



**Children's Services Council of Broward County Monthly Meeting**  
6600 W. Commercial Blvd., Lauderhill, FL 33319 & Zoom Webinar

June 15, 2023  
9:30 a.m.

**MEETING AGENDA ADDENDUM**

- VI. Chief Program Officer Report** Maria Juarez, *CPO*
- c. Approve DCF IV-E Interagency Agreement Amendment Contingent Upon Legal Review and Approval **(Tab 1)**
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- IX. Chief Operating Officer Report** Monti Larsen, *COO*
- d. Approve Deferred Compensation Plan Merger Resolution **(Tab 2)**

*Please complete this form <https://bit.ly/3nbSwe9> for ASL interpreter requests. For all other requests for special accommodations, please reach out to Shae Williams at (954) 377-1667 or [shwilliams@cscbroward.org](mailto:shwilliams@cscbroward.org) at least one week in advance so that proper arrangements can be made.*



## For Council Meeting June 15, 2023

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<b>System Goal</b>	SYS 3 Provide leadership and resources to attract and maximize additional resources at the local, state and federal level.
<b>Objective:</b>	SYS 941 Identify and pursue leveraged funds opportunities as they become available to maximize available funding and services for children and families.
<b>Issue:</b>	An Amendment to the Interagency Agreement with the Department of Children and Families to Increase the Amount CSC is Allowed to Claim for Title IV-E Reimbursement.
<b>Action:</b>	Approve DCF Interagency Agreement Amendment Contingent Upon Legal Counsel Review and Approval.
<b>Budget Impact:</b>	Allows CSC to Receive up to an additional \$283,000 in Federal Title IV-E Reimbursement for Legal Representation of Children in the Dependency System and for Adoption Assistance in FY 22/23; And Up to \$860,000 for FY 23/24.

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**Background:** Since 2004, the Council has had an Interagency Agreement with the Department of Children and Families for reimbursement of Federal Title IV-E eligible services. The Agreement covers eligible services under the 1) Foster Care Administration and 2) Adoption Assistance funding categories. In June 2019, DCF announced the federal government's eligibility and reimbursement changes to the waiver which created a new opportunity for CSC to claim reimbursement for legal representation of children in the dependency system. CSC funds these services via a contract with Legal Aid and therefore, it was deemed eligible for reimbursement. CSC's Heart Gallery and Forever Families contracts remained eligible for reimbursement under the Adoption Assistance funding category.

**Current Status:** Due to some federal changes, CSC and DCF worked diligently to develop a new Title IV-E Interagency Agreement that is retroactive to March 1, 2023, and will allow for a higher reimbursement rate and maximum dollars to be drawn down for the remainder of FY 2022-2023. The sections of the amendment which are highlighted indicate the areas containing language which has been amended.

**Recommended Action:** Approve DCF Interagency Agreement Amendment Contingent Upon Legal Counsel Review and Approval.

**FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONTRACT NO. YLJ74  
AMENDMENT NO. 2**

Effective the latter of March 1, 2023 or the last date of the signatories, this amends the above referenced **Contract as follows:**

1. Numbers 4, 9, 16, 18, and 24-25 were last addressed in Amendment #1.
2. **2. e)** text is replaced with “Reserved”.
3. **2. l)** text is replaced with “Reserved”.
4. The highlighted portion below amends **2. q)**. The non-highlighted portions are contextual only and unaffected by this amendment.
  - q) “Foster care candidate” means a child who is identified as being at imminent risk of entering foster care but who can remain safely in the child’s home with the parent or guardian when services or programs that are necessary to prevent the entry of the child into foster care are provided **under the supervision of the Department**. The term includes a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care placement.
5. **4. b)** is amended to read:
  - b) **Budget.** Upon a change to the Agency’s budget authority, the Agency shall provide supporting documentation and a budget narrative. In the budget narrative, the Agency shall explain how the existing budget is changing from the previous contract year and shall identify all categories of claiming that might be affected.
6. **4. c)** is amended to read:
  - c) Cost Allocation. The Agency must provide modifications to the approved cost allocation methodology per the state’s Public Assistance Cost Allocation Plan (PACAP). The agency must submit, ongoing, current position descriptions and organization charts which support the positions included in each claim submission.
7. The highlighted portion below amends **6**. The non-highlighted portions are contextual only and unaffected by this amendment.

**An Administration for Children and Families (ACF) approved Public Assistance Cost Allocation Plan (PACAP), that clearly identifies the administrative and training activities and the methodology that will be used for claiming administrative costs, is required to claim costs through this Agreement.** In order for the Agency to claim Title IV-E reimbursement for an Allowable Expenditure related to the maintenance, administration, and training costs provided, the Agency shall:
8. **6. b)** is amended to read:
  - b) Develop cost allocation methodologies for administrative and training activities and costs which must be submitted to the Department and approved in the PACAP prior to submitting claims. The claiming methodology must be determined to most accurately reflect the time spent on allowable activities and included Attachment A submitted by the Agency as part of this Agreement. (See Attachment B);
9. **6. c)** is amended to read:
  - c) Utilize the state’s Title IV-E eligibility rates on the Claim Submission Form (Attachment F) for the corresponding reporting period for application of foster care, foster care candidacy, and adoption. The Department will provide the monthly rates to Agency’s point of contact no later than the 15<sup>th</sup> day of the following month;

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- 10. 6. d)** text is replaced with “Reserved”.
- 11. 6. f)** is amended to read:
  - f) Document training costs, if included in the Attachment A and approved PACAP, provided that align with the Title IV-E allowable training topics, as defined in CWPM 8.1.H Training. (See Attachment E).
- 12. 6. g)** is added:
  - g) Identify to the Department the activities for which the Agency intends to claim and assist the Department in the development of the PACAP and any required amendments to the PACAP. Specifically, the Agency must timely provide any ACF requested information required for PACAP approval, including but not limited to, identifying the services and eligible clients, and relating these to the scope, both operationally and geographically. (See Attachment G).
- 13. 7. a)** text is replaced with “Reserved”.
- 14. 7. b)** is amended to read:
  - b) The Agency shall only submit claims for costs associated with the delivery of eligible activities that are included in Attachment A, Description of Services
- 15. 7. e)** is amended to read:
  - e) The Agency shall submit a claim to the Department on a monthly basis up to 45 days after the last day of each reporting period. The Department retains the right to reject any claims submitted 120 days after the period of service. The Agency shall submit claims for activities that were performed on or after October 1, 2019.
- 16. 7. f)** is amended to read:
  - f) The Agency shall use the Department's approved Claim Submission form (Attachment F) to request reimbursement. Attachment B shall be completed and signed by an authorized employee of the Agency certifying that the funds used are unmatched public funds and are allowable for the Title IV-E reimbursement.
- 17. 7. g)** text is replaced with “Reserved”.
- 18. 7. l)** is added:
  - l) The Agency shall complete and sign the Employee Certification Form to certify a staff person is fully dedicated at 100% to a specific function as described in Attachment B Allocation Methodologies. This shall be completed quarterly and made available upon request by the Department.
- 19. 10. a)** is amended to read:
  - a) The Agency must submit all documentation as required per this agreement for federal reimbursement of expenditures to the contract manager identified in section 14 of this agreement.
- 20. 10. b)** is amended to read:
  - b) The Agency will submit documentation to the Department to certify that the expenditures were made with public funds. The Department will review the documentation for payment approval within 5 business days and submit for financial processing or return to the Agency if the submission does not meet the requirements outlined in this Agreement.

