

# Child Welfare Policy Manual

May 15, 2018

## 8.1H TITLE IV-E, Administrative Functions/Costs, Training

**1. Question:** What costs can the title IV-E agency claim for Federal financial participation (FFP) to train title IV-E agency employees, foster parents, adoptive parents, relative guardians, employees of private child placing and child care agencies, and the other individuals listed in section 474(a)(3)(B) of the Social Security Act (the Act)?

**Answer:** Section 474(a)(3)(A) of the Social Security Act (the Act) provides that States and Tribes with plans approved under title IV-E shall be entitled to Federal matching funds for the proper and efficient administration of the plan in the following proportions of total amounts expended: 75 percent for the training (including both short-term training and long-term training at educational institutions, through grants to the institutions or by direct financial assistance to students enrolled in such institutions) of personnel employed or preparing for employment by the title IV-E agency or by the local agency administering the title IV-E plan; and 474 (a)(3)(B) of the Act provides for the short-term training of current or prospective foster or adoptive parents or relative guardians, the members of the staff of State or Tribal-licensed or approved child care institutions providing care to foster and adopted children receiving assistance under this part and members of the staff of abuse and neglect courts, agency attorneys, attorneys representing children or parents, guardians ad litem, or other court-appointed special advocates representing children in proceedings of such courts, in ways that increase the ability of such current or prospective parents, guardians, staff members, institutions, attorneys and advocates to provide support and assistance to foster and adopted children, and children living with relative guardians whether incurred directly by the State or by contract.\*

The regulations at 45 CFR 1356.60(b) and (c) specify what is considered a training cost and what is considered an administrative expense under title IV-E. Section 1356.60(c) explains that the State's cost allocation plan shall identify which costs are allocated and claimed under title IV-E. Tribal title IV-E agencies must identify which costs are allocated and claimed under title IV-E in the Tribe's cost allocation methodology (CAM) (see ACYF-CB-PI-10-13). With regard to costs of educational programs (approved by the title IV-E agency) leading to a baccalaureate or graduate degree, the regulations clearly indicate that training to prepare persons who are employed or about to be employed by the title IV-E agency administering the title IV-E plan can include such long-term training. Grants to the institution or to the person attending the institution are reimbursable at a Federal matching rate of 75 percent. (See 45 CFR 1356.60 (b)(1)(i), 235.63 (c) and 235.64 (c) for further clarification.)

Costs matchable as training expenditures at 75% FFP under this provision may include: (1) salaries, fringe benefits, travel, per diem, tuition, books and registration fees for title IV-E agency trainees in allowable short-term or long-term training (regardless of the duration of the training) for the time period the employee is actually participating in training; (2) salaries, fringe benefits, travel and per diem for staff development personnel assigned to training functions to the extent time is spent performing such functions; (3) salaries, fringe benefits, travel and per diem for experts outside the agency engaged to develop or conduct training programs; (4) travel, per diem, tuition, books and registration fees for foster parents and other persons identified under section 474(a)(3)(B) of the Act in short-term training; and (5) costs of space, postage, training supplies, and purchase or development of training material.

Federal regulations at 45 CFR 1356.60 (b)(2) require that all training activities and costs funded under title IV-E must be included in the title IV-E agency's training plan for title IV-B. Title IV-E agencies will be reimbursed under title IV-E for such costs only if the activities and costs are described and included in the jointly developed and approved title IV-B plan.

All training costs must be allocated to the benefiting title IV-E foster care, adoption assistance or guardianship assistance program and other State/Tribal/Federal programs consistent with the State's CAP or Tribe's CAM and in such a manner as to ensure that the cost is charged to the program in accordance with the relative benefits that the program receives from the training. Title IV-E agencies may determine the manner in which they allocate costs but must do so in accordance with the cost principles delineated at 45 CFR Part 75 Subpart E.

