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| <h1>ACF</h1><br><b>Administration<br/>for Children<br/>and Families</b> | U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES<br><br>Administration on Children, Youth and Families             |  |
|   | <b>1. Log No:</b> ACYF-CB-PI-20-04   | <b>2. Issuance Date:</b> February 27, 2020 |
|   | <b>3. Originating Office:</b> Children’s Bureau  |  |
|   | <b>4. Key Words:</b> Family First Transition Act, Family First Prevention Services Act, Title IV-B, Title IV-E |  |

### PROGRAM INSTRUCTION

**TO:** State Agencies, Territories, Insular Areas, Indian Tribes, Indian Tribal Organizations and Indian Tribal Consortia (Tribes) Administering or Supervising the Administration of Titles IV-B and IV-E of the Social Security Act

**SUBJECT:** Family First Prevention Services Act Transition Grants

**LEGAL AND RELATED REFERENCES:** Public Law (P.L.) 116-94, the Family First Transition Act within Section 602, Subtitle F, Title I, Division N of the Further Consolidated Appropriations Act, 2020; the Family First Prevention Services Act (FFPSA) within Division E, Title VII of the Bipartisan Budget Act of 2018 (P.L. 115-123); Sections 421, 423, and 1130 of the Social Security Act.

**PURPOSE:** The purpose of this Program Instruction (PI) is to provide guidance to agencies administering title IV-B, subpart 1 of the Social Security Act (the Stephanie Tubbs Jones Child Welfare Services Program) on the actions required to apply for a one-time Family First Prevention Services Act Transition Grant.

**BACKGROUND:** The Family First Prevention Services Act (FFPSA), was enacted on February 9, 2018, as part of P.L. 115-123. The law amended many sections of titles IV-B and IV-E of the Social Security Act (the Act).<sup>1</sup> Overall, the law supports the use of evidence-based practices to promote the well-being of children, youth and families and to prevent unnecessary foster care placements. For children who do need to enter foster care, the law encourages use of family-based care, and places limits on the availability of title IV-E foster care funding for congregate care placements, unless they meet specific requirements.

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<sup>1</sup> See Information Memorandum [ACYF-CB-IM-18-02](https://www.acf.hhs.gov/cb/laws-policies/policy-program-issuances) for a summary of major provisions of the law. All Children’s Bureau Information Memoranda and Program Instructions are available on the Children’s Bureau website at: <https://www.acf.hhs.gov/cb/laws-policies/policy-program-issuances>

To support implementation of FFPSA and further its goals, Congress passed the Family First Transition Act (henceforth, “Transition Act”) as part of P.L. 116-94 signed into law on December 20, 2019. Among other provisions, the Transition Act authorized \$500,000,000 (out of any money in the Treasury not otherwise appropriated) for FFPSA Transition Grants.<sup>2</sup>

FFPSA Transition Grants may be used for any purpose specified in title IV-B of the Act, the portions of the Act authorizing the Stephanie Tubbs Jones Child Welfare Services Program (title IV-B, subpart 1) and the MaryLee Allen Promoting Safe and Stable Families Program (title IV-B, subpart 2). Funds may also be used for activities directly associated with implementation of FFPSA. In addition, for jurisdictions that previously operated title IV-E child welfare waiver demonstration projects under the authority of section 1130 of the Act, the FFPSA Transition Grants may be used for activities previously funded under such projects to reduce any adverse fiscal impacts associated with the end of the waiver demonstration projects and the transitioning of project activities to other funding sources. The FFPSA Transition Grants will be awarded in fiscal year (FY) 2020, but will remain available to grantees for expenditure through the end of FY 2025.

The Children’s Bureau encourages all eligible title IV-B agencies to apply for these funds. In determining how to use these one-time funds, the Children’s Bureau encourages agencies to consider how the funding can be used strategically, not only to meet short-term goals or fill funding gaps, but to help move child welfare in the United States to a more truly preventive system that works to strengthen families before child maltreatment occurs and that reduces unnecessary family disruption.

#### **INFORMATION ON FFPSA TRANSITION GRANTS:**

*Eligible Applicants:* States, territories and tribes with an approved plan under title IV-B, subpart 1 of the Act (Stephanie Tubbs Jones Child Welfare Services Program) are eligible to apply for funding. Please direct any questions regarding eligibility to the appropriate Children’s Bureau (CB) Regional Office (RO) (see Attachment C).

Information for Insular Areas: The Virgin Islands of the United States, 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 under authority of another program that is available for consolidation. Guam, American Samoa, and the Northern Mariana Islands have chosen to use this flexibility to consolidate their allotments under title IV-B of the Act, one of the programs allowed to be consolidated. Because the FFPSA Transition Grant is to be made to the agency administering title IV-B for the same purposes as title IV-B, the Administration for Children and Families (ACF) intends to make FFPSA funds available for consolidation to these insular areas, as well, subject to completion of required public notice requirements. ACF will provide additional information to affected insular areas through a separate communication.

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<sup>2</sup> See Information Memorandum [ACYF-CB-IM-20-01](#) for more information on other provisions of the Transition Act, including Funding Certainty Grants for title IV-E agencies that previously operated child welfare waiver demonstration projects under the authority of section 1130 of the Act. Separate guidance will be issued for Funding Certainty Grants.