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**21. 10. c)** is amended to read:

c) The Department (Revenue Management) will submit the expenditures claimed, upcoming quarter estimates, and child counts on the CB-496, Title IV-E Quarterly Expenditures Report.

**22. 12. c)** is amended to read:

c) The Department and Agency understand and agree that participation in the Title IV- E reimbursement program requires that this Agreement be fully executed prior to submission of any Title IV-E claims for reimbursement. While the Department may receive Title IV-E claims, transfer of funds to the Agency is contingent on budget authority.

**23. 12. f) is added:**

f) The Department and the Agency understand and agree that no claims for reimbursement or expectations of payment of claims for reimbursement shall be made until federal approval of the Department's cost allocation plan and the Department seeking and being granted additional non-operating budget to pay the claims.

**24.** The current **Attachment A** is replaced by the attached **Attachment A**.

**25.** The current **Attachment F** is replaced by the attached **Attachment F**.

**26.** The attached **Attachment G** is added.

**27.** The attached **Attachment H** is added.

**28.** All provisions in the Contract and any attachments thereto in conflict with this Amendment are changed to conform with this Amendment. All provisions not in conflict with this Amendment are still in effect and are to be performed at the level specified in the Contract. This Amendment and all its attachments are made a part of the Contract.

**IN WITNESS THEREOF**, the parties cause this amendment to be executed by their duly authorized officials.

**PROVIDER**

**DEPARTMENT**

**Signature:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

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**ATTACHMENT A**

**Description of Services**

**Title IV-E Program:**

<b>Adoption Assistance</b>	<b>Foster Care</b>	<b>Foster Care Candidacy</b>
<b>X Administration</b>	<b>X Administration</b>	<b>X Administration</b>
<input type="checkbox"/> <b>Training</b>	<input type="checkbox"/> <b>Training</b>	<input type="checkbox"/> <b>Training</b>

**Service Description**

**1. Allowable Cost**

**Title IV-E Foster Care Administration**

The Legal Supports program provides legal representation to children/youth through age 17 in the dependency system with a priority to expedite permanency for children 0-5 years old, sibling groups and children/youth that have been in the dependency system longer than 1 year. Youth in extended foster care may be served through age 20.

Allowable costs include attorneys, paralegals and legal specialist serving youth in the dependency system. Costs related to these staff include salaries, benefits, office space, travel and indirect costs.

**Title IV-E Adoption Assistance Administration**

- **FOREVER FAMILY PROGRAM** - Foster Parent/Adoptive Parent Recruitment Series.

Consulting agreement with Gialogic productions for production of a weekly television feature, which airs on the local NBC channel. The segment airs twice weekly and is prominently featured within the local NBC news segment. The feature is also highlighted on local radio stations.

Segments feature a child currently in foster care and encourage a permanent placement for that child. Segments may also include stories on challenges teens face when 'aging out' of the foster care system and general awareness and recruitment of foster parents, adoptive parents and volunteers.

A **service unit** is defined as a unique weekly television feature, which airs on the local NBC Channel.

- **HEART GALLERY** - Child Specific Adoptive Parent Recruitment which includes:

Consulting agreement with the Heart Gallery of Broward County to provide Child Specific recruitment for Adoptive Parents through the use of professional portrait galleries exhibited throughout the County.

A **service unit** is defined as an Adoptive Parent Recruitment Event through the use of professional portrait galleries exhibited throughout Broward County.

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**2. Documentation Required**

**Title IV-E Foster Care Administration**

The Children's Services Council of Broward County agrees to pay for allowable legal services provided, invoiced, and documented.

The provider shall maintain client records, in accordance with the state retention schedules, that reflect individual beginning and ending service times, dates of service and nature of service for all services provided.

With the first claim to the Department, a copy of the contract between the Children's Services Council of Broward County and the Provider delivering the services must be provided to the contract manager. In addition, if the contract does not clearly identify the costs that are allowable as described in 1.a above, the CSCBC shall provide a written narrative with a copy of the line-item budget for the program explaining how the allowable costs are determined. With each claim, documentation of the calculation of eligible cost should be calculated as follows:

- Reimbursement Detail Report
- Claim Submission Form (**Attachment F - Monthly Invoice Claim Submission Form- Title IV-E Foster Care and Adoption Services**)
- CSC Program Unit Monthly Service Detail Report (Child Count Listing)-The report must provide information to include reporting period, name, DOB, age, school education grade, identification of child as either foster care (out-of-home) or foster care candidate (in-home), and the agency case code in lieu of dependency case code. The dependency case code can be obtained upon request by the Department.
- Monthly Deliverable Report

**Title IV-E Adoption Assistance Administration**

With the first claim to the Department, a copy of the consulting agreements must be provided to the contract manager.

- Reimbursement Detail Report
- Claim Submission Form (**Attachment F Monthly Invoice Claim Submission Form- Title IV-E Foster Care and Adoption Services**)
- Monthly Deliverable Report

**3. Estimated Budget Projections**

**Title IV-E Foster Care Administration total budget projection is \$10,157,898.50.**

Client services provided under this contract will be paid as units of service and at the rates and maximum amounts as defined in the table below:



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State Fiscal Year (SFY) or Months	Per Hour Rate	Maximum Number of Units <i>Unit Type #9051</i>	Total Unit Amount
<b>SFY 19-20</b> (10/1/19-12/31/19)	\$103.50	2,933.25	\$303,591.38
<b>SFYs 19-20/20-21</b> (1/1/20-9/30/20)	\$99.63	13,150.469	\$1,310,181.31
<b>SFY 20-21</b> (10/1/20-6/30/21)	\$99.63	16,197.6582	\$1,613,772.69
<b>SFY 21-22</b> (7/1/21-9/30/21)	\$99.63	4,049.41457	\$403,443.17
<b>SFY 21-22</b> (10/1/21-6/30/22)	\$97.79	19,517.8974	\$1,908,655.19
<b>SFY 22-23</b> (7/1/22-2/28/23)	\$97.79	15,846.9646	\$1,549,674.67
<b>SFY 22-23</b> (3/1/23-6/30/23)	\$106.22	7,294.6463	774,837.33
<b>SFY 23-24</b> (7/1/23-6/30/24)	\$111.53	20,566.1505	\$2,293,742.77
<b>SFY 24-25</b> (7/1/24-6/30/25)	TBD	TBD	TBD
<b>SFY 25-26</b> (7/1/25-9/30/25)	TBD	TBD	TBD

**a) Describe the costs reflected in the budgeted amount.**

Salaries, benefits, FICA, Unemployment, Life and Health Insurance, program expenses, and travel costs.