\* Beginning October 1, 2008, section 474(a)(3)(B) of the Act was expanded to authorize FFP for the short-term training of additional trainees. The additional trainees are: relative guardians (if the title IV-E agency has opted per section 471(a)(28) to offer a guardianship assistance program), members of licensed or approved child welfare agencies providing services to children receiving assistance under title IV-E, members of the staff of abuse and neglect courts, agency attorneys, attorneys representing children or parents, guardians ad litem, or other court-appointed special advocates representing children in the proceedings of such courts in ways that increase their ability to provide support and assistance to title IV-E eligible children. FFP is available for the additional categories of trainees in

increasing rates rising to 75% in FY 2013. The specific rates of FFP are 55% in FY 2009, 60% on FY 2010, 65% in FY 2011, 70% in FY 2012 and 75% each FY thereafter.

**Note:** This answer previously referenced OMB Circular A-87 and 2 CFR Part 225. 45 CFR Part 75 supersedes OMB Circular A-87 and 2 CFR Part 225 effective December 26, 2014 (79 FR 75871, Dec. 19, 2014).

- **Source/Date:** 07/23/07 [Revised 12/02/13; 11/2/2016]
- **Legal and Related References:** Social Security Act - sections 474 (a)(3)(A) and (B); Public Law 110-351 section 203(b); 45 CFR Part 75; 45 CFR 1356.60 (b) and (c), 235.64(c); ACYF-CB-PA-90-01, ACYF-CB-PI-10-11; 79 FR 75871, Dec. 19, 2014; 81 FR 3022, Jan. 20, 2016

**2. Question:** May State agencies contract with another organization, such as a community college to conduct training on behalf of the State agency? This training would be considered State agency training, not educational institution training?

**Answer:** Yes. Section 474 (a)(3)(A) of the Social Security Act provides for Federal financial participation (FFP) in the costs of training personnel employed by or preparing for employment with the State or local agency. Section 474 (a) (3)(B) covers other administrative expenditures, including the training of foster parents. It is within the discretion and flexibility of the State agency to determine the most efficacious and cost effective means of meeting the short and long term training needs of the State and local agencies.

- **Source/Date:** ACYF-CB-PIQ-82-17 (10/14/82)
- **Legal and Related References:** Social Security Act - section 474 (a)

**3. Question:** May the States fund adoptive parents' attendance at adoption conferences with title IV-E training funds?

**Answer:** Yes. States may utilize title IV-E funds for the purposes of paying for the costs of adoptive parents' attendance at conferences which have training components or which include discussions of significant issues covering adoption and the needs of children. Title IV-E of the Act supports a continuing relationship between adoptive parent(s) and the agency to provide services, as needed, to the adoptive parent(s) in the care of the child. These provisions are interpreted to include training for this purpose.

Costs, including travel and per diem, claimed under title IV-E would be reimbursable at the 75% matching rate for adoptive parents attending such training conferences (45 CFR 1356.60 (b)(1)(ii)).

The placement of children in adoptive homes when they cannot return to their biological family is an essential child welfare service. Today's emphasis on placing children with special needs in adoption poses many problems and needs for adoptive parents. By attending and participating in conferences which have training components related to adoption and discussions of adoption issues, adoptive parents may better learn how to deal with special problems and enhance their parenting skills by sharing experiences with others in similar circumstances. Active participation of adoptive parents in such conferences may result in improved adoption planning and policy development through their advisory relationships with public agencies, and thereby assist in extending and strengthening adoption services to children and adoptive parents.

- **Source/Date:** ACYF-CB-PA-82-03 (10/14/82)
- **Legal and Related References:** Social Security Act - section 474 (a)(3)(B); 1356.60 (c)(5)

**4. Question:** May allowable costs include salary, travel and per diem for State agency program staff or State agency staff development unit staff conducting training of employees or foster parents?

**Answer:** For purposes of title IV-E, 45 CFR 235.64 (a), which we have used as the implementing regulation (as cross-referenced in 45 CFR 1356.60 (b)), allows the costs identified above to be claimed for FFP purposes.

- **Source/Date:** ACYF-CB-PIQ-82-17 (10/14/82)
- **Legal and Related References:** Social Security Act - sections 471 and 474 (a); 45 CFR Parts 1356 and 235

**5. Question:** Is title IV-E training limited to training related to foster care maintenance or can it be related to the entire provision of foster care including meeting the child's service needs? Since most training programs for foster parents discuss the "total" child, the hope would be the training costs would not need to be separated between title IV-E and title IV-B.

