

# Child Welfare Policy Manual

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## Questions & Answers

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### 6.15 Transition Period

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**1. Question: What requirements must a title IV-E agency with a S/TACWIS meet if the agency does not build a CCWIS?**

**Answer:** A title IV-E agency with a S/TACWIS project that elects not to transition to a CCWIS must:

1. notify ACF by July 31, 2018 in an Advance Planning Document (APD) or Notice of Intent that it will not transition the S/TACWIS project to CCWIS; and
2. continue to use the S/TACWIS through its life expectancy in accordance with 45 CFR 95.619.

The title IV-E agency must also continue to meet the APD requirements at 45 CFR 95, Subpart F per 1355.30(k).

- **Source/Date:** (9/14/16)
- **Legal and Related References:** 45 CFR 95, Subpart F; 45 CFR 1355.30(k); 45 CFR 1355.56(d); 81 FR 35450 at 35473 (June 2, 2016); 80 FR 48200 at 48220 (August 11, 2015)

**2. Question: What are the consequences if a title IV-E agency with a S/TACWIS fails to notify ACF by July 31, 2018 that the agency will not transition to CCWIS?**

**Answer:** The title IV-E agency may be subject to recoupment of all title IV-E funds for the project per 45 1355.56(e)

- **Source/Date:** (9/14/16)
- **Legal and Related References:** 45 CFR 1355.56(e); 45 CFR 1358; 45 CFR 95.635(b); 81 FR 35450 at 35473 (June 2, 2016); 80 FR 48200 at 48220 and 48222 (August 11, 2015)

**3. Question: Are CCWIS projects subject to all Advance Planning Document (APD) regulations at 45 CFR 95 Subpart F?**

**Answer:** It depends on whether the CCWIS project is at, above, or below the APD thresholds.

CCWIS projects at or above the APD thresholds at 45 CFR 95.611 are subject to all the APD regulations at 45 CFR 95 Subpart F.

CCWIS projects below the APD thresholds at 45 CFR 95.611 are subject to only the APD regulations at 45 CFR 95.613 through 95.621 and 95.626 through 95.641.

- **Source/Date:** (9/14/16)
- **Legal and Related References:** 45 CFR 1355.30(k); 45 CFR 1355.52(j); 80 FR 48200 at 48217 (August 11, 2015)

**4. Question: Is there specific language that a title IV-E agency must use to notify ACF that the agency does not intend to transition a S/TACWIS to CCWIS?**

**Answer:** No. 1355.56(d) requires the agency to notify ACF in an APD or Notice of Intent submitted during the transition period that the agency does not elect to transition a S/TACWIS project to CCWIS. The required notification must convey the message that the IV-E agency does not elect to transition the S/TACWIS project to CCWIS.

- **Source/Date:** (9/14/16)
- **Legal and Related References:** 45 CFR 1355.56(d)(1); 81 FR 35450 at 35473 (issued June 2, 2016)

**5. Question: What requirements must a title IV-E agency with a non-S/TACWIS meet if the agency does not build a CCWIS?**

**Answer:** The title IV-E agency must continue to meet the APD requirements at 45 CFR 95, Subpart F.

- **Source/Date:** (9/14/16)
- **Legal and Related References:** Section 474(a)(C) of title IV-E of the Social Security Act

**6. Question: Are there financial consequences for using a former S/TACWIS as a non-CCWIS beyond the 24 month transition period ending on July 31, 2018?**

**Answer:** It depends. There are no consequences in the CCWIS regulations for using a former S/TACWIS as a non-CCWIS provided the title IV-E agency:

notifies ACF by July 31, 2018 in an APD or Notice of Intent, that it will not transition the S/TACWIS project to CCWIS; and

- continues to use the S/TACWIS through its life expectancy in accordance with 45 CFR 95.619.

The title IV-E agency must also continue to meet the APD requirements at 45 CFR 95, Subpart F per 1355.30(k).

However, if the title IV-E agency does not meet these requirements, the agency may be subject to funding recoupment.

- **Source/Date:** (9/14/16)
- **Legal and Related References:** 45 CFR 95, Subpart F; 45 CFR 1355.30(k); 45 CFR 1355.56(d) and (e); 45 CFR 1358; 81 FR 35450 at 35473 (June 2, 2016); 80 FR 48200 at 48220 and 48222 (August 11, 2015)

**7. Question: If a S/TACWIS does not transition to CCWIS and meets the notification and continued-use requirements of 1355.56(d), what cost allocation does the S/TACWIS qualify for both during and after the transition period?**

**Answer:** Through July 31, 2018, the S/TACWIS may continue to claim title IV-E funding according to the cost allocation methodology approved by ACF for the development or the operational cost allocation plan approved by the Department or both.

