§ 1355.56 Failure to meet the conditions of the approved APD.

(a) If ACF finds that the title IV–E agency fails to meet any of the conditions cited in §1355.53, or to substantially comply with the criteria, requirements and other undertakings prescribed by the approved APD, approval of the APD may be suspended.

(b) If the approval of an APD is suspended during the planning, design, development, installation, or operation of the system:

(1) The title IV–E agency will be given written notice of the suspension. This notice shall state:

(i) The reason for the suspension,

(ii) The date of the suspension,

(iii) Whether the suspended system complies with criteria for 50 percent FFP, and

(iv) The actions required by the title IV–E agency for future enhanced funding.

(2) The suspension will be effective as of the date the title IV–E agency failed to comply with the approved APD.

(3) The suspension shall remain in effect until ACF determines that such system complies with prescribed criteria, requirements, and other undertakings for future Federal funding.

(4) Should a title IV–E agency cease development of an approved system, either by voluntary withdrawal or as a result of Federal suspension, all Federal incentive funds invested to date that exceed the normal administrative FFP rate (50 percent) will be subject to recoupment.


§ 1355.57 Cost allocation.

(a) All expenditures of a title IV–E agency to plan, design, develop, install, and operate the data collection and information retrieval system described in §1355.53 of this part shall be treated as necessary for the proper and efficient administration of the title IV–E plan, without regard to whether the system may be used with respect to foster or adoptive children other than those on behalf of whom foster care maintenance payments or adoption assistance payments may be made under the title IV–E plan.

(b) Cost allocation and distribution for the planning, design, development, installation and operation must be in accordance with §95.631 of this title and section 474(c) of the Act, if the SACWIS or TACWIS includes functions, processing, information collection and management, equipment or services that are not directly related to the administration of the programs carried out under the plan approved under title IV–B or IV–E.

[77 FR 934, Jan. 6, 2012]
**B. Sex**
- Male: 1
- Female: 2

**C. Race/Ethnicity**
- American Indian or Alaska Native: 1
- Asian: 2
- Black or African American: 1
- Native Hawaiian or Other Pacific Islander: 1
- White: 1
- Unable to Determine: 3

**D. Has this child been clinically diagnosed as having a disability(ies)?**
- Yes: 3
- No: 2

1. If yes, indicate each type of disability with a “1”
   - Mental Retardation
   - Visually or Hearing Impaired
   - Physically Disabled
   - Emotionally Disturbed (DSM III)
   - Other Medically Diagnosed Condition Requiring Special Care

**E. Has this child ever been adopted?**
- Yes: 1
- No: 2
- Unable to Determine: 3

1. If yes, how old was the child when the adoption was legalized?
   - Less than 2 years old: 1
   - 2 to 5 years old: 2
   - 6 to 12 years old: 3
   - 13 years or older: 4
   - Unable to determine: 5

**III. Removal/Placement Setting Indicators**

**A. Removal Episodess**

<table>
<thead>
<tr>
<th>Date of First Removal From Home</th>
<th>(mo.)</th>
<th>(day)</th>
<th>(yr.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Child was Discharged From Last Foster Care Episode</td>
<td>(mo.)</td>
<td>(day)</td>
<td>(yr.)</td>
</tr>
</tbody>
</table>

**B. Placement Settings**

<table>
<thead>
<tr>
<th>Date of Placement in Current Foster Care Setting</th>
<th>(mo.)</th>
<th>(day)</th>
<th>(yr.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Previous Placement Settings During This Removal Episode</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**IV. Circumstances of Removal**

<table>
<thead>
<tr>
<th>Manner of Removal From Home for Current Placement Episode</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voluntary: 1</td>
</tr>
<tr>
<td>Court Ordered: 2</td>
</tr>
<tr>
<td>Not Yet Determined: 3</td>
</tr>
</tbody>
</table>

**B. Actions or Conditions Associated With Child’s Removal**

<table>
<thead>
<tr>
<th>Actions or Conditions</th>
<th>(Indicate all that apply with a “1”)</th>
</tr>
</thead>
</table>