**Answer:** Within the restrictions articulated in section 474 (a)(3) of the Social Security Act, training may cover the full range of activities necessary to meet the States maintenance and service requirement of title IV-E.

- **Source/Date:** ACYF-CB-PIQ-82-17 (10/14/82)
- **Legal and Related References:** Social Security Act - section 474 (a); 45 CFR Parts 1356 and 235

**6. Question:** Prior to the on-site portion of a child and family services review (CFSR), the State members of the team must participate in a State team training. Can the costs related to such participation be claimed by the State at the 75 percent rate of Federal financial participation (FFP)?

**Answer:** Yes, the State may, using an approved cost allocation methodology, identify and claim that portion of the cost of its employees' participation in the CFSR State team training that is allowable under title IV-E at the enhanced rate of 75 percent Federal financial participation pursuant to 45 CFR 235.64(c)(3). Specifically, travel, per-diem, and educational supplies may be claimed at the 75 percent rate. The costs of training the State's external partners or participants who are not employees of the State agency similarly must be allocated across benefiting programs and the title IV-E portion may be claimed at the 50 percent FFP rate as administrative costs.

Pursuant to section 474(a)(3)(A) of the Social Security Act (the Act), an enhanced rate of FFP is available to train employees of the State agency to perform title IV-E functions. In accordance with section 471(a)(7) of the Act, the State agency is required to monitor and conduct periodic evaluations of its title IV-E program. A State agency employee who is participating in a CFSR is, therefore, performing a title IV-E function pursuant to section 471(a)(7) of the Act, making the enhanced FFP available to train the employee to perform that function.

Any other training associated specifically with conducting a child and family services review or included in an approved CFSR program improvement plan likewise may be claimed under title IV-E in accordance with the guidance provided above.

- **Source/Date:** August 16, 2002
- **Legal and Related References:** Social Security Act -- Sections 471(a)(7) and 474(a)(3)(A); 45 CFR 235.64

**7. Question:** The Departmental Appeals Board (DAB) found in Decision No. 1737 that States may claim FFP for allowable administrative costs paid with private funds that are donated to support specific activities. Does this finding mean that funds donated from a private source can be used to match Federal financial participation (FFP) at the 75% rate for title IV-E training?

**Answer:** No. DAB Decision No. 1737 did not address matching funds for training under section 474(a)(3)(A) and (B) of the Social Security Act (the Act). Therefore, ACF regulations and policy which permit only public funds to be used as match for title IV-E training at the 75% rate are applicable. As specified in the Child Welfare Policy Manual at Section 8.1F question 3, only public funds may be used to match title IV-E training expenditures. The regulations at 45 CFR 1356.60(b)(3) on Federal matching funds for State and local training for foster care and adoption assistance under title IV-E cross reference to 45 CFR 235.63 through 235.66(a) which, among other things, permit public funds to be used as match. The regulation does not cross reference to 45 CFR 235.66(b) which permit funds donated from private sources to be used as match.

- **Source/Date:** 8/7/2006
- **Legal and Related References:** 45 CFR 1356.60(b)(3); 45 CFR 235.66(a); DAB Decision No. 1737

**8. Question:** What are the title IV-E training topics that the State may claim at the enhanced Federal financial participation rate under section 474 (a)(3)(A) and (B) of the Social Security Act and 45 CFR 1356.60(b)?

**Answer:** In general, the training topics must be closely related to one of the examples cited in 45 CFR 1356.60(c)(1) and (2) as allowable administrative activities under the title IV-E program. The regulatory examples of allowable activities include:

- Eligibility determinations and re-determinations
- Fair hearings and appeals
- Rate setting
- Referral to services
- Preparation for and participation in judicial determinations
- Placement of the child
- Development of the case plan

- **Case reviews**
- **Case management and supervision**
- **Recruitment and licensing of foster homes and institutions**

**Additional examples of allowable administrative activities specifically applicable to the title IV-E adoption assistance program include, but are not limited to:**

- **Grievance procedures**
- **Negotiation and review of adoption assistance agreements**
- **Post-placement management of subsidy payments**
- **Home studies**
- **A proportionate share of the development and use of adoption exchanges**