After July 31, 2018, ACF will classify the system as a non-CCWIS. The non-CCWIS may qualify for non-CCWIS cost allocation.

- **Source/Date:** (9/14/16)
- **Legal and Related References:** 45 CFR 1355.56(a); 45 CFR 1355.57(f); 45 CFR 1356.60(d); 81 FR 35450 at 35472 - 35473 and 35475 (June 2, 2016); 80 FR 48200 at 48219 - 48220 and 48222 (August 11, 2016)

**8. Question: If a title IV-E agency decides to build a new CCWIS, transition a S/TACWIS to CCWIS, or transition a non-S/TACWIS to CCWIS, what CCWIS requirements must the agency meet before claiming funding in accordance with a CCWIS cost allocation?**

**Answer:** A title IV-E agency must notify ACF of the decision before claiming funding in accordance with a CCWIS cost allocation. The agency must meet the requirements of 1355.52(i)(1) when formally conveying the decision to ACF. Paragraph 1355.52(i)(1) requires that the agency provide the following documents:

- an Advance Planning Document (APD) (if the CCWIS project is over the APD thresholds defined at 45 CFR 95.611) or a Notice of Intent (if the CCWIS project is under APD thresholds);

- a description of how the planned CCWIS will meet the CCWIS project requirements found in 1355.52(a) - (h), and if applicable, any optional exchanges or functions included in the CCWIS as allowed under 1355.54; and

- a list of all automated functions planned for the CCWIS including, for each automated function:
- if the automated function supports a requirement of section 1355.52 (CCWIS Project Requirements) or section 1355.54 (CCWIS Options);
- if the automated function 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; and,
- if the automated function complies with paragraph 1355.53(a) (CCWIS Design Requirements), unless exempted from the design requirements by one of the conditions described in paragraph 1355.53(b).

The title IV-E agency must provide the above documents to ACF by July 31, 2018 (the end of the transition period) if transitioning a S/TACWIS to CCWIS or transitioning a non-S/TACWIS to CCWIS.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.52(i)(1); 45 CFR 1355.56(b); 45 CFR 1355.56(f)(1); 80 FR 48216 - 48217 and 48219 - 48220 (August 11, 2016)

**9. Question: Do the CCWIS design requirements listed in 1355.53(a) apply to a S/TACWIS or non-S/TACWIS project transitioning to CCWIS?**

**Answer:** It depends. For S/TACWIS or non-S/TACWIS projects, the CCWIS design requirements do not apply to automated functions developed on or before July 31, 2018 (the end of the transition period).

The CCWIS design requirements apply to automated functions developed after July 31, 2018 unless ACF approves technical advances in design proposed by the title IV-E agency that ACF determines to be more efficient, economical and effective than the CCWIS design requirements listed in paragraph 1355.53(a).

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.53; 45 CFR 1355.57(a); 80 FR 48200 at 48217 - 48218 and 48221; 81 FR 35450 at 35468 - 35471 and 35474 - 35475

**10. Question: Must a S/TACWIS or non-S/TACWIS transitioning to CCWIS meet all CCWIS project requirements described at 1355.52?**

**Answer:** Yes.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.52

**11. Question: Do the CCWIS design requirements listed in 1355.53(a) apply to a new CCWIS?**

**Answer:** It depends. The CCWIS design requirements apply to all automated functions of a new CCWIS unless ACF approves technical advances in design proposed by the title IV-E agency that ACF determines to be more efficient, economical and effective than the CCWIS design requirements listed in paragraph 1355.53(a).

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.53; 45 CFR 1355.57(b); 80 FR 48200 at 48217 - 48218 and 48221; 81 FR 35450 at 35468 - 35471 and 35474 - 35475

**12. Question: Must CCWIS projects be operational by the end of the transition period on July 31, 2018?**

**Answer:** No. CCWIS projects are not required to be operational by the end of the transition period on July 31, 2018.

July 31, 2018 is the deadline by which a title IV-E agency with a S/TACWIS or non-S/TACWIS must notify ACF of the decision to either transition or not transition the system to a CCWIS.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.56(b), (d), and (f)(1); 80 FR 48200 at 48204 and 48219 - 48220; 81 FR 35472 - 35473

**13. Question: If a title IV-E agency transitions a S/TACWIS or non-S/TACWIS to CCWIS, can it replace this CCWIS with a new CCWIS at a later date?**

**Answer:** Yes. A title IV-E agency may initiate a new CCWIS project at any time.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.56(c) and (f)(2); 80 FR 48200 at 48204 and 48219

