



CWS/CMS PROBATION

Frequently Asked Questions (FAQs)

FUNDING

What is Title IV-E and how does it relate to Probation?

Title IV-E is the portion of the federal Social Security Act that makes federal money available to states for foster care and adoption programs. Title IV-E provides funding for administrative activities as they relate to foster care of the potential need for foster care. Funding is awarded by formula as an open-ended entitlement grant. Title IV-E is administered by the Department of Health and Human Services, Administration for Children and Families.

What type of Title IV-E funding is available to Probation?

There are two types of Title IV-E funding accessed by Probation, Administrative and Maintenance.

Established in 1980 by Public Law 96-272, Title IV-E provides federal reimbursement for two types of foster care expenses:

- Maintenance costs - Generally submitted by the County Social Services Department for payments made to group homes and foster parents.
- Administrative costs - Payment to welfare and probation departments that are vested with the legal responsibility for children in foster care which includes:
 - Services and activities that reduce or eliminate the need to remove a child from his/her home;
 - Services and activities that reunify a child with his/her family, or creates a permanent plan for the child;
 - Administrative costs may be claimed for activities related to cases where a child is considered a *reasonable candidate* for foster care.

Note: Reasonable candidate determination should not be confused with the term Eligibility Determination. Eligibility Determination is made by the County Welfare Department when a child is being placed in foster care. This function determines whether the child is eligible for federal financial participation in the costs of out of home care. For more information on reasonable candidate determinations, please read ACL 14-36 at the following website:

<http://www.dss.cahwnet.gov/lettersnotices/PG931.htm>

A Memoranda of Understanding (MOU) between probation departments and county departments of social service, pursuant to Division 29 of the California Department of Social Services Manual of Policies



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and Procedures, establish the basis for title IV-E claiming. The MOU must specify the services and placement activities performed by Probation Departments for wards in out of home foster care.

For Title IV-E “reasonable candidate” cases, how are those cases reviewed by the state or the federal government to ensure compliance and appropriate claiming?

County welfare and probation departments must adhere to California Department of Social Services (CDSS) instructions in All County Letter (ACL) 14-36 as it provides direction and forms to Counties on evaluating for imminent risk and reasonable candidacy for foster care, and Title IV-E Pre-Placement Case Plans, (or any other ACL) related to claiming instructions including County Fiscal Letters, along with published federal guidelines. County welfare and probation departments are subject to audits from the: Bureau of State Audits, federal audits conducted by the Office of Inspector General (OIG), annual single state agency audits, and or audits conducted by Administration for Children and Families under (Title IV-E Reviews).

CDSS conducts fiscal monitoring reviews in an effort to comply with 45 CFR Part 92.40 (monitoring and reporting program performance). County welfare and probation departments are held accountable and subject to penalties and or disallowances when improperly claiming Title IV-E administrative funds.

What additional funding is available to Probation Departments through such mechanisms as the Advance Planning Document (APD) and County Advanced Planning (CAPE)?

No funds are directly available to probation departments through the APD or CAPE processes at this time.

How are probation departments reimbursed for Title IV-E services and activities?

In California, the Department of Social Services (CDSS) is designated to claim federal Title IV-E funds and required to develop a state plan and regulations for that funding. California’s state plan designates implementation at the local level through the counties’ Social Services Agencies. Through a Memorandum of Understanding (MOU) with county Welfare Departments, Probation Departments are reimbursed for Title IV-E eligible services and activities.

The Final Rule states that there will be penalties for incomplete data reporting. How will those penalties be assessed?

At this time we are not aware of “if and how” penalties will be assessed. When we know more we will update the Regional User Groups and this website.



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FUNDING continued...

If Probation is using their own system along with the CWS/CMS, how is this meeting the single system requirement under SACWIS?

Probation Departments began inputting data directly into the CWS/CMS system beginning October 2010. This meets the SACWIS requirement.

Where can I get more information on Title IV-E claiming?

For more information please refer to the Chief Probation Officers of California website at:

www.CPOC.org and click on the "Fiscal" Tab and choose "Title IV-E" on the drop down menu, or read ACL 14-36 at: <http://www.dss.cahwnet.gov/lettersnotices/PG931.htm>

All County Letter (ACL) 14-36 provides direction and forms to Counties on evaluating for imminent risk and reasonable candidacy for foster care, and Title IV-E Pre-Placement Case Plans. The forms included in ACL 14-36 have been vetted by CPOC.