**There are many training topics that are closely related to these title IV-E allowable activities that the State may train its workers on and claim at the 75 percent rate. The following are some examples:**

- **Social work practice, such as family centered practice and social work methods including interviewing and assessment.**
- **Cultural competency related to children and families.**
- **Title IV-E policies and procedures.**
- **Child abuse and neglect issues, such as the impact of child abuse and neglect on a child, and general overviews of the issues involved in child abuse and neglect investigations, if the training is not related to how to conduct an investigation of child abuse and neglect.**
- **Permanency planning including using kinship care as a resource for children involved with the child welfare system.**
- **General substance abuse, domestic violence, and mental health issues related to children and families in the child welfare system, if the training is not related to providing treatment or services.**
- **Effects of separation, grief and loss, child development, and visitation.**
- **Communication skills required to work with children and families.**
- **Activities designed to preserve, strengthen, and reunify the family, if the training is not related to providing treatment or services.**
- **Assessments to determine whether a situation requires a child's removal from the home, if the training is not related directly to conducting a child abuse and neglect investigation. Training on how to conduct specialized assessments such as psychiatric, medical or educational assessments are not permitted.**
- **Ethics training associated with a title IV-E State plan requirement, such as the confidentiality requirements in section 471(a)(8) of the Act.**
- **Contract negotiation, monitoring or voucher processing related to the IV-E program.**
- **Adoption and Foster Care Analysis and Reporting System (AFCARS), Statewide Automated Child Welfare Information System (SACWIS) or other child welfare automated system functionality that is closely related to allowable administrative activities in accordance with 45 CFR 1356.60(d) that the State has chosen to claim as title IV-E training rather than as SACWIS developmental or operational costs (see AT-ACF-OISM-001).**
- **Independent living and the issues confronting adolescents preparing for independent living consistent with section 477(b)(3)(D) of the Act and the Child Welfare Policy Manual (CWPM), Section 3.1H, Q/A #1.**
- **Foster care candidate determinations and pre-placement activities directed toward reasonable efforts in 471(a)(15), if the training is not related to providing a service.**

- **Training on referrals to services, not how to perform the service.**

- **Source/Date: 4/10/07 [revised 08/12/09]**
- **Legal and Related References: Social Security Act ĳ Sections 471(a)(8), 471(a)(15), 474 (a)(3)(A) and (B) and 477(b)(3)(D); 45 CFR 1356.60(b), (c) and (d); 235.64(a)(1) and (2); CWPM, Section 3.1H, Q/A #1; AT-ACF-OISM-001**

**9. Question: May the State claim title IV-E funds at the 75 percent match rate for any administrative activities that are directly related to carrying out the State agency's training initiatives?**

**Answer: Yes. Consistent with 45 CFR 235.64(a)(1) and (2) (which applies to title IV-E training costs by cross reference at 45 CFR 1356.60(b)(3)) and Departmental Appeals Board Decision #1666, the administration of training activities (when performed by the State agency training unit), such as contract negotiation, monitoring, or voucher processing is reimbursable as a training activity at the 75 percent match rate. Also, certain State agency overhead costs that are allocable to the State agency training unit in accordance with an approved cost allocation plan may be claimed as title IV-E training costs at 75 percent Federal financial participation (FFP). Further, while a State normally may not claim 75 percent FFP for day-to-day staff supervision, if the supervisor is performing a training function as part of a formalized training program, such as an on-the-job training component of initial in-service training, the State may consider the portion of time during which such activity is performed by the supervisor as training eligible for 75 percent match (to the extent it is allocable to title IV-E).**

- **Source/Date: 4/10/07**
- **Legal and Related References: 45 CFR 1356.60(c)(2)(ix); 45 CFR 235.64(a)(1) and 235.65(a); Departmental Appeals Board Decision #1666**

**10. Question: May the State claim title IV-E administrative expenses at the 50 percent match on training topics not allowable at the 75 percent match rate?**

