



Division of County Operations

P.O. Box 1437, Slot S301, Little Rock, AR 72203-1437
P: 501.682.8375 F: 501.682.8367 TDD: 501.682.8933

MEMORANDUM

TO: Interested Persons and Providers

FROM: Mary Franklin, Director, Division of County Operations

DATE: June 27, 2021

SUBJ: Community Services Block Grant State Plan

As a part of the federal requirements at 42 U.S.C § 9901 et seq., attached for your review and comment is the Community Services Block Grant State Plan.

Public comments must be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

If you have any comments, please submit those comments in writing, no later than July 26, 2021.

NOTICE OF PUBLIC COMMENT PERIOD

The Director of the Division of County Operations of the Department of Human Services announces for a public comment period of thirty (30) calendar days a notice for the Community Services Block Grant State Plan as required under 42 U.S.C. § 9901 et seq.

Effective October 1, 2021:

The Arkansas Department of Human Services, Division of County Operations, Office of Community Services (DHS/DCO/OCS), is the agency designated by the Governor to administer and distribute Community Services Block Grant (CSBG) funds. The agency gives notice of intent to adopt the State Plan for distribution of funds for fiscal years 2022 and 2023 (October 1, 2021, to September 30, 2023). Necessitated by 42 U.S.C. § 9901 et seq. to access federal funding, the plan allocates funds primarily to fifteen Community Action Agencies (CAA) in the state to provide essential services intended to assist low-income citizens of Arkansas in becoming self-sufficient. Arkansas expects to receive annual funding of approximately \$9,992,074.00. The state agency passes through at least ninety percent (90%) of the funds to CAAs, while five percent (5%) may be used for administration and five percent (5%) to advance the purposes of the Act.

The CSBG State Plan is a critical document for both state and federal oversight of CSBG. The CSBG State Plan – submitted through the On-Line Data Collection system – integrates and aligns requirements from the CSBG Act with elements of the overall CSBG Performance Management and Accountability framework. This framework includes 1) organizational standards for CSBG eligible entities, 2) accountability measures at the state and federal levels, and 3) Results Oriented Management and Accountability (or another performance management system). Ultimately, this framework will enable the CSBG Network (local, state, and federal levels) to continuously improve their programs and generate breakthrough outcomes for families, individuals, and communities with low incomes. Operation of CSBG in accordance with these plans will be dependent on enactment of FFY 2022 appropriations supporting CSBG. A separate CSBG Policy Manual was promulgated in 2020 to implement the state plan, but no changes are necessary for fiscal years 2022 and 2023.

The CSBG State Plan is available for review at the Department of Human Services (DHS) Office of Rules Promulgation, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access and download the CSBG State Plan on the DHS website at <https://humanservices.arkansas.gov/do-business-with-dhs/proposed-rules/>. Public comments must be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov. All public comments must be received by DHS no later than July 26, 2021. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

A public hearing by remote access only through a Zoom webinar will be held July 14, 2021, at 10:00 a.m. and public comments may be submitted at the hearing. Individuals can access this public hearing at <https://us02web.zoom.us/j/88205507655>. The webinar ID is 882 0550 7655. If you would like the electronic link, "one-tap" mobile information, listening only dial-in phone numbers, or international phone numbers, please contact ORP at ORP@dhs.arkansas.gov.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-320-6266.

The Arkansas Department of Human Services complies with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin. **4502020582**



Mary Franklin, Director
Division of County Operations

Community Services Block Grant (CSBG) Arkansas State Plan Summary

The Arkansas Department of Human Services, Division of County Operations, Office of Community Services, is responsible for administering the Community Services Block Grant, which is a federal anti-poverty program that supports services designed to help low-income individuals and families become self-sufficient.

Arkansas expects to receive approximately \$9,992,074.00 in federal funds for Fiscal Years 2022 and 2023. Based on Public Law 105-285, the state agency is required to pass through at least ninety percent (90%) of the funds to the fifteen (15) private non-profit eligible entities (Community Action Agencies). These agencies provide statewide coverage to all seventy-five (75) counties. No more than five percent (5%) may be used by the state agency for administration. The remaining five percent (5%) will be spent as a discretionary fund to advance the purposes of the Community Services Block Grant Act.

Five percent (5%) of the Community Services Block Grant allocation will be used by the state agency, as in past years, to make grants to eligible entities to provide training and technical assistance to eligible entities, for case management and family development projects, for upgrades to technology and for special grants to eligible entities for projects of benefit to local communities.

Each of the eligible entity areas will receive funding based on their previous funding level and the number of low-income persons in the service area.

Services are provided through these funds to low-income persons to obtain employment, pursue an adequate education, make better use of the income they have available to them, obtain and maintain adequate housing, receive essential human services, obtain emergency food assistance, become more self-sufficient, take a responsible part in community improvement including the development of public and private grassroots partnerships with local law enforcement, address the needs of youth, and make more effective use of programs relating to state welfare reform efforts. The level of priority established for each of these areas is up to the Board of Directors for each eligible entity. Eligible entities are also expected to use Community Services Block Grant funds as leverage to obtain more resources from other funding sources to provide additional essential services in their areas.