**b) Specify positions to support the goals of the project. Clarify what positions might be fully or partially dedicated to the project.**

<b>From State Fiscal Year 2019-2020 (October 1, 2019) through State Fiscal Year 2021-2022 (September 30, 2021), the specific positions are as follows:</b>			
15	Attorney	Assess legal needs of clients, scope of legal representation, legal options and strategies available and advocate legal position/ claims in court or administrative setting. Counsels clients and makes appropriate referrals.	100%
4	Legal Specialist	Assist project attorneys with representation of clients. Participate in permanency and other staffing related to the client's needs. Assist attorney in developing strategies to support legal goal.	100%
2.5	Administrative Assistant/ Paralegal	Responsible for clerical assistance, assisting attorneys with representation of clients, legal research, letters or pleadings, and reporting. Provide administrative assistance in opening files & intake information.	100%
<b>From State Fiscal Year 2021-2022 (October 1, 2021) through State Fiscal Year 2025-2026 (September 30, 2025), the specific positions are as follows:</b>			

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19	Attorney	Assess legal needs of clients, scope of legal representation, legal options and strategies available and advocate legal position/ claims in court or administrative setting. Counsels clients and makes appropriate referrals.	100%
6	Legal Specialist	Assist project attorneys with representation of clients. Participate in permanency and other staffing related to the client's needs. Assist attorney in developing strategies to support legal goal.	100%
3	Administrative Assistant/ Paralegal	Responsible for clerical assistance, assisting attorneys with representation of clients, legal research, letters or pleadings, and reporting. Provide administrative assistance in opening files & intake information.	100%

**c) Specify the additional allowable costs related to the project (i.e. operating expenses, travel, and a portion of indirect expenditures).**

Administrative costs do not exceed 10% and they include Management & General Expenses. Includes General Management, Accounting, HR, Grant Writing, Professional Liability Insurance, and Fiscal Audit.

**Describe how allowable costs, pursuant to Attachment B, will be captured through time logging, certification of time for 100% dedication to the project, Case Counts, or other methodologies.**

Unit Definition of Legal Advocacy

A unit of Legal Advocacy #9051 is defined as sixty minutes (one hour) of direct legal services with, or on behalf of, a client which includes, but is not limited to, face-to-face, phone and/or mail contacts with the client, family member, school official, dependency system, other service provider or mentor at home, school, office, community stakeholders, court, or other site for the purpose of assessing, planning, supervising and/or follow-up. Legal Advocacy also includes legal research, drafting and filing of all documents related to client representation, and appearances at court hearings, staffing, conferences, mediations, and other client related proceedings. Partial units provided and accurately documented may also be billed in increments of 15 minutes at a rate of 25% of the amount of the approved Unit Cost, as stipulated in the contract.

**Title IV-E Adoption Assistance Administration estimated budget projection is \$225,101.00 from SFY 19-20 through SFY 22-23 and \$246,606.37 from SFY 23-24 through SFY 25-26.**

**i. Describe the costs reflected in the budgeted amount.**

Forever Family Program = \$180,250.00 annually from SFY 19-20 through SFY 22-23 and \$197,285.10 annually from SFY 23-24 through SFY 25-26

- One "Forever Family" segment each week during the term of this Agreement.

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- Community outreach, videography, editing and production necessary to accomplish each “Forever Family” segment.
- PSAs (Public Service Announcements) air on NBC 6 South Florida a minimum of five times per week.

Heart Gallery = \$44,851.00 annually from SFY 19-20 through SFY 22-23 and \$49,321.27 annually from SFY 23-24 through SFY 25-26

- A Heart Gallery of Broward exhibit each month during the term of this Agreement.
- Maintenance and promotion of the website and database to engage and track adults inquiring about Fostering and Adoption.
- Adoption Day event, celebrating the formalization of adoption proceedings at the Broward County Courthouse.

The combined budgeted amount for the Forever Family Program and the Heart Gallery is \$225,101.00 from SFY 19-20 through SFY 22-23 and \$246,606.37 from SFY 23-24 through SFY 25-26, annually.

**ii. Specify positions to be support the goals of the project. Clarify what positions might be fully or partially dedicated to the project.**

Project Director, Executive Producer, Photojournalists, Camera Operator, and Production Assistant. All positions partially dedicated to the program.

**iii. Specify the additional allowable costs related to the project (i.e., operating expenses, travel, and a portion of indirect expenditures).**

Audit, accounting, and general operating administrative expenses.

**iv. Describe how allowable costs, pursuant to Attachment B, will be captured through time logging, certification of time for 100% dedication to the project, Case Counts, or other methodologies).**

Submission of Reimbursement Detail Report with documented deliverables monthly.

**4. Federal Financial Participation returned to the local entity.**

**Title IV-E Foster Care Administration**

Administration for Foster Care reimbursement calculation is as follows:

**a) SFY 19-20 – SFY 21-22 (October 1, 2019-June 30, 2021)**

The total unit amount \$1,613,772.69 x Title IV-E Foster Care Eligibility Rate 67% = \$1,081,227.70 x 50% match rate = \$540,613.85

The Department will approve payment for claims for costs associated with the delivery of eligible administrative foster care services included in Attachment A, Description of Services, for a total dollar amount not to exceed \$540,613.85, subject to the availability of funds.

**b) SFY 21-22 (July 1, 2021-September 30, 2021)**

The total unit amount \$403,443.17 x Title IV-E Foster Care Eligibility Rate 67% = \$270,306.93 x 50% match rate = \$135,153.46

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The Department will approve payment for claims for costs associated with the delivery of eligible administrative foster care services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$135,153.46**, subject to the availability of funds.

**c) SFY 21-22 (October 1, 2021-June 30, 2022)**

The total unit amount **\$1,908,655.19** x Title IV-E Foster Care Eligibility Rate 65% = **\$1,240,625.87** x 50% match rate = **\$620,312.94**

The Department will approve payment for claims for costs associated with the delivery of eligible administrative foster care services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$620,312.94**, subject to the availability of funds.

**d) SFY 22-23 (July 1, 2022-February 28, 2023)**

The total unit amount **\$1,549,674.67** x Title IV-E Foster Care Eligibility Rate 65% = **\$1,007,288.54** x 50% match rate = **\$503,644.27**

The Federal Financial reimbursement amount cannot exceed the amount approved by legislative budget authority.

**e) SFY 22-23 (March 1, 2023-June 30, 2023)**

<b>Estimated Costs SFY 22-23 (March 1, 2023-June 30, 2023)</b>	<b>Total Expenditures:</b>	<b>Foster Care:</b>	<b>Foster Care Candidates:</b>
<b>Unit Costs:</b>	\$774,837.33	\$596,624.74	\$178,212.59
Apply Eligibility Rate:		56.63636%	93%
		\$337,906.54	\$165,737.71
Apply FFP Match Rate:		50%	50%
<b>Total Estimated Reimbursement:</b>	<b>\$251,822.13</b>	<b>\$168,953.27</b>	<b>\$82,868.86</b>

The Federal Financial reimbursement amount cannot exceed the amount approved by legislative budget authority.