**Answer: It depends. The State may claim title IV-E administrative costs for training staff on any topic areas that are necessary for the proper and efficient administration of the State's title IV-E program. These would include topics that address general skills or knowledge required for overall job performance. Some examples of general training topics that the State may claim as a title IV-E administrative cost at the 50 percent match rate include, but are not limited to:**

- **State agency personnel policies and procedures**
- **Job performance enhancement skills (e.g., writing, basic computer skills, time management)**
- **First aid, CPR, or facility security training**
- **General supervisory skills or other generic skills needed to perform specific jobs**
- **Ethics unrelated to the title IV-E State plan**
- **Team building and stress management training**
- **Safe driving**
- **Worker retention and worker safety**
- **Source/Date: 4/10/07**
- **Legal and Related References: Social Security Act ĳ Section 474(a)(3)(E); 45 CFR 1356.60(c)**

**11. Question: What training topics are not allowable as either a training cost or an administrative cost under the title IV-E program?**

**Answer: In general, the State may not claim title IV-E funds at the 75 percent rate unless the training addresses topics closely related to one of the examples of title IV-E administrative costs listed in Federal regulation at 45 CFR 1356.60(c)(1) and (2). In addition, funds are not allowable at either the 75 or 50 percent match rate for training on topics that do not address a general administrative need that is determined necessary for the proper and efficient administration of the title IV-E program. Examples of training topics that are not allowable under the title IV-E program include, but are not limited to:**

- **How to address or treat child or family problems or behaviors because it supports the delivery of social services rather than the administration of the title IV-E State plan.**
- **Conducting child abuse and neglect investigations because such specialized skills are required for staff activities that occur prior to a child's entering foster care or adoption, and even prior to a child's becoming a candidate for foster care.**
- **Child welfare/social service topics that are not related directly to the title IV-E programs or the administration of the title IV-E State plan.**
- **Source/Date: 4/10/07**
- **Legal and Related References: Social Security Act   Sections 474(a)(3)(A) and (E); 45 CFR 1356.60(c)(1), (2) and (3); 45 CFR 235.62(b); Departmental Appeals Board Decision #1530 and others.**

**12. Question: Would you explain the cost-sharing or matching requirements for the title IV-E training program?**

**Answer: The cost-sharing or matching requirements for the title IV-E training program are addressed in regulation at 45 CFR 235.66(a), and referenced by 45 CFR 1356.60(b). The following principles apply:**

- **Only public funds consisting of cash outlays may be used as the State's share in claiming title IV-E training costs. In-kind contributions are not permitted.**
- **The funds used as match for title IV-E training must be appropriated directly to the State or local public agency administering the program, or transferred from another public agency or Tribe to the State or local agency and under its administrative control, or certified by the contributing public agency as representing expenditures eligible for FFP.**
- **Private funds regardless of their source of origin may not be used as the State's share in claiming title IV-E training costs<sup>1</sup>.**
- **Donated funds may be used as the State's share in claiming only if they are donated from a public source (see CWPM, Section 8.1F, Q/A #3).**
- **Funds used as a match cannot be used to match another Federal program unless the other Federal program explicitly allows such funds to be used as a match for title IV-E (for example, Tribes with a section 472(a) title IV-E agreement may use Indian Child Welfare Act, Indian Self-determination and Education Act and Community Development Block grant funds as a match for title IV-E, including training eligible under title IV-E at the 75 percent match rate).**
- **Federal funds are not permitted as a match.**

<sup>1</sup>**1356.60(b) does not cross reference to 45 CFR 235.66(b) which authorizes privately donated funds as a match under the former title IV-A Aid to Families with Dependent Children (AFDC), training program.**

- **Source/Date: 4/10/07**
- **Legal and Related References: 45 CFR 1356.60(b) and 235.66(a); CWPM, Section 8.1F, Q/A #3; 25 CFR Parts 20 and 25**

**13. Question: May a State claim title IV-E training funds at the 75 percent match rate for initial in-service training if there are gaps of days or weeks or longer when the newly hired staff is not receiving training either in the classroom or on the job?**

**Answer: Yes. There may be situations in which a State's approved training plan includes initial in-service training that is delivered intermittently over a period of time. In such situations, the State may claim title IV-E at the 75 percent match rate for the periods of time the employee is actually participating in the training. Consistent with the regulations at 45 CFR 1356.60(b)(3) and 235.61(a), an employee must be in some form of structured training related to title IV-E administrative activities s/he will perform in order for the State to claim FFP for properly allocated trainee costs at the 75 percent match rate. Employee absences due to approved leave do not disrupt the initial in-service training period. However, if an employee is on duty but not participating in initial in-service training, FFP at the 75**

percent rate is not available to reimburse the State agency for the costs of the employee's salary, fringe benefits, travel or per diem during the non-training period.