*Estimated allotments:* Grants will be distributed by formula to all eligible title IV-B agencies that apply by the deadline. See Attachment A for estimated allotments. If any eligible applicants choose not to apply, funds will be reallocated by formula to all other eligible applicants approved for funding.

State and Territorial Title IV-B Agencies: Allotments to eligible states and territories that apply for funding will be awarded using the formula for the title IV-B, subpart 1 program specified in section 423 of the Act.

Tribal Title IV-B Agencies: The Transition Act reserves 3 percent of the \$500 million appropriated (a total of \$15 million) for tribes or tribal organizations administering title IV-B programs. Funds will be distributed based on each tribe or tribal organization's share of the total tribal child population under age 21 among all such tribes and tribal organizations applying for funding. ACF will use the tribal population data previously received and approved for the FY 2020 title IV-B grant awards to determine allotments.

*Approved Activities:* FFPSA Transition Grant funds may be used for:

- Purposes allowable under title IV-B of the Act<sup>3</sup> including:
  - those under section 421 -
    - ... promoting 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.
  - those under section 430 -
    - ... to develop and establish, or expand, and to operate coordinated programs of community-based family support services, family preservation services, time-limited family reunification services, and adoption promotion and support services to accomplish the following objectives:
      1. To prevent child maltreatment among families at risk through the provision of supportive family services.

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<sup>3</sup> Certain funding limitations applicable to title IV-B programs, such as the limitation on the amount of funding that may be used for administrative costs, or the limitation for states on the use of funds for foster care maintenance payments under title IV-B, subpart 1, are not applicable to the FFPSA Transition Grants. The Transition Act established no maximum or minimum funding thresholds for any allowable activity or category of cost.

2. To assure children's safety within the home and preserve intact families in which children have been maltreated, when the family's problems can be addressed effectively.
  3. To address the problems of families whose children have been placed in foster care so that reunification may occur in a safe and stable manner in accordance with the Adoption and Safe Families Act of 1997.
  4. To support adoptive families by providing support services as necessary so that they can make a lifetime commitment to their children.
- Activities directly associated with implementing FFPSA; and
  - In applicable jurisdictions, activities previously funded under a child welfare waiver demonstration approved under section 1130 of the Act to reduce any adverse fiscal impacts as jurisdictions transition funding sources for the projects.

*Project Period:* The FFPSA Transition Grant funds are available for expenditure for a six-year project period, from October 1, 2019 – September 30, 2025.

*Matching Requirements and Limitations:* No match (non-federal share) is required to receive FFPSA Transition Grants, however Transition Grants may not be used to match Federal funds under any other program (section 602(c)(3)(B) of the Transition Act).

*Financial Reporting Requirements:* Title IV-B agencies are required to submit an electronic SF-425 for the FFPSA Transition Grant 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 FFPSA Transition Grant at the end of each year (12-month period ending September 30) of the five years of the project period. Each report is due 90 days after the end of each federal fiscal year (December 30). A negative grant award will recoup any unobligated and/or unliquidated funds reported on the final SF-425 for the FFPSA Transition Grant which will be due on December 30, 2025.

**INSTRUCTIONS ON HOW TO APPLY FOR FFPSA TRANSITION GRANTS:** Each eligible title IV-B agency (listed on Attachment A) applying for funds must submit the following information to the CB by **no later than April 30, 2020**.

- *FFPSA Transition Grant Request Form:* Complete the FFPSA Transition Grant Request Form (Attachment B), signed by an authorized official from the state or tribe. Please include information for an agency contact for any programmatic questions on the submission. Funds will be allotted by formula to all eligible applicants that submit complete applications.
- *FFPSA Transition Grant Narrative.* Provide a brief narrative describing how the agency expects to use FFPSA Transition Grant funds to support implementation of FFPSA, continue activities previously funded as part of an approved child welfare

waiver demonstration project under section 1130 of the Act or for other child welfare activities allowable under title IV-B of the Act, including efforts to promote primary prevention of child abuse and neglect.

- *Submissions*: Submit the Transition Funds Request Form (Attachment B) and the Transition Funds Narrative by email to the appropriate Children’s Bureau Regional Office (see Attachment C for list of Regional Program Managers).
- *Progress Reporting*: Section 602(d)(1) of the Transition Act requires agencies receiving FFPSA Transition Grants to report on the use of these funds. Approved applicants will be asked to provide program information and updates annually in the Annual Progress and Services Report (APSR) submitted each June 30<sup>th</sup>. The Transition Act requires grantees to report:
  - how funds are used to implement each part of FFPSA, with a separate statement with respect to each such part;
  - all programs, services, and operational costs for which the grant is used;
  - the characteristics of the families and children served;
  - the amounts the agency uses for each FY to continue activities previously funded under a waiver provided under section 1130 of the Act;
  - the agency’s plan to transition the activities so that needed activities can be provided under the agency’s title IV-E plan, or, if expenditures for the activities would not be eligible for payment under title IV-E the reason for it not being eligible and the funding sources the agency plans to use to cover the costs of needed activities; and
  - any additional information HHS requires.

The Children’s Bureau will provide additional information on how to report information in the APSR in future program instructions.

**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:  
Eligible Applicants and Estimated Allotments

Attachment B:  
Transition Funds Request Form

Attachment C:  
CB Regional Program Managers