**f) SFY 23-24 (July 1, 2023-June 30, 2024)**

<b>Estimated Costs SFY 23-24 (July 1, 2023-June 30, 2024)</b>	<b>Total Expenditures:</b>	<b>Foster Care:</b>	<b>Foster Care Candidates:</b>
<b>Unit Costs:</b>	\$2,293,742.77	\$1,766,181.93	\$527,560.84
Apply Eligibility Rate:		56.6363636%	93%
		\$1,000,301.22	\$490,631.58
Apply FFP Match Rate:		50%	50%
<b>Total Estimated Reimbursement:</b>	<b>\$745,466.40</b>	<b>\$500,150.61</b>	<b>\$245,315.79</b>

The Federal Financial reimbursement amount cannot exceed the amount approved by legislative budget authority.

**Title IV-E Adoption Assistance Administration**

The total costs of the Forever Family and the Heart Gallery agreements will be

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multiplied by the Title IV-E Adoption Client Eligibility Rate for the month of service and then apply the 50% reimbursement rate.

**g) SFY 19-20 – SFY 21-22 (October 1, 2019-June 30, 2021)**

Total annual amount **\$225,101.00** x Title IV-E Adoption Eligibility Rate of 73% = **\$164,323.73** x 50% reimbursement rate = **\$82,161.87**.

The Department will approve payment for claims for costs associated with the delivery of eligible administrative adoption assistance services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$82,161.87**, subject to the availability of funds.

**h) SFY 21-22 (July 1, 2021-September 30, 2021)**

Total annual amount **\$56,275.25** x Title IV-E Adoption Eligibility Rate of 73% = **\$41,080.93** x 50% reimbursement rate = **\$20,540.47**.

The Department will approve payment for claims for costs associated with the delivery of eligible administrative adoption assistance services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$20,540.47**, subject to the availability of funds.

**i) SFY 21-22 (October 1, 2021-June 30, 2022)**

Total annual amount **\$180,927.94** x Title IV-E Adoption Eligibility Rate of 93% = **\$168,262.98** x 50% reimbursement rate = **\$84,131.49**.

The Department will approve payment for claims for costs associated with the delivery of eligible administrative adoption assistance services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$84,131.49**, subject to the availability of funds.

**j) SFY 22-23 (July 1, 2022-June 30, 2023)**

Total annual amount **\$225,101.00** x Title IV-E Adoption Eligibility Rate of 93% = **\$209,343.93** x 50% reimbursement rate = **\$104,671.96**.

The Department will approve payment for claims for costs associated with the delivery of eligible administrative adoption assistance services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$104,671.96**, subject to the availability of funds.

**k) SFY 23-24 (July 1, 2023-June 30, 2024)**

Total annual amount **\$246,606.37** x Title IV-E Adoption Eligibility Rate of 93% = **\$229,343.92** x 50% reimbursement rate = **\$114,671.96**.

The Department will approve payment for claims for costs associated with the delivery of eligible administrative adoption assistance services included in Attachment A, Description of Services, for a total dollar amount not to exceed **\$114,671.96**, subject to the availability of funds.

**5. Performance Specification - Title IV-E Foster Care Administration**

**State Fiscal Year 2019-2020 (October 1, 2019) through State Fiscal Year 2021-2022 (September 30, 2021)**

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**a) Performance Measure**

- i. % of contracted participants served. Goal is 90%, measured monthly.
- ii. % of funded allocation utilized each month. Goal within 10% of monthly target.
- iii. % of successful closures. Successful closures are defined as youth whose legal permanency goal was met (e.g., adoption, reunification, permanent guardianship, permanent placement with a fit and willing relative, or another planned living arrangement). Goal is 80%, measured at service completion.

**b) Performance Evaluation Methodology**

The provider will be required to submit client performance measure data, in the SAMIS Performance Measure (PM) Module, within the time frames specified by the CSC. The provider shall also report any barriers experienced in performance measure achievement, as required. The report should also include any noteworthy activities that have occurred during the term of this Agreement, as requested. Providers will use the CSC Data Quality Assurance Report to ensure administration points are completed and service components are attached.

- c) The Performance Measure Report will be submitted by the Agency to the Department on a monthly basis by the **45th** day of the month following the month of service.**

**State Fiscal Year 2021-2022 (October 1, 2021) through State Fiscal Year 2025-2026 (September 30, 2025)**

**d) Performance Measure**

- i. Agency will submit invoices, with necessary attachments, in a timely manner.
- ii. Agency will submit accurate client counts per Section 7. j) of this agreement in a timely manner.

**e) Performance Evaluation Methodology**

- i. Agency will submit an invoice to the Department, with all necessary attachments, monthly no later than 45 days after the last day of each month of service.
- ii. Agency will submit a list of all active clients and the client's status, per Section 7. j) of this agreement, within 45 days after the last day of each month of service.

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6. Performance Specification - Title IV-E Adoption Assistance Administration

State Fiscal Year 2019-2020 (October 1, 2019) through State Fiscal Year 2025-2026 (September 30, 2025)

- a) **The Forever Family Program** will provide a minimum **2** unique television features on the local NBC Channel news segment during the invoice period.
- b) **The Heart Gallery** will provide a minimum of **2** Adoptive Parent Recruitment Events in Broward County during each invoice period.

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Attachment F, Claim Submission Form

Local Agency: \_\_\_\_\_  
Reporting Period: \_\_\_\_\_

Interagency Agreement ID: \_\_\_\_\_

Claim Submittal Form for Title IV-E Reimbursement

<b>Current Reporting Period Eligibility Rates:</b>	Foster Care:					
	Foster Care Candidate:					
	Adoption:					
<b>Program Costs</b>	<b>Total Expenditures</b>	<b>Total Title IV-E Allowable</b>	<b>Federal Financial Participation</b>	<b>Reimbursable Federal Share</b>	<b>DCF OCA</b>	<b>EO (Contract Use Only)</b>

**Legal Representation:**

Title IV-E Foster Care Administration						
Specify: Legal Costs	\$ -	\$ -	50%	\$ -	89XQL	
Title IV-E Foster Care Administration						
Specify: Legal Costs for Candidacy	\$ -	\$ -	50%	\$ -	89XCA	
<b>IV-E Reimbursement for Legal Expenditures</b>				<b>\$ -</b>		

**Adoptions:**

Title IV-E Adoption Administration						
Specify: Case Management Services	\$ -	\$ -	50%	\$ -	89XAM	
<b>IV-E Reimbursement for Adoption Expenditures:</b>				<b>\$ -</b>		
<b>Total Title IV-E Reimbursement</b>				<b>\$ -</b>		

*Provide total cost of the service in the green Total Expenditures cells. Populate the cells C5, C6, and C7 with the appropriate FSFN Statewide Client Eligibility Rates provided for foster care, foster care candidates, and adoptions. White cells are formula driven and will auto-populate.*

**CERTIFICATION:** The local agency certifies that these expenses were incurred in the identified Reporting Period, and were funded by unmatched public funds and allowable for "Title IV-E Administration" for reimbursement.