- Source/Date: 4/10/07
- Legal and Related References: 45 CFR 1356.60(b)(3) and 235.61(a)

**14. Question: May the State claim title IV-E training funds for the portion of the initial in-service training program that includes actual work experience?**

**Answer: It depends. Under some circumstances a State or local agency employee may be considered to be in training while carrying a partial caseload and the costs of that employee's salary, fringe benefits, travel or per diem may be reimbursable at the 75 percent level. To meet these circumstances, the employee must carry a caseload that is significantly smaller than that for the journeyman position in the State. In addition, the work experience component must be fully detailed and justified as an integral component of the initial in-service training program in the State's training plan for title IV-B, as required by 45 CFR 1356.60(b)(2). It is reasonable to expect that an initial in-service training program that includes work experience would include more than the standard day-to-day supervision typically provided to experienced employees. Furthermore, the State should ensure that the trainee's performance is closely assessed and monitored, for example, that feedback is regularly provided to the worker.**

- Source/Date: 4/10/07
- Legal and Related References: 45 CFR 1356.60(b)(2), 235.61(a) and 235.64(b)(1)

**15. Question: May the State claim title IV-E training funds at the 75 percent match rate to train current title IV-E agency staff who are either promoted or transfer to another position within the agency, such as from caseworker to supervisor, under an initial in-service training program?**

**Answer: Yes, the State may claim title IV-E training funds at the 75 percent match rate to train through an initial in-service training program current State agency employees who accept employment in a different position in the title IV-E agency, such as from a caseworker position to a supervisory position or from one program area to another such as from foster care to adoption. The training must meet the definition of initial in-service training, however, and therefore be intensive, task-oriented and last for at least one week as specified in the regulations at 45 CFR 235.61(a) and 235.64(b)(1).**

**While the definition of in-service training specifically indicates that such training is for "new employees," it is reasonable, within the context of this definition, to treat someone in a new position in the State agency as a "new" employee for training purposes. The employee's training needs are similar to those of a new employee. If the training is associated with the administration of an approved title IV-E State plan requirement and intended to give the staff the specific skills required to perform title IV-E foster care and adoption functions, it may be matched at the 75 percent FFP rate. Training focused on the development of supervisory skills and tasks related to supervision (generic skills training) may be matched at the rate of 50 percent FFP. The training activities and costs must be included in the State agency's training plan for title IV-B.**

- Source/Date: 4/10/07
- Legal and Related References: 45 CFR 235.61(a) and 235.64(b)(1)

**16. Question: The regulations at 45 CFR 235.61(a) define initial in-service training as a period of intensive, task-oriented training to prepare new employees to assume job responsibilities. What is meant by "intensive?" Are there any circumstances whereby an employee can be considered to be participating in initial in-service training while maintaining a full caseload?**

**Answer: Intensive training is training that is highly concentrated and intended to significantly strengthen and increase the employee's knowledge. Given these parameters, an employee could not participate in intensive training while maintaining a full caseload. There is not enough time in a regular work week to accommodate both maintaining a full caseload and participating in intensive training, whether classroom or on-the-job training is provided. The majority of the employee's time during intensive training is dedicated to training activities. An intensive training program may encompass an on-the-job component in which an employee maintains a partial caseload provided in a structured learning environment with a higher degree of supervision than a regular employee would experience.**

**As specified in the regulations at 45 CFR 235.64, Federal financial participation is available at 75% for employees in initial in-service training for at least one week for salaries, fringe benefits, travel and per diem to the extent that the training is related to the examples of allowable administrative costs necessary for the administration of the foster care program at 45 CFR 1356.60(c)(2).**

Each State's title IV-B training plan must accord with the definition of in-service training at 45 CFR 235.61(a). In addition, course descriptions, activities and costs must be described in the State's approved training plan for title IV-B. Training that benefits the overall administration of a State's foster care or adoption assistance program, and not only children eligible under title IV-E, must be allocated to all benefiting Federal and State programs in accordance with 45 CFR Part 75 Subpart E cost principles and an approved cost allocation plan.