**14. Question: If a title IV-E agency does not have the resources to begin a new CCWIS project during the transition period, may the agency begin a new CCWIS project after the transition period?**

**Answer:** Yes. A title IV-E agency may begin a new CCWIS project after the transition period. The CCWIS regulations do not establish deadlines for starting a new CCWIS project.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.56(c) and (f)(2); 80 FR 48200 at 48204 and 48219

**15. Question: May a title IV-E agency make changes to the list of automated functions submitted per 1355.52(i)(1)?**

**Answer:** Yes. The title IV-E agency must submit an updated list of CCWIS automated functions in their Annual Advance Planning Document (APD) or Operational APD, as appropriate, that identifies any revisions to the CCWIS automated functions.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 1355.52(i)(2); 80 FR 48200 at 48217

**16. Question: During the 24 month transition period (August 1, 2016 - July 31, 2018), must a title IV-E agency get ACF approval before implementing enhancements to its S/TACWIS project?**

**Answer:** It depends. Depending on the scope of the change and the status of the Implementation Advance Planning Document (APD), the agency would either seek approval or report changes in an As Needed, Annual or Operational APD in accordance with 45 CFR 95, Subpart F.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 45 CFR 95, Subpart F

**17. Question: Must title IV-E agencies with a S/TACWIS that is not compliant with all S/TACWIS requirements continue to work toward S/TACWIS compliance?**

**Answer:** No. As of August 1, 2016, the CCWIS regulations are effective and replace S/TACWIS regulations. Therefore, the S/TACWIS regulations are no longer applicable.

- **Source/Date:** (9/15/16)
- **Legal and Related References:** 81 CFR 35450 at 35450 and 35473

**18. Question: What federal financial participation (FFP) rate are S/TACWIS projects eligible for during the August 1, 2016 - July 31, 2018 transition period?**

**Answer:** S/TACWIS projects are eligible for 50% FFP for the share of project costs allocable to title IV-E during the August 1, 2016 - July 31, 2018 transition period.

This question and answer is repeated in the Cost Allocation for Transitioning Systems section.

- **Source/Date:** 11/09/16
- **Legal and Related References:** Section 474(a)(3)(C) and (D) of the Social Security Act; 45 CFR 1355.56(a); 80 FR 48200 at 48291 (issued August, 11, 2015); 81 FR 35450 at 35472 (issued June 2, 2016)

**19. Question: What cost allocation methodologies are S/TACWIS projects eligible for during the August 1, 2016 - July 31, 2018 transition period for development and operational costs?**

**Answer:** During the August 1, 2016 - July 31, 2018 transition period, title IV-E agencies with a S/TACWIS project may claim title IV-E funding according to the cost allocation methodology approved by ACF for development or the operational cost allocation plan approved by the Department, or both, per paragraph 1355.56(a).

Activities and costs must be eligible for title IV-E funding and be described in an applicable APD, per 46 CFR 95.610.

This question and answer is repeated in the Cost Allocation for Transitioning Systems section.

- **Source/Date:** 11/09/16
- **Legal and Related References:** Section 474(c) of the Social Security Act; 45 CFR 1355.56(a); 45 CFR 95.610; 81 FR 35472 (issued June 2, 2016); 80 FR 48219 (issued August 11, 2015)

**20. Question: May a title IV-E agency use their existing S/TACWIS cost allocation methodology for continued S/TACWIS work after the 24-month transition period?**

**Answer:** No. The existing S/TACWIS cost allocation methodology is only available for S/TACWIS projects and related project costs during the 24-month transition period from August 1, 2016 - July 31, 2018, per paragraph 1355.56(a).

After the transition period ends on July 31, 2018, S/TACWIS projects that have transitioned to CCWIS may receive CCWIS cost allocation per 1355.57(a). S/TACWIS projects that have been classified as non-CCWIS may receive non-CCWIS cost allocation per 1355.57(f).

This question and answer is repeated in the Cost Allocation for Transitioning Systems section.

- **Source/Date:** 11/09/16
- **Legal and Related References:** 45 CFR 1355.56(a); 45 CFR 1357(a), (c), (e), and (f); 81 FR 35472, 35474 - 35475 (issued June 2, 2016); 80 FR 48219, 48221 - 48222 (issued August 11, 2015)

**21. Question: What requirements must a title IV-E agency's S/TACWIS or non-S/TACWIS system transitioning to a CCWIS meet to qualify for CCWIS cost allocation?**

**Answer:** The title IV-E agency must ensure that the transitioning system, when completed, 1) meets the CCWIS project requirements at section 1355.52; and, 2) all automated functions developed after July 31, 2018 must meet the CCWIS design requirements of

section 1355.53. The title IV-E agency must also have an approved operational cost allocation plan for their CCWIS, effective October 1, 2019, pursuant to 45 CFR 95.631(b).