<b>Local Agency Certification and Approval</b>	<b>Department of Children and Families Approval:</b>
Typed Name:	Typed Name:
Signature:	Signature:
Title:	Title:
Date:	Date:



ATTACHMENT G  
Children’s Bureau Technical Bulletin



**Technical Bulletin**  
**Frequently Asked Questions:**  
**Independent Legal Representation**

July 20, 2020

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**1. BACKGROUND**

In 2017, the Administration for Children and Families (ACF) Children’s Bureau (CB) issued an Information Memorandum (IM) identifying high quality legal representation for parents, children and the child welfare agency as critical to a well-functioning child welfare system ([ACYF-CB-IM-17-02](#)). The rationale includes research showing that early appointment of counsel in child welfare proceedings can improve case planning, expedite permanency and lead to cost savings to state/tribal government.<sup>1</sup>

CB issued revised and new policies that allow title IV-E agencies to claim Federal financial participation (FFP) for administrative costs of independent legal representation provided by an

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<sup>1</sup> ACYF-CB-IM-17-02 highlights associations of legal representation with enhanced parent engagement and identifies best practices and exemplary models of legal representation, including multi-disciplinary representation, which pairs attorneys with independent social workers or peer parent partners, as especially promising. An important [study](#) conducted in New York City in 2019 provides especially compelling evidence of the effectiveness of the multi-disciplinary approach. A companion, [qualitative study](#) released in 2020 lends further support to the model.

attorney under section 474(a)(3) of the Social Security Act (the Act) and federal regulations at 45CFR 1356.60(c). In [section 8.1B of the Child Welfare Policy Manual \(CWPM\)](#), CB revised and issued Q/A #30 on January 7, 2019, issued #31 on July 29, 2019 and issued #32 on April 20, 2020.

In addition, CB has determined that states and tribal grantees may use kinship navigator funds provided under title IV-B, subpart 2 of the Act to provide brief legal services to “assist kinship caregivers in learning about, finding and using programs and services to meet the needs of the children they are raising and their own needs,” which may include “support[ing] any other activities designed to assist kinship caregivers in obtaining benefits and services to improve their caregiving.” See section 427(a)(1) of the Act.

CB issues this Technical Bulletin (TB) to respond to title IV-E agency and other stakeholder frequently asked questions (FAQs) about the aforementioned policies. The FAQs in this TB do not establish new policy or requirements or supersede existing laws or official guidance.

**Question:** What are the revised and new CWPM questions?

Answer: CWPM 8.1B #30 allows title IV-E agencies to claim FFP for the administrative costs of “preparation for and participation in judicial determinations” in all stages of foster care legal proceedings, by: a title IV-E agency attorney, an attorney providing independent representation to a child who is a candidate for title IV-E foster care or is in title IV-E foster care and an attorney providing independent representation to such a child’s parent.

CWPM 8.1B #31 further clarifies that a title IV-E agency that has an agreement with a tribe or any other public agency under section 472(a)(2)(B)(ii) of the Act may claim title IV-E administrative costs for legal representation provided by tribal or public agency attorneys under the agreement in all stages of foster care related legal proceedings. The title IV-E agency may also claim administrative costs for independent legal representation provided by an attorney for a candidate for title IV-E foster care or a title IV-E eligible child in foster care who is served under the agreement, and the child’s parents, to prepare for and participate in all stages of foster care related legal proceedings.

CWPM 8.1B #32 clarifies that administrative costs for paralegals, investigators, peer partners or social workers may be claimed as title IV-E foster care administrative costs to the extent they are necessary to support an attorney providing independent legal representation.

## **2. TITLE IV-E ADMINISTRATIVE COSTS**

A title IV-E agency may claim administrative costs for preparation for and participation in judicial determinations by a title IV-E agency attorney or an attorney providing independent representation to a child who is a candidate for title IV-E foster care or is in title IV-E foster care, and his/her parent. Such activities and expenses must be necessary to carry out the requirements in the agency’s title IV-E plan. See 45 CFR 1356.60(c)(2)(ii).

**Question:** What are some examples of *foster care legal proceedings*?

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Answer: Examples include:

- hearings related to judicial determinations that it is contrary to the welfare of a child to remain in the home,
- hearings related to a child's removal from the home,
- hearings related to judicial determinations that the agency provided reasonable efforts to prevent removal and finalize the permanency plan,
- permanency hearings,
- hearings related to progress on case plans, and
- appeal proceedings that relate to judicial determinations required under title IV-E.

**Question:** What are some examples of *allowable administrative activities* for agency or independent attorneys to prepare for and participate in judicial determinations for all stages of foster care legal proceedings?

Answer: Examples include:

- independent investigation of the facts of the case, including interacting with law enforcement,
- meeting with clients or making home or school visits,
- attending case planning meetings,
- providing legal interpretations,
- preparing briefs, memos, and pleadings,
- obtaining transcripts,
- interviewing and preparing their client and witnesses for hearings,
- hearing presentation,
- maintaining files,
- supervising attorneys, paralegals, investigators, peer partners or social workers that support an attorney in providing independent legal representation to prepare for and participate in all stages of foster care legal proceedings,
- filing child abuse and neglect petitions for candidates for foster care,
- court fees to file a petition for a judicial determination required under title IV-E, and
- appellate work in reference to foster care legal proceedings.

**Question:** If the title IV-E agency determined that a child is a candidate for title IV-E foster care (as defined under section 472(i) of the Act), may the agency claim allowable title IV-E administrative costs of “pre-removal” independent legal representation by an attorney for the child and/or his or her parent?

Answer: Yes, in preparation for legal proceedings in relation to the child’s removal, beginning with the first month in which the candidacy determination was made.

Additional information on candidacy determinations is available in [CWPM 8.1D](#).

**Question:** May the title IV-E agency claim independent legal representation costs by a Guardian Ad Litem (GAL) for a child who is a candidate for title IV-E foster care or is in title IV-E foster care, and his/her parent in foster care legal proceedings?

Answer: A title IV-E agency may claim title IV-E administrative costs for a GAL if he or she is an attorney providing independent legal representation to a title IV-E eligible child in all stages of foster care proceedings.

**Question:** Can title IV-E agencies claim title IV-E reimbursement for state/tribe-funded public defenders who are separately appointed in both the delinquency and dependency cases to represent dually involved children?