- Source/Date: 09/05/07 (revised 11/2/2016)
- Legal and Related References: 45 CFR Part 75, 235.64, 235.61(a) and 1356.60(c)(2); 79 FR 75871, Dec. 19, 2014.; 81 FR 3022, Jan. 20, 2016

17. Question: For what short-term training content may a title IV-E agency claim Federal financial participation (FFP) to train the categories of individuals specified in section 474(a)(3)(B) of the Social Security Act (the Act)?

Answer: Section 474(a)(3)(B) of the Act authorizes short-term training for certain categories of individuals to increase their ability to provide support and assistance to foster and adopted children and children living with relative guardians, if the title IV-E agency has opted to provide a guardianship assistance program per section 471(a)(28) of the Act. In general, the short-term training must be necessary for the proper and efficient administration of the title IV-E plan and closely related to one of the examples cited in 45 CFR 1356.60(c)(1) and (2) as allowable administrative activities under the title IV-E program. Some examples of allowable training topics are listed in the Child Welfare Policy Manual section 8.1H Q/A#8.

- Source/Date: 08/12/09
- Legal and Related References: Social Security Act § section 474(a)(3)(B), 45 CFR 1356.60(c)(1) and (2), Child Welfare Policy Manual section 8.1H Q/A#8

18. Question: May title IV-E agencies claim Federal financial participation (FFP) for the short-term training of judges under section 474(a)(3)(B) of the Act (the Act)?

Answer: Yes, the law permits the title IV-E agency to claim FFP for short-term training of judges and other members of the staff of abuse and neglect courts involved in making judicial determinations and other decisions regarding families in the child welfare system. The training must meet the criteria established in section 474(a)(3)(B) of the Act. See Q/A#8 for examples of allowable training topics.

- Source/Date: 08/12/09
- Legal and Related References: Social Security Act § section 474(a)(3)(B)

19. Question: Section 474(a)(3)(B) of the Social Security Act (the Act) permits States to claim short-term training costs for members of the staff of State-licensed or State-approved child welfare agencies providing services to children receiving title IV-E assistance. Is there a Federal definition of a State-licensed or State-approved child welfare agency?

Answer: No. The title IV-E agency has the discretion to determine what kinds of agencies are child welfare agencies and the criteria for licensing or approving such agencies for the purpose of this provision. . See Q/A#8 for examples of allowable training topics.

- Source/Date: 8/12/09
- Legal and Related References: Social Security Act § section 474(a)(3)(B)

20. Question: Section 474(a)(3)(B) of the Social Security Act allows the title IV-E agency to claim as title IV-E expenditures the short-term training costs to train attorneys who represent children and their parents in such ways that increase the ability of the attorney to provide support and assistance to these children. Must the attorneys be employed by the title IV-E agency in order for the title IV-E agency to claim the short-term training costs for these attorneys?

Answer: No. There is no requirement in the law that the attorneys identified in section 474(a)(3)(B) be employed by the title IV-E agency. The title IV-E agency may claim the allowable costs to train an attorney who represents title IV-E children or their parents and meets the criteria established in section 474(a)(3)(B) of the Social Security Act. See Q/A#8 for examples of allowable training topics.