**V. Current Placement Setting**

<table>
<thead>
<tr>
<th>Pre-Adoptive Home</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foster Family Home (Relative)</td>
<td>2</td>
</tr>
<tr>
<td>Foster Family Home (Non-Relative)</td>
<td>3</td>
</tr>
<tr>
<td>Group Home</td>
<td>4</td>
</tr>
<tr>
<td>Institution</td>
<td>5</td>
</tr>
<tr>
<td>Supervised Independent Living</td>
<td>6</td>
</tr>
<tr>
<td>Runaway</td>
<td>7</td>
</tr>
<tr>
<td>Tribal Home Visit</td>
<td>8</td>
</tr>
</tbody>
</table>

**VI. Most Recent Case Plan Goal**

| Reunify With Parent(s) or Principal Caretaker(s): 1 |
| Foster Family Home (Relative): 2 |
| Long Term Foster Care: 4 |
| Adoption: 3 |
| Emancipation: 5 |
| Guardianship: 6 |
| Case Plan Goal Not Yet Established | 7 |

**VII. Principal Caretaker(s) Information**

<table>
<thead>
<tr>
<th>Caretaker Family Structure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Married Couple: 1</td>
<td></td>
</tr>
<tr>
<td>Unmarried Couple: 2</td>
<td></td>
</tr>
<tr>
<td>Single Female: 3</td>
<td></td>
</tr>
<tr>
<td>Single Male: 4</td>
<td></td>
</tr>
<tr>
<td>Unable to Determine: 5</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year of Birth</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Principal Caretaker</td>
<td></td>
</tr>
<tr>
<td>2nd Principal Caretaker (If Applicable)</td>
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</tbody>
</table>

**VIII. Parental Rights Termination (If Applicable)**

<table>
<thead>
<tr>
<th>Mother</th>
<th>(mo.)</th>
<th>(day)</th>
<th>(yr.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Father</td>
<td>(mo.)</td>
<td>(day)</td>
<td>(yr.)</td>
</tr>
</tbody>
</table>

**IX. Foster Family Home—Parent(s) Data**

<table>
<thead>
<tr>
<th>Foster Family Structure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Married Couple: 1</td>
<td></td>
</tr>
<tr>
<td>Unmarried Couple: 2</td>
<td></td>
</tr>
</tbody>
</table>
I. General Information

A. Title IV–E agency**—for a State, the U.S. Postal Service two letter abbreviation for the State submitting the report. For a Tribal title IV–E agency, the abbreviation provided by ACF.

B. Report Date**—the last month and year for the reporting period.

C. Local Agency**—Identity of the county or equivalent unit which has responsibility for the case. The 5 digit Federal Information Processing Standard (FIPS) must be used or other ACF-provided code.

D. Record Number**—The sequential number which the title IV–E agency uses to transmit data to the Department of Health and Human Services (DHHS) or a unique number which follows the child as long as he or she is in foster care. The record number cannot be linked to the child’s case I.D.
number except at the title IV–E agency level.

E. Date of Most Recent Periodic Review (if applicable)—For children who have been in care for seven months or longer, enter the month, day and year of the most recent administrative or court review, including dispositional hearing. For children who have been in care less than seven months, leave the field blank. An entry in this field certifies that the child’s computer record is current up to this date.

II. Child’s Demographic Information

A. Date of Birth**—Month, day and year of the child’s birth. If the child is abandoned or the date of birth is otherwise unknown, enter an approximate date of birth. Use the 15th as the day of birth.

B. Sex**—Indicate as appropriate.

C. Race/Ethnicity**

1. Race—In general, a person’s race is determined by how they define themselves or by how others define them. In the case of young children, parents determine the race of the child. Indicate all races (a through e) that apply with a “1.” For those that do not apply, indicate a “0.” Indicate “Unable to Determine” with a “1” if it applies and a “0” if it does not.

   American Indian or Alaska Native—A person having origins in any of the original peoples of North or South America (including Central America), and who maintains tribal affiliation or community attachment.

   Asian—A person having origins in any of the original peoples of the Far East, South Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippines, Thailand, and Vietnam.

   Black or African American—A person having origins in any of the black racial groups of Africa.

   Native Hawaiian or Other Pacific Islander—A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

   White—A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

   Unable to Determine—The specific race category is “unable to determine” because the child is very young or is severely disabled and no person is available to identify the child’s race. “Unable to determine” is also used if the parent, relative or guardian is unwilling to identify the child’s race.

