



# ADMINISTRATION FOR **CHILDREN & FAMILIES**

## **SUPPLEMENTAL TERMS and CONDITIONS**

The **General Terms and Conditions** apply to all mandatory grant programs. These Supplemental Terms and Conditions are additional requirements applicable to the program named below.

By acceptance of awards for this program, the grantee agrees to comply with the requirements included in both the General and Supplemental Terms and Conditions for this program.

### Administration on Children Youth and Families Children's Bureau

#### **FOSTER CARE PROGRAM**

Catalog of Federal Domestic Assistance (CFDA) Program No. 93.658

#### **ADOPTION ASSISTANCE PROGRAM**

Catalog of Federal Domestic Assistance (CFDA) Program No. 93.659

#### **GUARDIANSHIP ASSISTANCE PROGRAM**

Catalog of Federal Domestic Assistance (CFDA) Program No. 93.090

### **APPLICABLE LEGISLATION, STATUTE, REGULATIONS**

1. The administration of this program is based on:
  - Statutory requirements at **Part E of Title IV** of the Social Security Act;
  - Federal regulations at **45 CFR 1355 and 1356**;
  - An approved title IV-E plan, including all approved amendments or revisions;
  - the provisions of the ACF Child Welfare Policy Manual;
  - All other applicable Federal regulations, program policies and instructions.
2. Additional applicable regulations and requirements can be found in the General Terms and Conditions.

### **NON-FEDERAL SHARE OF PROGRAM FUNDING**

3. This program provides for use of the applicable Federal Medical Assistance Percentage (FMAP) rate for costs classified as assistance payments. The FMAP rate varies between **50 and 83 percent** and is calculated annually for each State and published in the Federal Register.
4. A **50 percent** Federal Financial Participation (FFP) rate applies to costs classified as administration (including automated systems costs) and a **75 percent** FFP rate applies for certain costs classified as training. The Federal award provides funds for the Federal share of total costs for those cost categories, using the applicable matching rate.
5. **State** grantees are required to provide the non-Federal share of program costs for the remaining portions of each of these cost categories: assistance payments, administration, automated systems, training, etc.
  - The State share of funding will, generally, include funds appropriated by the State legislature specifically for use in these programs.
  - Third party in-kind contributions **may not be used** as any part of the non-Federal share of program expenditures for this program.
  - The State share of funding may also include,
    - (a) funds donated without any conditions or restrictions to the State title IV-E agency,
    - (b) funds transferred from another public agency to the State title IV-E agency, or
    - (c) expenditures made by another public agency within the State on behalf of the State title IV-E agency and must be certified as applicable to the program under the approved title IV-E State plan.
6. **Tribal** grantees are required to provide the non-Federal share of program costs for the remaining portions of each of these cost categories: assistance payments, administration, automated systems, training, etc. .
  - The Tribe's share of funding will, generally, include funds identified specifically for use in these programs.

- Third party in-kind contributions **may be used** as any part of a Tribe's non-Federal share of program expenditures **only** for costs classified as administration or training for this program.
  - Third party in-kind contributions **may not be used** as any part of the non-Federal share of program expenditures for costs classified as assistance payments for this program.
  - The Tribe's share of funding may also include,
    - (a) funds donated *without any conditions or restrictions* to the Tribe title IV-E agency,
    - (b) funds transferred from another public agency to the Tribe title IV-E agency, or
    - (c) expenditures made by another public agency within the Tribe on behalf of the Tribe title IV-E agency and must be certified as applicable to the program under the approved title IV-E State plan.
7. Under the provisions of 48 USC §1469a(d), as amended, the Insular Areas are not required to provide up to \$200,000 per year of the non-Federal share of funding for this program. If the non-Federal share exceeds \$200,000, the statutory Federal / non-Federal funding rates for this program will apply to all expenditures that exceed that threshold. (See Office of Grants Management Action Transmittal, OGM-AT-15-02, September 3, 2015 for additional information concerning this waiver provision.).

## PERIODIC REPORTING REQUIREMENTS

8. OMB standard Form SF-425, "Federal Financial Report," is not used for this program. Instead, States and Tribes are required to submit the following reports, either quarterly or annually:
9. Quarterly Reports.
- **Form CB-496, Parts 1 and 2, "Title IV-E Programs Quarterly Financial Report"** Report the Total and Federal share of funds expended in the preceding fiscal quarter and an estimate of the funding required in the upcoming fiscal quarter.
  - **Form CB-496, Part 3, "Demonstration Projects"** This form is submitted only by States or Tribes reporting the costs of an approved Demonstration Project.
  - **Submission Schedule:** In accordance with 45 CFR 201.5 301.15(b)(2) and 45 CFR 1355.30(n)(1), these reports must be submitted no later than 30 days following the end of each fiscal quarter (i.e., **no later than January 30, April 30, July 30, and October 30**).
10. Annual report.
- **Form CB-496, Part 4, "Annual Adoption Savings Calculation and Accounting Report."** Each grantee reports the methodology used to calculate adoption savings due to the application of differing title IV-E Adoption Assistance eligibility criteria along with an accounting of the amount of and the expenditure of any such savings.
  - **Submission Schedule:** In accordance with section 473(a)(8)(B) of the Social Security Act, this report is due annually no later than 30 days following the end of the Federal fiscal year (i.e., **no later than October 30**).
11. Submission Methodology. On Line. The reports for this program must be submitted electronically through the ACF On-Line Data Collection (OLDC) system.

Paper copies of these reports are no longer being accepted either by mail, by fax or as an email attachment. (See ACF Office of Grants Management Action Transmittal, OGM-AT-13-01, September 25, 2013.)

## EFFECTIVE PERIOD

12. These program-specific Supplemental Terms and Conditions are effective on the date shown in the margin at the bottom of the page and will remain in effect until updated. They will be updated and reissued only as needed whenever a new program-specific statute, regulation or other requirement is enacted or whenever any of the applicable existing Federal statutes, regulations, policies, procedures or restrictions is amended, revised, altered, or repealed.

## **POINTS OF CONTACT**

13. Points of contact for additional information or questions concerning either the operation of the program or related financial or grant matters can be found as Appendix B of the General Terms and Conditions.