Answer: The title IV-E agency may claim only for the legal representation costs associated with the foster care legal proceedings that are necessary for the proper and efficient administration of the title IV-E plan. The agency may not claim costs related to preparation and participation in delinquency cases. To the extent that both juvenile justice and foster care proceedings are unified into one court proceeding, the title IV-E agency may only claim the time an attorney spends preparing for and participating in foster care proceedings. The time an independent attorney spends preparing for and participating in delinquency proceedings is not an allowable title IV-E cost.

### **3. CLAIMING TITLE IV-E FEDERAL FINANCIAL PARTICIPATION**

To claim title IV-E administrative costs for independent legal representation, the title IV-E agency must clearly identify in an approved Public Assistance Cost Allocation Plan (PACAP) or Tribal Cost Allocation Methodology (CAM) the types of administrative activities the agency intends to claim and the methodology it will use to identify allowable costs.

**Question:** What steps must a title IV-E agency take prior to claiming FFP for independent legal representation costs?

Answer: A state title IV-E agency must update its PACAP to claim these costs, and a tribal title IV-E agency must update its CAM to claim these costs. See 45 CFR Parts 75 and 95 and ACYF-CB-PI-10-13. If a child is not specifically identified as a youth in title IV-E foster care or a candidate for title IV-E foster care, there must be an allocation to assure that each participating program is charged its proportionate share of costs. For candidates, the allocation must be based on a determination both of candidacy for foster care and of potential IV-E eligibility. Using a ratio of IV-E to non-IV-E foster care cases (i.e., title IV-E participation rate) is one acceptable means of allocation. Other means of determining candidacy and of determining potential IV-E eligibility may also be acceptable. The title IV-E agency must update its PACAP/CAM to claim these costs. For additional information, see [CWPM 8.1 B](#) (Allowable costs – Foster care maintenance payments program), 8.1C (calculating claims) and 8.1D (Candidates for title IV-E foster care).

**Question:** What must a state title IV-E agency's PACAP include for purposes of claiming the costs of independent legal representation?

Answer: The state title IV-E agency must clearly identify those administrative activities and the methodology that will be used for claiming title IV-E administrative costs for independent legal representation through an approved PACAP. The PACAP must:

- describe the procedures used to identify, measure, and allocate all costs to each of the programs operated by the agency (see 45 CFR 95.507(a)(1)),

- provide a statement stipulating that wherever costs are claimed for services provided by a governmental agency outside the title IV-E agency, costs be supported by a written agreement that includes, at a minimum (i) the specific service(s) being purchased, (ii) the basis upon which the billing will be made by the provider agency (e.g. time reports, number of homes inspected, etc.) and (iii) a stipulation that the billing will be based on the actual cost incurred (see 45 CFR 95.507(a)(6)),
- identify the services, eligible clients, types of cost and geographic or other scope of operations and how the costs will be accumulated into one or more identified cost pools for allocation purposes, and
- describe how the state title IV-E agency will maintain sufficient records “to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.” See also federal regulations on record retention (see 45 CFR 75.361) and record access (see 45 CFR 75.364).

**Question:** What must a tribal title IV-E agency’s CAM include for purposes of claiming the costs of independent legal representation?

Answer: The tribal title IV-E agency must clearly identify those administrative activities and the methodology that will be used for claiming title IV-E administrative costs for independent legal representation through an approved CAM. The CAM must:

- include specific procedures to appropriately identify, measure and allocate documented administrative and training costs,
- use general guidance provided in 45 CFR Part 95, Subpart E to develop a CAM limited to the federal and non-federal programs administered by those staff or units having responsibility for title IV-E programs,
- contain sufficient information to permit ACF and auditors to determine that costs claimed for title IV-E FFP were appropriately identified, measured and allocated, and
- assure that the information contained in the CAM was prepared in conformance with 45 CFR Part 75; that the costs are accorded consistent treatment through the application of generally accepted accounting principles appropriate to the circumstances, that an adequate accounting and statistical system exists to support claims and the information provided in support of the CAM is accurate.

**Question:** How does a title IV-E agency report to ACF the administrative costs for independent legal representation?

Answer: The title IV-E agency must report such costs in accordance with instructions for the Title IV-E Programs Quarterly Financial Report (Form CB-496). The instructions specify that for periods beginning January 1, 2020 and later, the title IV-E agency must report title IV-E administrative costs for independent legal representation of children or parents as described below. See [ACYF-CB-PI-20-09](#). The average monthly number of children served through these activities must also be reported. The specific Form CB-496 Part 1 reporting lines used for independent legal representation are:

- Line 8. In-Placement Administrative Costs – Legal Representation – Child or Parent
- Line 10b. Title IV-E Foster Care Candidate Administrative Costs – Legal Representation – Child or Parent
- Line 49b. Number of Children: In-Placement - Title IV-E Funded Child or Parent Legal Representation Administrative Costs
- Line 51b. Number of Children: Title IV-E Foster Care Candidate – Title IV-E Funded Child or Parent Legal Representation Administrative Costs

**Question:** Must the title IV-E agency submit a title IV-E plan amendment to claim administrative costs for independent legal representation?

Answer: No, a title IV-E plan amendment is not necessary for the title IV-E agency to claim administrative costs for independent legal representation by an attorney for an eligible child and/or his/her parent.

#### **4. NON-FEDERAL SHARE**

The title IV-E program provides cost-sharing requirements for the non-federal share of program expenditures (see 45 CFR 1356.60 and 1356.68), which apply to the non-federal share of the cost of providing independent legal representation.

**Question:** What funds can state title IV-E agencies use to meet the requirements for the non-federal share of program expenditures?

Answer: The required state share of costs claimed for the title IV-E foster care program must be sourced from state or local appropriated funds or donated funds, but may not be sourced from federal funds provided through another program. State title IV-E agencies may not use third party in-kind expenditures (or contributions) as a source of the state share of funds for the foster care programs under title IV-E of the Act. See CWPM 8.1F, Q#2. For example, attorney volunteer hours may not be used as a source of state match.<sup>2</sup>

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<sup>2</sup> Federal regulations at 45 CFR 1355.30(i) provide a specific exception for these programs to the applicability of federal regulations at 45 CFR 75.306 which permit certain other sources for a required state match.

**Question:** What funds can tribal title IV-E agencies (i.e., tribes directly operating the title IV-E program under section 479B of the Act) use to meet the requirements for the non-federal share of program expenditures for independent legal representation?

Answer: The required tribal share of costs claimed for independent legal representation may be sourced either from tribal appropriated funds or from third-party in-kind sources. A tribal title IV-E agency may claim in-kind expenditures for independent legal representation from any allowable third-party sources of up to 50 percent of the total administrative funds expended during a fiscal quarter pursuant to section 474(a)(3)(E) of the Act and 45 CFR 1356.68(c).

**Question:** May title IV-E agencies use title IV-B funds as match for title IV-E expenditures?

Answer: No. Except as provided by Federal statute, a cost sharing or matching requirement may not be met by another Federal grant. See 45 CFR 75.403(f), 45 CFR 75.306(b)(5) and 1355.30(i). The agency may not claim title IV-E and other federal program funding for the same costs.