- Source/Date: 08/12/09
- Legal and Related References: Social Security Act § section 474(a)(3)(B)

21. Question: What are allowable title IV-E training topics related to the role of protective factors in healthy child development, such as resiliency; relational competence; child social and emotional development; trauma; cultural

## competence and related areas?

**Answer:** There are many protective factors that help to minimize risk to children and promote healthy child development. Training and providing information to title IV-E child welfare staff and foster/adoptive parents and others on such factors are allowable title IV-E training topics. Such training topics include, but are not limited to:

- **Evidence-based practice:** Training on the importance of using evidence-based techniques for case planning and modifying agency culture to support and sustain evidence-based practice.
- **Screening and assessment:** How to use of screening and assessment tools to develop the child's case plan.
- **Protective factors:** Introduction to the concept of risk and protective factors and prevention; effective strategies for prevention; overview of strategies to target and encourage development of protective factors.
- **Resilience:** Strategies for minimizing the traumatic experience of placement(s) for children, including facilitating attachment and promoting stable relationships.
- **Relational competence:** An overview of the role of relational competence in family relationships.
- **Child social and emotional development and well-being:** Principles of child growth and social, emotional, physical, and intellectual development.
- **Trauma:** An overview of trauma, including definitions, key terms related to trauma and the long term impact of trauma experiences; the ways that trauma may impact children's functioning and well-being at various stages of development; the impact of secondary trauma on caregivers and providers; general descriptions of effective treatments and strategies for addressing traumatic reactions and restoring developmentally appropriate functioning.
- **Cultural competence:** How to assess and serve the needs of children without bias and ensure their safety, including how to parent youth struggling with issues related to sexual orientation, gender identity and/or gender expression.

However, training on *treating* conditions is not allowable as a title IV-E training topic because such training supports the delivery of social services. Also, please note that all title IV-E training activities and costs must be included in the title IV-E agency's training plan for title IV-B and properly cost allocated to benefitting programs using the appropriate eligibility rate or similar method. Please see Child Welfare Policy Manual section 8.1H Q/A#8 for more information on allowable training topics.

- **Source/Date:** 05/22/2012
- **Legal and Related References:** Social Security Act § section 474(a)(3)(B)

**22. Question:** May a title IV-E agency claim title IV-E federal financial participation (FFP) for training costs on behalf of individuals who are preparing for employment with a private agency performing title IV-E administrative activities through a contractual arrangement with the title IV-E agency?

**Answer:** Yes. A title IV-E agency may claim title IV-E administrative costs for these individuals at the 50% FFP rate in accordance with section 474(a)(3)(E) of the Act because it is in line with the proper and efficient administration of the title IV-E program. The use of title IV-E for educational stipends or other allowable training costs for such prospective contract staff to perform title IV-E administration should enhance the quality of the title IV-E workforce as well as the associated case planning and management work in title IV-E programs. States may claim such costs to the extent allocable and in accordance with an approved cost allocation plan; tribes may claim such costs to the extent allocable and in accordance with an approved cost allocation methodology. Such costs may not be claimed at the 75% FFP rate. A title IV-E agency must include the basis for so allocating in its title IV-B training plan.

The title IV-E agency may claim reimbursement for stipends to train persons preparing for employment with a private agency as described above, under the following conditions and limitations:

**(1) Persons preparing for employment with a private agency under contract with the title IV-E agency to perform title IV-E administrative activities are pursuing educational programs approved by the title IV-E agency;**

**(2) Persons preparing for employment with a private agency under contract with the title IV-E agency to perform title IV-E administrative activities are committed to work for a title IV-E contracted private agency for a period of time at least equal to the period for which financial assistance is granted if employment is offered within 2 months after training is completed;**

**(3) The title IV-E contracted private agency offers the individual preparing for employment a job upon completion of training unless precluded by contractual provisions or other circumstances beyond the agency's control; and if such agency is no longer operating under a title IV-E contract or cannot offer the individual employment, the title IV-E agency will either identify another title IV-E contracted agency to offer employment or release the individual from his or her commitment;**

**(4) The title IV-E agency keeps a record of the employment of persons trained. If the persons are not employed by a title IV-E contracted private agency, the record specifies the reason for non-employment;**

**(5) The title IV-E agency evaluates the training programs; and**

**(6) Any recoupment of funds by the title IV-E agency from trainees failing to fulfill their commitment under this section shall be treated as program income and shall be deducted from total administrative costs for the purpose of determining net costs for FFP.**

- **Source/Date: December 2, 2016**
- **Legal and Related References: Social Security Act § 474(a)(3)(E); 45 C.F.R. 235.63(b)**