Community Services Block Grant State Plan
FY 2022 and FY 2023

PROPOSED

Section 1: CSBG Lead Agency, CSBG
Authorized Official, CSBG Points of
Contact, and Official State Designation
Letter

Dr. Lanikque Howard, Director
Office of Community Services
U.S. Department of Health and Human Services
Administration for Children and Families
Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20221

Dear Dr. Howard:

Pursuant to 42 U.S.C. §9908 (a), the Governor, as the Chief Executive of the State, is required to designate an appropriate state agency to act as the lead agency for administration of the Community Services Block Grant.

As Governor of the State of Arkansas, I hereby designate the Department of Human Services, Division of County Operations, Office of Community Services (OCS) as the lead agency to administer the Community Services Block Grant in Arkansas.

The points of contact for program issues and award notices for the Community Services Block Grant will be the Division Assistant (OCS) Director and the Community Services Block Grant Manager.

Contact information is as below:

Lorie Williams, Assistant Director; Lorie.Williams@dhs.arkansas.gov; 501-682-8714

Beverly Buchanan, CSBG Manager; Beverly.Buchanan@dhs.arkansas.gov; 501-682-8720

Thank you for your attention to this matter.

Sincerely,

Asa Hutchinson

Section 2: State Legislation and Regulation

PROPOSED

[A.C.A. § 20-80-301](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-301. Title.

This subchapter shall be known as the "Community Service and Community Action Program Act of 1985".

History

Acts 1985, No. 345, § 1; A.S.A. 1947, § 83-1107.

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[A.C.A. § 20-80-302](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-302. Purpose.

(a) The purpose of this subchapter is to encourage nonprofit community action organizations which have been formed to provide basic and essential human services to low income and elderly citizens of Arkansas in the areas of health, transportation, housing, home repair and weatherization, aging programs and aging alternatives to institutionalization, developmental child care and enrichment, youth opportunity programs, low-income home energy assistance programs, and other related activities which the General Assembly recognizes as beneficial to a large number of Arkansas citizens.

(b) It is further the purpose of this subchapter to encourage and promote the operations and activities of community action agencies whether the activities are conducted by one (1) agency or by two (2) or more cooperating agencies.

History

Acts 1985, No. 345, § 1; A.S.A. 1947, § 83-1107.

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[A.C.A. § 20-80-303](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-303. Exception.

Nothing in this subchapter is intended to change or in any way conflict with the status, boundaries, or functions of regional or metropolitan planning commissions or councils of governments established under [§§ 14-17-301 -- 14-17-309](#) and [14-56-501 -- 14-56-509](#) nor the status, boundaries, and functions of planning and development districts as established and recognized under [§§ 14-166-201 -- 14-166-205](#).

History

Acts 1985, No. 345, § 2; A.S.A. 1947, § 83-1108.

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[A.C.A. § 20-80-304](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-304. Recognition of agencies generally -- Establishment of financial assistance.

In furtherance of the purposes of this subchapter, the General Assembly recognizes community action organizations in their efforts to provide services beneficial to low-income citizens of this state and establishes a program of financial assistance to recognized community action agencies to enable them to continue and expand activities and programs stated in [§ 20-80-302](#).

History

Acts 1985, No. 345, § 1; A.S.A. 1947, § 83-1107.

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[A.C.A. § 20-80-305](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-305. Recognition of specific agencies -- Jurisdiction.

The General Assembly recognizes as community action agencies and their jurisdiction, the following nineteen (19) existing community action organizations:

- (1) Arkansas River Valley Area Council, consisting of Franklin, Scott, Yell, Johnson, Pope, Conway, Perry, Logan, and Polk counties;
- (2) Black River Area Development Corporation, consisting of Randolph, Clay, and Lawrence counties;
- (3) Central Arkansas Development Council, consisting of Saline, Hot Spring, Clark, Pike, and Montgomery counties;
- (4) Community Action Program for Central Arkansas, consisting of White, Faulkner, and Cleburne counties;
- (5) Crowley's Ridge Development Council, Inc., consisting of Craighead, Greene, Jackson, and Poinsett counties;
- (6) Crawford-Sebastian Community Development Council, Inc., consisting of Crawford and Sebastian counties;
- (7) Community Services Office, Inc., consisting of Garland County;
- (8) East Central Arkansas Economic Opportunity Corporation, consisting of Cross, St. Francis, Woodruff, Crittenden, and Lee counties;
- (9) Economic Opportunity Agency of Pulaski County, consisting of Pulaski and Lonoke counties;
- (10) Economic Opportunity Agency of Washington County, consisting of Washington County;
- (11) Arkansas Economic Opportunity Commission, Inc., consisting of Mississippi County;
- (12) Mid-Delta Community Services, Inc., consisting of Phillips, Monroe, and Prairie counties;
- (13) Northcentral Arkansas Development Council, consisting of Fulton, Izard, Sharp, Stone, and Independence counties;
- (14) Office of Human Concern, consisting of Benton, Carroll, and Madison counties;
- (15) Ozark Opportunities, Inc., consisting of Van Buren, Searcy, Boone, Marion, Baxter, and Newton counties;
- (16) Pine Bluff Jefferson County Economic Opportunity Commission, Inc., consisting of Jefferson, Grant, Arkansas, Lincoln, and Cleveland counties;