## **5. TITLE IV-E AGREEMENTS AND CONTRACTS**

**Question:** May a title IV-E agency contract out its legal representation functions to another agency that is not under a title IV-E agreement with the IV-E agency?

Answer: Yes. Title IV-E agencies often contract out title IV-E administrative functions such as legal representation to other private or public agencies through a contract or other type of agreement. This is distinct from the IV-E agency entering into an agreement under section 472(a)(2) of the Act (referred to herein as a ‘title IV-E agreement’) with another public agency. A section 472(a)(2) title IV-E agreement between a title IV-E agency and a public agency is for the purpose of permitting another public agency to have responsibility for the placement and care of title IV-E eligible children. See [CWPM8.1G](#) for additional information on title IV-E agreements.

Through contracting, the title IV-E agency pays another private or public agency to perform its administrative functions, and supervises the contracted administrative activities performed by the contractor or other agency. The process of contracting out does not include the transfer of responsibility of placement and care of a specific child/children to another agency. See CWPM section 8.1E for additional information on contracting with a title IV-E agency.

**Question:** May an entity with a title IV-E agreement or a contract with a title IV-E agency, submit claims directly to ACF for title IV-E administrative costs of independent legal representation?

Answer: No. Regardless of whether a title IV-E agency enters into a title IV-E agreement or a contract with another agency, the title IV-E agency is the only entity that may submit claims to the federal government for title IV-E FFP.

**Question:** What should a title IV-E agency, that has a title IV-E agreement with another public agency or tribe, or a contract with another private or public agency, include in its PACAP/CAM with regard to independent legal representation?

Answer: A title IV-E agency's PACAP/CAM must<sup>3</sup>:

- identify the nature of the title IV-E agreement for independent legal representation of an eligible child and his/her parent;
- describe how the title IV-E agency will monitor to assure the arrangements will be fulfilled; and
- include a statement<sup>4</sup> that costs claimed for such services will be supported by a written agreement that includes at a minimum: the specific service(s) being purchased, the basis upon which the billing will be made by the provider agency (e.g. time reports, etc.) a stipulation that the billing will be based on the actual cost incurred.

## **6. TITLE IV-E TRAINING COSTS**

Title IV-E allows title IV-E agencies to claim allowable short-term training provided to certain individuals, including current or prospective foster and adoptive parents and relative guardians and professional partners of the agency, including attorneys representing children or parents and GALs, in ways that increase the ability of such individuals to assist and support foster and adopted children, and children living with relative guardians. See section 474(a)(3)(B) of the Act).

**Question:** Can a title IV-E agency claim allowable costs for short-term training to an attorney who represents children and youth receiving title IV-E foster care maintenance payments (FCMP) or are otherwise eligible to receive FCMP?

Answer: Yes. A title IV-E agency may claim allowable costs at 75% FFP to provide short-term training to an attorney who represents children and youth who are receiving title IV-E FCMP or are otherwise eligible to receive FCMP and title IV-E foster care candidates and their parent(s), consistent with section 474(a)(3)(B) of the Act. See CWPM 8.1H #20.

These costs must also be addressed in the agency's title IV-B/E training plan and in its approved PACAP/CAM.

**Question:** What are allowable short-term training costs for attorneys who provide independent legal representation?

<sup>3</sup> See 45 CFR Part 95, subpart E. Contact your assigned ACF grants management specialist for additional information.

<sup>4</sup> This statement would not be required if the costs involved are specifically addressed in a State-wide cost allocation plan, local-wide cost allocation plan, or an umbrella/department cost allocation plan." 45 CFR 95.507(b)(6).



Answer: 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. For example, training topics could include:

- title IV-E policies and procedures;
- cultural competency related to children and families;
- 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.

See CWPM 8.1H #8 for additional examples of allowable training topics.

## 7. **EFFECTIVE DATE**

**Question:** When are the revised and new CWPM Q/As effective?

Answer: A new or revised CWPM Q/A is generally effective upon issuance, and therefore, the effective date for the CWPM 8.1B #30, #31 and #32 is January 7, 2019, since #31 and #32 are clarifications of #30.

**Question:** When may the title IV-E agency begin claiming costs for independent legal representation?

Answer: The title IV-E agency may claim costs that are incurred on or after the policy's effective date on or after the date that the PACAP/CAM amendment is submitted (subject to potential claiming adjustments) or is approved. See 45 CFR 95.515 and 95.517.

**Appendix:** CWPM 8.1B, questions #30, #31 and #32

**INQUIRIES TO:** [Children's Bureau Regional Program Managers](#) and Administration for Children and Families Office of Grants Management

*Disclaimer: Technical Bulletins provide information or recommendations to States, Tribes, grantees and others on a variety of child welfare issues. Technical Bulletins do not establish requirements or supersede existing laws or official guidance.*



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Jerry Milner  
Associate Commissioner Children's Bureau

**Appendix: Child Welfare Policy Manual (CWPM) 8.1B, questions #30, #31 and #32**

CWPM 8.1B Question #30. May a title IV-E agency claim title IV-E administrative costs for attorneys to provide legal representation for the title IV-E agency, a candidate for title IV-E foster care or a title IV-E eligible child in foster care and the child's parents to prepare for and participate in all stages of foster care related legal proceedings?

Answer: Yes. The statute at section 474(a)(3) of the Act and regulations at 45 CFR 1356.60(c) specify that Federal financial participation (FFP) is available at the rate of 50% for administrative expenditures necessary for the proper and efficient administration of the title IV-E plan. The title IV-E agency's representation in judicial determinations continues to be an allowable administrative cost.

Previous policy prohibited the agency from claiming title IV-E administrative costs for legal services provided by an attorney representing a child or parent. This policy is revised to allow the title IV-E agency to claim title IV-E administrative costs of independent legal representation by an attorney for a child who is a candidate for title IV-E foster care or in foster care and his/her parent to prepare for and participate in all stages of foster care legal proceedings, such as court hearings related to a child's removal from the home. These administrative costs of legal representation must be paid through the title IV-E agency. This change in policy will ensure that, among other things: reasonable efforts are made to prevent removal and finalize the permanency plan; and parents and youth are engaged in and complying with case plans.

CWPM 8.1B Question #31. Are title IV-E administrative costs for the legal representation provided by agency attorneys and for independent legal representation of children and parents in all stages of foster care related legal proceedings available to tribes and public agencies that have an agreement under section 472(a)(2)(B)(ii) of the Act?

Answer: Yes. A title IV-E agency that has an agreement with a tribe or any other public agency under section 472(a)(2)(B)(ii) of the Act may claim title IV-E administrative costs for legal representation provided by tribal or public agency attorneys under the agreement in all stages of foster care related legal proceedings. The title IV-E agency may also claim administrative costs for independent legal representation provided by an attorney for a candidate for title IV-E foster care or a title IV-E eligible child in foster care who is served under the agreement, and the child's parents, to prepare for and participate in all stages of foster care related legal proceedings.

