children’s Bureau will use this information internally and may share with Tribes in their respective regions. The Butler Institute will not publish or share the report externally except as requested by the Children’s Bureau, which may choose to share the report with the 10 ACF regional offices and potentially on resources such as the Tribal Information Exchange (TIE) website, hosted and created by the Capacity Building Center for Tribes.

A3. Improved Information Technology to Reduce Burden

Our survey will be delivered via the Qualtrics platform. Qualtrics provides an efficient method of survey administration and delivery which allows participants to respond automatically using either a computing platform or cell phone to respond.

A4. Efforts to Identify Duplication

As noted in section A1 of this document, there are no current research projects or activities that are analyzing this topic. The most recent information available was collected a decade ago, and many changes have occurred in Tribal-state relationships since then. As an example, some Tribes may have discontinued their agreements or renegotiated terms, all of which leads to the necessity of updating the knowledge base focused on IV-E agreements.

A5. Involvement of Small Organizations

Some of the Tribal respondents may be part of smaller Nations, or work within smaller Tribal Child Welfare departments. To minimize burden, we have limited the amount of time required to approximately 10 minutes to complete the survey. Also, participation is voluntary.

A6. Consequences of Less Frequent Data Collection

This is a one-time data collection. Not collecting this data could result in lack of support for Tribes due to lack of understanding of the current landscape in this area and will hinder the Children’s Bureau’s ability to provide TA to Tribes who are negotiating or maintaining these agreements. As a result, Tribes could remain underfunded in their quest to reunify and strengthen Native families and communities, due to limited access to funding that would otherwise be available to them through Title IV-E.

A7. Special Circumstances

There are no special circumstances for the proposed data collection efforts.

A8. Federal Register Notice and Consultation

Federal Register Notice and Comments

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection request to extend approval of the umbrella generic with minor changes. The notice was published on January 28, 2022, (87 FR 4603), and provided a sixty-day period for public comment. ACF did not receive any comments on the first notice. A second notice was published, allowing a thirty-day period for public comment, in conjunction with submission of the request to OMB. ACF did not receive any comments on the second notice.

Consultation with Outside Experts

To design this study, multiple outside agencies were consulted with experience in Tribal Child Welfare, state and judicial administration, and Indigenous initiatives. These included Casey Family Programs, the National Indian Child Welfare Association (NICWA), among others.

Once the survey administration begins, Center evaluators do not intend to seek consultation outside of the study.

A9. Tokens of Appreciation for Respondents

Tokens of appreciation, in the amount of \$30, will be distributed to each survey respondent via email, using electronic gift cards. This proposal is intended to address three primary goals.

1. **We wish to honor the cultural methods of our participants to ensure equitable and ethical methodology.** Offering a token of appreciation reflects the Native value of reciprocity and Indigenous ways of being, and thus represents best-practice ethics in research with Indigenous communities. Gifts as appreciation are an important part of working within Native communities, as a way to honor the contributions of others and to build trust (McLay, 2021)¹. As noted by Lee (2020)², the practice of data collection is itself a form of socially regulated gift giving, which first must acknowledge the importance of the respondent's contribution, and thus creates a need for reciprocal tokens of appreciation from the researcher. Wells (1999)³ and Kimmerer (2015)⁴ highlights the reciprocal nature of the gift through "circle giving" which benefits both the giver and the receiver in a continuous cycle. As noted by Berry (2000)⁵, it is a great honor to receive in

¹ McLay, K. (2021, August 17). Cultural gives from indigenous and Native American cultures. 365Give. Retrieved November 1, 2022, from <https://www.365give.ca/cultural-gives-from-indigenous-and-native-american-cultures/>

² Lee S. S. (2021). Obligations of the "Gift": Reciprocity and Responsibility in Precision Medicine. *The American journal of bioethics: AJOB*, 21(4), 57–66. <https://doi.org/10.1080/15265161.2020.1851813>

³ Wells, R. A. (1999). *The honor of giving: Philanthropy in Native America*. Indianapolis: The Indiana University Center on Philanthropy.

⁴ Kimmerer, R. W. (2015). *Braiding Sweetgrass*. Minneapolis: Milkweed Editions.

⁵ Berry, M. (2000). "Native American Philanthropy: Expanding Social Participation and Self-Determination." In *Cultures of Caring: Philanthropy in Diverse American Communities*, 29-105. Washington, DC: Council on

Native cultures, which then leads to an obligation on the part of the receiver to give back (Bruchac, 2016)⁶. By engaging in this type of reciprocal and shared benefit, researchers can ensure ethical methodology that honors Indigenous ways, and moves away from historically extractive and exploitative approaches used by previous Western researchers (Pacheco et al., 2013).⁷ We will also share our findings with participants as an additional form of reciprocity and ethical research methodology.

Further, we acknowledge that we are asking Tribal Child Welfare staff (who are employed by a sovereign nation) for something of value to them (information). Tokens of appreciation recognize the value of our Tribal research participants' unique knowledge that cannot be obtained in other ways. It is important that we then give back to our respondents in recognition that this unique data could not have been obtained without their participation; providing a token of appreciation represents one pathway to meeting this requirement.

