

(i) Supports programs authorized under titles IV-B or IV-E, and at least one requirement of §1355.52 or, if applicable §1355.54; and

(ii) Is not duplicated within the CCWIS or systems supporting child welfare contributing agencies and is consistently used by all child welfare users responsible for the area supported by the automated function.

(b) *CCWIS cost allocation for new CCWIS projects.* (1) Unless exempted in accordance with §1355.53(b)(2), all automated functions of a new CCWIS project must meet the CCWIS design requirements described under §1355.53(a).

(2) An automated function of a CCWIS project described in paragraph (b)(1) of this section may qualify for a CCWIS cost allocation if the automated function:

(i) Supports programs authorized under titles IV-B or IV-E, and at least one requirement of §1355.52 or, if applicable §1355.54; and

(ii) Is not duplicated within the CCWIS or systems supporting child welfare contributing agencies and is consistently used by all child welfare users responsible for the area supported by the automated function.

(c) *CCWIS cost allocation for approved activities.* The Department may approve a CCWIS cost allocation for an approved activity for a CCWIS project meeting the requirements of paragraph (a) or (b) of this section.

(d) *Project cost allocation.* A title IV-E agency must allocate project costs in accordance with applicable HHS regulations and other guidance.

(e) *CCWIS cost allocation.* (1) A title IV-E agency may allocate CCWIS development and operational costs to title IV-E for the share of approved activities and automated functions that:

(i) Are approved by the Department;

(ii) Meet the requirements of paragraphs (a), (b), or (c) of this section; and

(iii) Benefit federal, state or tribal funded participants in programs and allowable activities described in title IV-E of the Act to the title IV-E program.

(2) A title IV-E agency may also allocate CCWIS development costs to title IV-E for the share of system approved activities and automated functions

that meet requirements (e)(1)(i) and (ii) of this section and:

(i) Benefit title IV-B programs; or

(ii) Benefit both title IV-E and child welfare related programs.

(f) *Non-CCWIS cost allocation.* Title IV-E costs not previously described in this section may be charged to title IV-E in accordance with §1356.60(d).

[81 FR 35481, June 2, 2016]

§ 1355.58 Failure to meet the conditions of the approved APD.

(a) In accordance with 45 CFR 75.371 through 75.375 and 45 CFR 95.635, ACF may suspend title IV-B and title IV-E funding approved in the APD for a CCWIS if ACF determines that the title IV-E agency fails to comply with APD requirements in 45 CFR part 95, subpart F, or meet the requirements at §1355.52 or, if applicable, §1355.53, §1355.54, or §1355.56.

(b) Suspension of CCWIS funding begins on the date that ACF determines the title IV-E agency failed to:

(1) Comply with APD requirements in 45 CFR part 95, subpart F; or

(2) Meet the requirements at §1355.52 or, if applicable, §1355.53, §1355.54, or §1355.56 and has not corrected the failed requirements according to the time frame in the approved APD.

(c) The suspension will remain in effect until the date that ACF:

(1) Determines that the title IV-E agency complies with 45 CFR part 95, subpart F; or

(2) Approves a plan to change the application to meet the requirements at §1355.52 and, if applicable, §1355.53, §1355.54, or §1355.56.

(d) If ACF suspends an APD, or the title IV-E agency voluntarily ceases the design, development, installation, operation, or maintenance of an approved CCWIS, ACF may recoup all title IV-E funds claimed for the CCWIS project.

[81 FR 35482, June 2, 2016]

§ 1355.59 [Reserved]

PART 1356—REQUIREMENTS APPLICABLE TO TITLE IV-E

Sec.
1356.10 Scope.

§ 1356.10

- 1356.20 Title IV-E plan document and submission requirements.
- 1356.21 Foster care maintenance payments program implementation requirements.
- 1356.22 Implementation requirements for children voluntarily placed in foster care.
- 1356.30 Safety requirements for foster care and adoptive home providers.
- 1356.40 Adoption assistance program: Administrative requirements to implement section 473 of the Act.
- 1356.41 Nonrecurring expenses of adoption.
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- 1356.60 Fiscal requirements (title IV-E).
- 1356.65-1356.66 [Reserved]
- 1356.67 Procedures for the transfer of placement and care responsibility of a child from a State to a Tribal title IV-E agency or an Indian Tribe with a title IV-E agreement.
- 1356.68 Tribal title IV-E agency requirements for in-kind administrative and training contributions from third-party sources.
- 1356.69-1356.70 [Reserved]
- 1356.71 Federal review of the eligibility of children in foster care and the eligibility of foster care providers in title IV-E programs.
- 1356.80 Scope of the National Youth in Transition Database.
- 1356.81 Reporting population.
- 1356.82 Data collection requirements.
- 1356.83 Reporting requirements and data elements.
- 1356.84 Sampling.
- 1356.85 Compliance.
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APPENDIX A TO PART 1356—NYTD DATA ELEMENTS

APPENDIX B TO PART 1356—NYTD YOUTH OUTCOME SURVEY

APPENDIX C TO PART 1356—CALCULATING SAMPLE SIZE FOR NYTD FOLLOW-UP POPULATIONS

AUTHORITY: 42 U.S.C. 620 *et seq.*, 42 U.S.C. 670 *et seq.*; 42 U.S.C. 1302.

§ 1356.10 Scope.

This part applies to title IV-E agency programs for foster care maintenance payments, adoption assistance payments, related foster care and adoption administrative and training expenditures, and the independent living services program under title IV-E of the Act.

[77 FR 946, Jan. 6, 2012]

45 CFR Ch. XIII (10-1-23 Edition)

§ 1356.20 Title IV-E plan document and submission requirements.

(a) To be in compliance with the title IV-E plan requirements and to be eligible to receive Federal financial participation (FFP) in the costs of foster care maintenance payments and adoption assistance under this part, a title IV-E agency must have a plan approved by the Secretary that meets the requirements of this part, part 1355, section 471(a) of the Act and for Tribal title IV-E agencies, section 479B(c) of the Act. The title IV-E plan must be submitted to the appropriate Regional Office, ACYF, in a form determined by the title IV-E agency.

(b) Failure by a title IV-E agency to comply with the requirements and standards for the data reporting system for foster care and adoption (§1355.40 of this chapter) shall be considered a substantial failure by the title IV-E agency in complying with the plan.

(c) The following procedures for approval of plans and amendments apply to the title IV-E program:

(1) *Plan.* The plan consists of written documents furnished by the title IV-E agency to cover its program under part E of title IV. After approval of the original plan by the Commissioner, ACYF, all relevant changes, required by new statutes, rules, regulations, interpretations, and court decisions, are required to be submitted currently so that ACYF may determine whether the plan continues to meet Federal requirements and policies.

(2) *Submittal.* Plans and revisions of the plans are submitted first to the State governor or his/her designee, or the Tribal leader or his/her designee for review and then to the regional office, ACYF. Title IV-E agencies are encouraged to obtain consultation of the regional staff when a plan is in process of preparation or revision.

(3) *Review.* Staff in the regional offices are responsible for review of plans and amendments. They also initiate discussion with the title IV-E agency on clarification of significant aspects of the plan which come to their attention in the course of this review. Plan material on which the regional staff has questions concerning the application of Federal policy is referred with