2. Hispanic or Latino Ethnicity—Answer “yes” if the child is of Mexican, Puerto Rican, Cuban, Central or South American origin, or a person of other Spanish cultural origin regardless of race. Whether or not a person is Hispanic or Latino is determined by how they define themselves or by how others define them. In the case of young children, parents determine the ethnicity of the child. “Unable to Determine” is used because the child is very young or is severely disabled and no person is available to determine whether or not the child is Hispanic or Latino. “Unable to determine” is also used if the parent, relative or guardian is unwilling to identify the child’s ethnicity.

D. Has the child been clinically diagnosed as having a disability(ies)? “Yes” indicates that a qualified professional has clinically diagnosed the child as having at least one of the disabilities listed below. “No” indicates that a qualified professional has not been conducted.

1. Indicate Each Type of Disability With a “1”

   Mental Retardation—Significantly sub-average general cognitive and motor functioning existing concurrently with deficits in adaptive behavior manifested during the development period that adversely affect a child’s/youth’s socialization and learning.

   Visually or Hearing Impaired—Having a visual impairment that may significantly affect educational performance or development; or a hearing impairment, whether permanent or fluctuating, that adversely affects educational performance.

   Emotionally Disturbed (DSM III)—A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree: An inability to build or maintain satisfactory interpersonal relationships; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal problems. The term includes persons who are schizophrenic or autistic. The term does not include persons who are socially maladjusted, unless it is determined that they are also seriously emotionally disturbed. The diagnosis is based on the Diagnostic and Statistical Manual of Mental Disorders (Third Edition) (DSM III) or the most recent edition.

   Other Medically Diagnosed Conditions Requiring Special Care—Conditions other than those noted above which require special medical care such as chronic illnesses. Included are children diagnosed as HIV positive or with AIDS.

   E.1. Has this child ever been adopted? If this child has ever been legally adopted, enter “yes.” If the child has never been legally adopted, enter “no.” Enter “Unable to Determine” if the child has been abandoned or the child’s parent(s) are otherwise not available to provide the information.

   2. If yes, how old was the child when the adoption was legalized? Enter the number which represents the appropriate age range.
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If uncertain, use an estimate. If no one is available to provide the information, enter “Unable to Determine.”

III. Removal/Placement Setting Indicators
A. Removal Episodes—The removal of the child from his/her normal place of residence resulting in his/her placement in a foster care setting.
   Date of First Removal From Home—Month, day and year the child was removed from home for the first time for purpose of placement in a foster care setting. If the current removal is the first removal, enter the date of the current removal. For children who have exited foster care, “current” refers to the most recent removal episode and the most recent placement setting.
   Total Number of Removals From Home to Date—The number of times the child was removed from home, including the current removal.
   Date Child was Discharged From Last Foster Care Episode (If Applicable)—For children with prior removals, enter the month, day and year they were discharged from care for the episode immediately prior to the current episode. For children with no prior removals, leave blank.
   Date of Latest Removal From Home*—Month, day and year the child was last removed from his/her home for the purpose of being placed in foster care. This would be the date for the current episode or, if the child has existed foster care, the date of removal for the most recent removal.
   Transaction Date**—A computer generated date which accurately indicates the month, day and year the response to “Date of Latest Removal From Home” was entered into the information system.
B. Placement Settings.
   Date of Placement in Current Foster Care Setting—Month, day and year the child moved into the current foster home, facility, residence, shelter, institution, etc. for purposes of continued foster care.
   Number of Previous Placement Settings During This Removal Episode—Enter the number of places the child has lived, including the current setting, during the current removal episode. Do not include trial home visits as a placement setting.

IV. Circumstances of Removal
A. Manner of Removal From Home for Current Placement Episode.
   Voluntary Placement Agreement—An official voluntary placement agreement has been executed between the caretaker and the agency. The placement remains voluntary even if a subsequent court order is issued to continue the child in foster care.
   Court Ordered—The court has issued an order which is the basis of the child’s removal.

Not Yet Determined—A voluntary placement agreement has not been signed or a court order has not been issued. This will mostly occur in very short-term cases. When either a voluntary placement agreement is signed or a court order issued, the record should be updated to reflect the manner of removal at that time.