CWPM 8.1B Question #32. Does the policy at CWPM 8.1B #30 allow a title IV-E agency to claim title IV-E administrative costs of paralegals, investigators, peer partners or social workers that support an attorney providing independent legal representation to a child who is a candidate for title IV-E foster care or is in title IV-E foster care, and his/her parent, to prepare for and participate in all stages of foster care legal proceedings, and for office support staff and overhead expenses?

*Technical Bulletin - FAQs on Independent Legal Representatio*

Answer: Yes, the policy permits a title IV-E agency to claim such title IV-E administrative costs to the extent that they are necessary to support an attorney in providing independent legal representation to prepare for and participate in all stages of foster care legal proceedings for candidates for title IV-E foster care, youth in foster care and his/her parents. The costs must be consistent with federal cost principles per 45 CFR Part 75 Subpart E. The title IV-E agency must allocate such costs so as to assure that the title IV-E program is charged its proportionate share of costs (See CWPM sections 8.1B and 8.1C)

# ATTACHMENT H

## Employee Certification Form

### EMPLOYEE WORK ASSIGNMENT CERTIFICATION

The following information must be completed and signed by both the employee and the employee's supervisor.

**Agency:**

**Employee Name:**

**Title:**

**Period of Certification:**

**It is my understanding that this certification is required documentation according to 2 CFR, Section 200.400-200.475 of the OMB Uniform Grant Guidance for salaries and wages being directly charged to a federal award.**

**During the last three months, I worked solely on the legal representation of parents or children involved in dependency proceedings.**

Please check the appropriate box below indicating if you did or did not work on the activities described indicated above:

- I Did** work solely in support of eligible activities for the program described above and in the executed Interagency Agreement with the Department.
- I Did Not** work solely in support of eligible activities for the program described above and in the executed Interagency Agreement with the Department.

*By providing this electronic signature, I am attesting that I understand that electronic signatures are legally binding and have the same meaning as handwritten signatures and that the data on this form is accurate to the best of my knowledge. I am also confirming that internal controls have been maintained, and that policies and procedures were properly followed to ensure the authenticity of the electronic signature.*

**Employee Signature:** \_\_\_\_\_  
Print Name Signature

**Date:** \_\_\_\_\_ **Telephone Number:** \_\_\_\_\_

As the supervisor of the aforementioned employee, I certify that I have first-hand knowledge of the work being performed by the employee and that it is in compliance with 2 CFR, Section 200.400-200.475 of the OMB Uniform Grant Guidance.

*By providing this electronic signature, I am attesting that I understand that electronic signatures are legally binding and have the same meaning as handwritten signatures and that the data on this form is accurate to the best of my knowledge. I am also confirming that internal controls have been maintained, and that policies and procedures were properly followed to ensure the authenticity of the electronic signature.*

**Supervisor Signature:** \_\_\_\_\_  
Print Name Signature

**Date:** \_\_\_\_\_ **Telephone Number:** \_\_\_\_\_

**TAB 2**

## For Council Meeting

June 15, 2023

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**Issue:** Final Step to Transfer Employee 457 Deferred Compensation Plan to the Florida Department of Financial Services (DFS) as the Plan Administrator.

**Action:** Approve Resolution to Merge the Plan Administration and Related Balances in the Employee 457 Deferred Compensation Plan to DFS.

**Budget Impact:** None.

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**Background:** In October 2022, the Council approved the transfer of the administration of the employee deferred compensation plan to the Florida Department of Financial Services (DFS). Since January, CSC employees have had the benefits of joining the State's plan which includes three investment plan vendors to choose from, the plan fees are lower and transparent, it is easy for employees to make changes, etc. There are no costs to CSC and the administration is easy for staff.

**Current Status:** The attached Resolution is the final step to transfer to DMS the Plan Administration for assets held by Corebridge / Valic for current and former employees. Upon merger, the new employee plan assets shall have an account balance equal to the sum of the account balances the participant had in the plans immediately prior to the merger.

**Recommended Action:** Approve Resolution to Merge the Plan Administration and Related Balances in the Employee 457 Deferred Compensation Plan to DFS.

**Resolution Adopted by  
Children's Services Council of Broward County  
With Respect to Plan Merger**

WHEREAS, Children's Services Council of Broward County maintains the Section 457 Deferred Compensation Plan Adoption and Services Agreement ("Plan #1") for its employees; and

WHEREAS, the State of Florida maintains the State of Florida Deferred Compensation Plan ("Plan #2") for government employees as defined in Section 112.215. Florida Statutes; and

WHEREAS, as of January 1, 2023 the Children's Services Council of Broward County became a participating employer in the State of Florida Deferred Compensation Plan; and

WHEREAS employees of Children's Services Council of Broward County, as government employees, are eligible to participate in and have positively elected to direct contributions after January 1, 2023 to the State of Florida Deferred Compensation Plan; and

WHEREAS, as a result of closing Plan #1 to new contributions, Children's Services Council of Broward County intends to transfer existing assets in Plan #1 and those assets shall be merged with Plan #2; with Plan #2 being the surviving plan; and

WHEREAS, after the merger, Children's Services Council of Broward County will become a participating employer in Plan #2.

NOW, THEREFORE, BE IT RESOLVED:

1. Effective July 1, 2023, the Children's Services Council of Broward County shall adopt Plan #2 and that simultaneously the Plan #1 shall be merged with Plan #2.
2. That the final valuation date for purposes of the merger shall be July 1, 2023.
3. That the assets and liabilities of Plan #1 shall be transferred to, and merged with Plan #2 on July 1, 2023, or as soon thereafter as practicable.
4. That immediately after the merger, each participant in the plan as merged shall have an account balance equal to the sum of the account balances the participant had in the plans immediately prior to the merger.

5. That the appropriate officer of Children’s Services Council of Broward County is authorized and directed to take such action as may be necessary, appropriate or advisable to effectuate the merger of the Plan #1 and Plan #2, but not limited to taking such action as is necessary to meet the requirements of Section 414(l) of the Internal Revenue Code, and making such further amendments to the Plan or Trust Agreement that the officers deem necessary, appropriate or advisable.
6. That all elections, waivers, consents, designations, directions, qualified domestic relations orders and other exercises of rights and privileges under the Plan #1 shall be deemed effective in the Plan #2 as of the date of the merger.
7. That all employees of Children’s Services Council of Broward County shall retain credit for that service for purposes of meeting plan eligibility and vesting requirements.
8. Children’s Services Council of Broward County is a participating employer in Plan #2 as of January 1, 2023.

RESOLVED FURTHER, that the Trustees of Plan #1 and Plan #2 are hereby authorized to enter into a Merger and Transfer Agreement implementing the transfer of Plan assets.

**DIRECTORS:**

David Kenton, Chair

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[Name] [Signature] [Date]

Jeffery S. Wood, Vice Chair

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[Name] [Signature] [Date]