- 2. For our research to meet a 90% confidence level of validity with a 10% margin of error, we will require 40 responses out of 98 participants. Offering tokens of appreciation would allow us to build a sufficient sample to meet this standard.** Prior research has demonstrated that the use of tokens of appreciation is a significant and effective tool to improve participant recruitment and does not contribute to undue influence on the respondent (Halpern et al., 2021; Yu et al, 2017; David & Ware, 2014).⁸
^{9 10} At the Butler Institute, we have found that the use of tokens of appreciation positively impacts participation in our research with Indigenous communities. Within the literature, tokens of appreciation have been found to increase response rates with participants, with a particular focus on Native American populations (Beebe et al., 2005; Whitewater et al.,

Foundations.

⁶ Bruchac, J. (2016, June 21). Sacred giving, sacred receiving, by Joseph Bruchac: Parabola essay. PARABOLA. Retrieved November 1, 2022, from <https://parabola.org/2016/06/20/sacred-giving-sacred-receiving-by-joseph-bruchac/>

⁷ Pacheco, C. M., Daley, S. M., Brown, T., Filippi, M., Greiner, K. A., & Daley, C. M. (2013). Moving forward: breaking the cycle of mistrust between American Indians and researchers. *American journal of public health, 103*(12), 2152–2159. <https://doi.org/10.2105/AJPH.2013.301480>

⁸ Halpern, S. D., Chowdhury, M., Bayes, B., Cooney, E., Hitsman, B. L., Schnoll, R. A., Lubitz, S. F., Reyes, C., Patel, M. S., Greysen, S. R., Mercede, A., Reale, C., Barg, F. K., Volpp, K. G., Karlawish, J., & Stephens-Shields, A. J. (2021). Effectiveness and Ethics of Incentives for Research Participation: 2 Randomized Clinical Trials. *JAMA internal medicine, 181*(11), 1479–1488. <https://doi.org/10.1001/jamainternmed.2021.5450>

⁹ Yu, S., Alper, H. E., Nguyen, A. M., Brackbill, R. M., Turner, L., Walker, D. J., Maslow, C. B., & Zweig, K. C. (2017). The effectiveness of a monetary incentive offer on survey response rates and response completeness in a longitudinal study. *BMC Medical Research Methodology, 17*(1), 77–77. <https://doi.org/10.1186/s12874-017-0353-1>.

¹⁰ David, M. C., & Ware, R. S. (2014). Meta-analysis of randomized controlled trials supports the use of incentives for inducing response to electronic health surveys. *Journal of clinical epidemiology, 67*(11), 1210–1221. <https://doi.org/10.1016/j.jclinepi.2014.08.001>

2016, Stevens et al., 2020)^{11 12 13} and participants of color in survey research (Perez et al., 2013).¹⁴

There have been little to no informative studies conducted on Tribal-state IV-E agreements from a Tribe's perspective within the last decade, meaning that this research will have particular resonance and importance as a tool to improve and inform TA delivery in this area. As such, it will be imperative to obtain sufficient results that allow for a diverse response set. We are working with a select group of possible respondents (e.g., only 98 Tribes nationally, which represents our entire research population), and it is critical to our study that we gain insight from this group. As noted by Smith et al. (2019)¹⁵, non-response reduces effective sample sizes and decreases representativeness of the study population, meaning that high response rates are needed to minimize the risk of bias. Tokens of appreciation would help encourage a response from our limited participant pool to promote research validity.

- 3. Our participants (Tribal Child Welfare staff) represent a workforce that is often faced with time-limited availability, competing demands, and high workloads; providing a token of appreciation would help honor their efforts in sharing their knowledge with us.** We recognize that Tribal Child Welfare staff who hold this knowledge often have limited time and resources, and research participation adds to their workload. Prior studies have shown that child welfare as a field is highly stressful, emotionally demanding, and related to burnout (McFadden et al., 2015).¹⁶ Considering these work realities, a token of appreciation would help honor their participation and sharing their knowledge with us, and could effectively encourage participation from a diverse group of respondents, even for those with challenging workloads and limited availability.