B. Actions or Conditions Associated With Child’s Removal (indicate all that apply with a “1.”)

   1. Physical Abuse—Alleged or substantiated physical abuse, injury or maltreatment of the child by a person responsible for the child’s welfare.
   2. Sexual Abuse—Alleged or substantiated sexual abuse or exploitation of a child by a person who is responsible for the child’s welfare.
   3. Neglect—Alleged or substantiated negligent treatment or maltreatment, including failure to provide adequate food, clothing, shelter or care.
   4. Drug Abuse (Parent)—Principal caretaker’s compulsive use of alcohol that is not of a temporary nature.
   5. Drug Abuse (Child)—Child’s compulsive use of or need for alcohol. This element should include infants addicted at birth.
   6. Alcohol Abuse (Child)—Child’s compulsive use of or need for narcotics. This element should include infants addicted at birth.
   7. Alcohol Abuse (Parent)—Principal caretaker’s compulsive use of or need for narcotics. This element should include infants addicted at birth.
   8. Drug Abuse (Parent)—Principal caretaker’s compulsive use of or need for narcotics. This element should include infants addicted at birth.
   9. Drug Abuse (Child)—Child’s compulsive use of or need for alcohol. This element should include infants addicted at birth.
   10. Drug Abuse (Child)—Child’s compulsive use of or need for alcohol. This element should include infants addicted at birth.
   11. Mental Retardation—Clinical diagnosis by a qualified professional of one or more of the following: Mental retardation; emotional disturbance; specific learning disability; hearing, speech or sight impairment; physical disability; or other clinically diagnosed handicap. Include only if the disability(ies) was at least one of the factors which led to the child’s removal.
   12. Child’s Behavior Problem—Behavior in the school and/or community that adversely affects socialization, learning, growth, and moral development. These may include adjudicated or nonadjudicated child behavior problems. This would include the child’s running away from home or other placement.
   13. Death of Parent(s)—Family stress or inability to care for child due to death of a parent or caretaker.
   14. Incarceration of Parent(s)—Temporary or permanent placement of a parent or caretaker in jail that adversely affects care for the child.
   15. Caretaker’s Inability to Cope Due to Illness or Other Reasons—Physical or emotional illness or disabling condition adversely affecting the caretaker’s ability to care for the child.
   16. Abandonment—Child left alone or with others; caretaker did not return or make whereabouts known.
Relinquishment—Parent(s), in writing, assigned the physical and legal custody of the child to the agency for the purpose of having the child adopted.

Inadequate Housing—Housing facilities were substandard, overcrowded, unsafe or otherwise inadequate resulting in their not being appropriate for the parents and child to reside together. Also includes homelessness.

V. Current Placement Setting**

A. Identify the type of setting in which the child currently lives.

Pre-Adoptive Home—A home in which the family intends to adopt the child. The family may or may not be receiving a foster care payment or an adoption subsidy on behalf of the child.

Foster Family Home (Relative)—A licensed or unlicensed home of the child’s relatives regarded by the title IV–E agency as a foster care living arrangement for the child.

Foster Family Home (Non-Relative)—A licensed foster family home regarded by the title IV–E agency as a foster care living arrangement.

Group Home—A licensed or approved home providing 24-hour care for children in a small group setting that generally has from seven to twelve children.

Institution—A child care facility operated by a public or private agency and providing 24-hour care and/or treatment for children who require separation from their own homes and group living experience. These facilities may include: Child care institutions; residential treatment facilities; maternity homes; etc.

Supervised Independent Living—An alternative transitional living arrangement where the child is under the supervision of the agency but without 24 hour adult supervision, is receiving financial support from the child welfare agency, and is in a setting which provides the opportunity for increased responsibility for self care.

Runaway—The child has run away from the foster care setting.

Trial Home Visit—The child has been in a foster care placement, but, under title IV–E agency supervision, has been returned to the principal caretaker for a limited and specified period of time.

B. Is current placement setting outside of the State or Tribal service area?

“No” indicates that the current placement setting is located outside of the State or the Tribal service area of the Tribal title IV–E agency making the report.

“Yes” indicates that the child continues to reside within the State or the Tribal service area of the Tribal title IV–E agency making the report.

Note: Only the title IV–E agency with placement and care responsibility for the child should include the child in this reporting system.

VI. Most Recent Case Plan Goal***

Indicate the most recent case plan goal for the child based on the latest review of the child’s case plan—whether a court review or an administrative review. If the child has been in care less than six months, enter the goal in the case record as determined by the caseworker.

Reunify With Parents or Principal Caretaker(s)—The goal is to keep the child in foster care for a limited time to enable the agency to work with the family with whom the child had been living prior to entering foster care in order to reestablish a stable family environment.