If the system meets the above requirements, ACF separately evaluates each automated function. An automated function may qualify for CCWIS cost allocation if it meets three conditions pursuant to section 1355.57(a)(2). Those conditions are: 1) the automated function supports programs authorized under titles IV-B or IV-E, and at least one requirement of section 1355.52 or, if applicable section 1355.54; 2) the automated function is not duplicated within the CCWIS or systems supporting child welfare contributing agencies and 3) the automated function is consistently used by all child welfare users responsible for the area supported by the automated function.

This question and answer is repeated in the Cost Allocation for Transitioning Systems section.

- **Source/Date:** 11/09/16; (4/2/2020)
- **Legal and Related References:** 45 CFR 95.631(b); 45 CFR 1355.52(i)(1); 45 CFR 1355.57(a); 81 FR 35450 at 35467 - 35468 and 35474 - 35475 (issued June 2, 2016) 80 FR 48200 at 48216 - 48217 and 48200 - 48221 (issued August 11, 2015)

**22. Question: We understand that an automated function that is part of a S/TACWIS transitioning to CCWIS may receive S/TACWIS cost allocation for development during the transition period, even if the automated function does not meet the CCWIS design requirements of 1355.53(a), pursuant to paragraph 1355.56(a). However, if the development on this automated function continues after the transition period, may the title IV-E agency claim CCWIS developmental cost allocation for this automated function?**

**Answer:** No. For transitioning projects, all CCWIS development that occurs after the transition period must meet the CCWIS design requirements described under paragraph 1355.53(a) unless ACF approves, on a case-by-case basis, an alternative design proposed by a title IV-E agency that is determined by ACF to be more efficient, economical, and effective than what is found in paragraph 1355.53(a), pursuant to paragraph 1355.53(b)(2).

- **Source/Date:** 4/24/2017
- **Legal and Related References:** 45 CFR 1355.53, 1355.56(a) and 1355.57(a)(1); 81 FR 35450 at 35468 - 35472 and 35473 - 35475 (issued June 2, 2016); 80 FR 48200 at 48217 - 48222 (issued August 11, 2015)

**23. Question: May a title IV-E agency transitioning a S/TACWIS to a CCWIS claim CCWIS operational funding after July 31, 2018 for the maintenance of an automated function developed by July 31, 2018 that does not meet the CCWIS design requirements of paragraph 1355.53(a)?**

**Answer:** Yes, a title IV-E agency may claim CCWIS operational funding for this automated function provided the title IV-E agency has an approved cost allocation plan, pursuant to 45 CFR 95.631(b), and the automated function meets three conditions, pursuant to 1355.57(a) (2). Those conditions are: 1) the automated function supports programs authorized under titles IV-B or IV-E, and at least one requirement of section 1355.52 or, if applicable section 1355.54; 2) the automated function is not duplicated within the CCWIS or systems supporting child welfare contributing agencies and 3) the automated function is consistently used by all child welfare users responsible for the area supported by the automated function.

This question and answer is repeated in the cost allocation for transitioning systems section.

- **Source/Date:** 4/24/2017; (4/2/2020)
- **Legal and Related References:** 45 CFR 95.631(b), 1355.53(a) and 1355.57(a); 81 FR 35450 at 35468 - 35470 and 35473 - 35475 (issued June 2, 2016); 80 FR 48200 at 48217 - 48217 and 48220 - 48221 (issued August 11, 2015)

**24. Question: If ACF approves a title IV-E agency's plan to transition an existing system to CCWIS prior to July 31, 2018, must all development work done after ACF's approval comply with the CCWIS design requirements of 1355.53(a)?**

**Answer:** No. A title IV-E agency's compliance with CCWIS design requirements is based on the transition period end date of July 31, 2018, not the date of ACF's approval of the plan to transition an existing system to CCWIS.

Development work completed on a transitioning system on or before July 31, 2018 is exempt from the CCWIS design requirements of paragraph 1355.53(a).

Development work performed on a transitioning system after July 31, 2018 must meet the CCWIS design requirements unless exempted by 1355.52(b)(2), pursuant to paragraph 1355.57(a).

This question and answer is repeated in the automated function requirements section.nts section.

- **Source/Date:** 02/12/2018
- **Legal and Related References:** 45 CFR 1355.52(i)(1); 45 CFR 1355.53; 45 CFR 1355.57(a); 81 FR 35450 at 35467 – 35471 and 35473 – 35474 (issued June 2, 2016); 80 FR 48200 at 48216 – 48218 and 48220 – 48221 (issued August 11, 2015)