¹¹ Beebe, T. J., Davern, M. E., McAlpine, D. D., Call, K. T., & Rockwood, T. H. (2005). Increasing Response Rates in a Survey of Medicaid Enrollees: The Effect of a Prepaid Monetary Incentive and Mixed Modes (Mail and Telephone). *Medical Care*, 43(4), 411–414. <http://www.jstor.org/stable/3768443>

¹² Whitewater, S., Reinschmidt, K. M., Kahn, C., Attakai, A., & Teufel-Shone, N. I. (2016). Flexible Roles for American Indian Elders in Community-Based Participatory Research. *Preventing chronic disease*, 13, E72. <https://doi.org/10.5888/pcd13.150575>

¹³ Stephens, D., Peterson, R., Singer, M., Johnson, J., Rushing, S. C., & Kelley, A. (2020). Recruiting and Engaging American Indian and Alaska Native Teens and Young Adults in a SMS Help-Seeking Intervention: Lessons Learned from the BRAVE Study. *International Journal of Environmental Research and Public Health*, 17(24), 9437. MDPI AG. Retrieved from <http://dx.doi.org/10.3390/ijerph172494>

¹⁴ Perez, D. F., Nie, J. X., Ardern, C. I., Radhu, N., & Ritvo, P. (2013). Impact of participant incentives and direct and snowball sampling on survey response rate in an ethnically diverse community: results from a pilot study of physical activity and the built environment. *Journal of immigrant and minority health*, 15(1), 207–214. <https://doi.org/10.1007/s10903-011-9525-y>

¹⁵ Smith, M.G., Witte, M., Rocha, S. *et al.* Effectiveness of incentives and follow-up on increasing survey response rates and participation in field studies. *BMC Med Res Methodology* 19, 230 (2019). <https://doi.org/10.1186/s12874-019-0868-8>

¹⁶ McFadden, P., Campbell, A., & Taylor, B. (2015). Resilience and Burnout in Child protection social work: Individual and organisational themes from a systematic literature review. *British Journal of Social Work*, 45(5), 1546-1563. <https://doi.org/10.1093/bjsw/bct210>

Lastly, the value of tokens of appreciation for our research is in line with guidelines from the Substance Abuse and Mental Health Services Administration (SAMHSA), which suggests amounts up to \$30 for research participation.¹⁷ The Butler Institute follows these guidelines as the basis for our proposal. As noted, we will require 40 responses to obtain our statistical validity goals. To encourage survey responses within our limited research population, we are suggesting to offer \$30 to increase response rates; as noted by Stanley et al. (2020), offering larger incentives (e.g., \$35 vs. \$25) was found to increase the likelihood of participation, with negligible impact on the quality of data collected.

A10. Privacy of Respondents

Information collected will be kept private to the extent permitted by law. Respondents will be informed of all planned uses of data, that their participation is voluntary, and that their information will be kept private to the extent permitted by law.

As specified in the contract, the Butler Institute shall protect respondent privacy to the extent permitted by law and will comply with all Federal and Departmental regulations for private information. The Butler Institute has implemented a data safety and monitoring plan that allows for secure file storage and assesses all protections of respondents' personally identifiable information. The Butler Institute shall ensure that all its employees, subcontractors (at all tiers), and employees of each subcontractor, who perform work under this contract/subcontract, are trained on data privacy issues and comply with the above requirements. Further, all Butler Institute evaluators are required to complete Collaborative Institutional Training Initiative (CITI Program) training on ethical and responsible conduct in research.

The only personal information that is requested is related to email address for gift card distribution. No information will be maintained in a paper or electronic system from which data is actually or directly retrieved by an individuals' personal identifier.

A11. Sensitive Questions

There are no sensitive questions in this data collection. Participation is voluntary.

A12. Estimation of Information Collection Burden

Burden Estimates

The survey consists of both multiple choice and open-ended responses, with 25 questions total. Based on our beta administration of the survey with a Tribal Child Welfare staff member, the survey is estimated to take approximately 10 minutes to complete. Qualtrics's ExpertReview

¹⁷ *Additional directives*. SAMHSA. (n.d.). Retrieved October 5, 2022, from <https://www.samhsa.gov/grants/grants-management/policies-regulations/additional-directives>

analysis also estimates that the survey should take approximately 9.3 minutes to complete, though this may vary by participant.

Instrument	Total Number of Respondents	Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
Title IV-E Tribal State IV-E Survey	40	1	.167	7	\$52.78	\$369.46

Cost Estimates

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Child, Family, and School Social Workers [21-1021] and wage data from May 2021, which is \$26.39 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$52.78.

A13. Cost Burden to Respondents or Record Keepers

There are no additional costs expected to affect participants.

A14. Estimate of Cost to the Federal Government

The initial base cost for the data collection activities under this current request is estimated to be \$4,702.40. This includes costs related to survey administration, data analysis, and reporting on survey results. We estimate about 160 hours of evaluator’s time at an hourly wage of \$29.39. Accounting for fringe and benefits by a factor of 2, the overall total cost is estimated at \$9,404.80.

A15. Change in Burden

This is for an individual information collection under the umbrella formative generic clearance for ACF program support (0970-0531)

A16. Plan and Time Schedule for Information Collection, Tabulation and Publication

Pending OMB approval, the survey will be launched in the fall of 2022, and remain open for approximately 2 months of data collection. The quantitative analysis will begin immediately after survey closure. We anticipate a final internal report to be provided to the Children’s Bureau about 3 months after data collection ends.

A17. Reasons Not to Display OMB Expiration Date

All instruments will display the expiration date for OMB approval.

A18. Exceptions to Certification for Paperwork Reduction Act Submissions

No exceptions are necessary for this information collection.