Live With Other Relatives—The goal is to facilitate the child’s adoption by relatives, foster parents or other unrelated individuals.

Long Term Foster Care—Because of specific factors or conditions, it is not appropriate or possible to return the child home or place her or him for adoption, and the goal is to maintain the child in a long term foster care placement.

Emancipation—Because of specific factors or conditions, it is not appropriate or possible to return the child home, a child live permanently with a relative or the child be adopted; therefore, the goal is to maintain the child in a foster care setting until the child reaches the age of majority.

Guardianship—The goal is to facilitate the child’s placement with an agency or unrelated caretaker, with whom he or she was not living prior to entering foster care, and whom a court of competent jurisdiction has designated as legal guardian.

Case Plan Goal Not Yet Established—No case plan goal has yet been established other than the care and protection of the child.

VII. Principal Caretaker(s) Information

A. Caretaker Family Structure—Select from the four alternatives—married couple, unmarried couple, single female, single male—the category which best describes the type of adult caretaker(s) from whom the child was removed for the current foster care episode. Enter “Unable to Determine” if the child has been abandoned or the child’s caretakers are otherwise unknown.

B. Year of Birth—Enter the year of birth for up to two caretakers. If the response to data element VII A—Caretaker Family Structure, was 1 or 2, enter data for two caretakers. If the response was 3 or 4, enter data only for the first caretaker. If the exact
year of birth is unknown, enter an estimated estimated year of birth.

VIII. Parental Rights Termination

Enter the month, day and year that the court terminated the parental rights. If the parents are known to be deceased, enter the date of death.

IX. Family Foster Home—Parent(s) Data

Provide information only if data element in Section V., Part A. CURRENT PLACEMENT SETTING is 1, 2, or 3.

A. Foster Family Structure—Select from the four alternatives—married couple, unmarried couple, single female, single male—the category which best describes the nature of the foster parents with whom the child is living in the current foster care episode.

B. Year of Birth—Enter the year of birth for up to two foster parents. If the response to data element IX. A.—Foster Family Structure, was 1 or 2, enter data for two caretakers. If the response was 3 or 4, enter data only for the first caretaker. If the exact year of birth is unknown, enter an estimated year of birth.

C. Race—Indicate the race for each of the foster parent(s). See instructions and definitions for the race categories under data element II.C.1. Use “f. Unable to Determine” only when a parent is unwilling to identify his or her race. Hispanic or Latino Ethnicity—Indicate the ethnicity for each of the foster parent(s). See instructions and definitions for the category which best describes the nature of the foster parent(s).

XI. Source(s) of Federal Support/Assistance for Child (Indicate All That Apply With a “1”)

Title IV–E (Foster Care)—Title IV–E foster care maintenance payments are being paid on behalf of the child.

Title IV–E (Adoption Subsidy)—Title IV–E adoption subsidy is being paid on behalf of the child who is in an adoptive home, but the adoption has not been legalized.

Title IV–A (Aid to Families With Dependent Children)—Child is living with relative(s) whose source of support is an AFDC payment for the child.

Title IV–D (Child Support)—Child support funds are being paid to the State agency on behalf of the child by assignment from the receiving parent.

Title XIX (Medicaid)—Child is eligible for and may be receiving assistance under title XIX.

SSI or Other Social Security Act Benefits—Child is receiving support under title XVI or other Social Security Act titles not included in this section.

None of the Above—Child is receiving support only from the title IV–E agency, or from some other source (Federal or non-Federal) which is not indicated above.

XII. Amount of the Monthly Foster Care Payment (Regardless of Sources)

Enter the monthly payment paid on behalf of the child regardless of source (i.e., Federal, State, county, municipality, tribal, and private payments). If title IV–E is paid on behalf of the child the amount indicated should be the total computable amount. If the payment made on behalf of the child is not the same each month, indicate the amount of the last full monthly payment made during the reporting period. If no monthly payment has been made during the period, enter all zeros.

[77 FR 934, Jan. 6, 2012]

APPENDIX B TO PART 1355—ADOPTION DATA ELEMENTS

SECTION I—ADOPTION DATA ELEMENTS

I. General Information

A. Title IV–E agency

B. Report Date ____ (mo.) ____ (day) ____ (yr.)

C. Record Number

D. Did the Title IV–E Agency Have any Involvement in This Adoption? ___