A.C.A. § 20-80-305

(17) South Central Community Action Authority, consisting of Ouachita, Columbia, Calhoun, Dallas, and Union counties;

(18) Southeast Arkansas Community Action Corporation, consisting of Bradley, Drew, Desha, Ashley, and Chicot counties; and

(19) Southwest Arkansas Development Council, Inc., consisting of Little River, Hempstead, Miller, Lafayette, Howard, Sevier, and Nevada counties.

History

Acts 1985, No. 345, § 2; A.S.A. 1947, § 83-1108.

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[A.C.A. § 20-80-306](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-306. Recognition of specific agencies -- Change of boundaries and number.

The appropriate division of the Department of Human Services is authorized to change the boundaries and the number of officially recognized community action agencies, provided that concurrence therein is obtained of the governing boards of each of the affected existing agencies as recognized in [§ 20-80-305](#).

History

Acts 1985, No. 345, § 2; A.S.A. 1947, § 83-1108.

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[A.C.A. § 20-80-307](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

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20-80-307. Recognition of representative organizations.

(a) The governing boards of directors of the nineteen (19) existing community action organizations are recognized as the representative organizations of the community action agencies as recognized in [§ 20-80-305](#).

(b) The appropriate division of the Department of Human Services is authorized, whenever agency boundaries have been changed in accordance with [§ 20-80-306](#), to recognize the representative organizations of the new community action agencies.

(c) In order to qualify for recognition and further benefits under this subchapter, a community action agency shall have been organized and constituted under the provisions of the Community Service Block Grant Act of 1981 and shall have a governing board whose members are elected and are representatives of specific community interests in accordance with the Community Service Block Grant Act of 1981.

History

Acts 1985, No. 345, § 3; A.S.A. 1947, § 83-1109.

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[A.C.A. § 20-80-308](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-308. [Repealed.]

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[A.C.A. § 20-80-309](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

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20-80-309. Funding -- Appropriations -- Permitted use of funds.

(a) The appropriate division of the Department of Human Services is authorized to make payments from time to time to officially recognized organizations of community action agencies from state funds appropriated for that purpose. Payments shall be scheduled to begin as nearly as possible on July 1 of each fiscal year and on the first day of each calendar quarter thereafter.

(b) Funds appropriated for payments to the organizations of community action agencies shall be allocated on the basis of equitable criteria established by the appropriate division based upon application for programs.

(c) If any change occurs in the jurisdictions of any of the officially recognized nineteen (19) community action agencies, as authorized in [§ 20-80-306](#), the first allocation of appropriated funds to the former agency or agencies, which comprise counties reorganized under the jurisdiction of a newly recognized agency, shall be apportioned to the new agency or agencies in accordance with equitable criteria established by the appropriate division.

(d)(1) (A) At least ninety percent (90%) of the funds received and appropriated by the state from the United States Government under the community services block grant shall be allocated to community action agencies, as defined in this subchapter, under a formula to be determined by the appropriate division which is designated as the disbursing agency for community services block grant funds.

(B) The powers of every community action agency governing board shall include the power to appoint persons to senior staff positions to determine major personnel, fiscal, and program policies to approve overall program plans and priorities and to assure compliance with conditions of and approve proposals for financial assistance under this subchapter.

(C) No more than five percent (5%) of the community services block grant may be used by the disbursing agency for administrative purposes.

(D) Any subsequently remaining funds may be used for purposes to be determined by the disbursing agency.

(2) In the event that the community services block grant is eliminated, each community action agency shall be funded, subject to the restrictions of applicable law or regulation, in the distribution of other federal funds which can be used to support antipoverty programs.

History

Acts 1985, No. 345, § 5; A.S.A. 1947, § 83-1111.

A.C.A. § 20-80-309

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A.C.A. § 20-80-310

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-310. Funding -- Notification by General Assembly -- Application.

(a) Whenever the General Assembly has appropriated funds in order to make payments to officially recognized community action agencies as authorized in this subchapter, the appropriate division of the Department of Human Services shall notify the respective governing boards of the agencies of the amount allocated to the agencies as provided in [§ 20-80-308](#) [repealed] and shall notify the respective boards that application for the funds may be made upon forms provided therefor by the appropriate division.

(b) Upon the receipt of application for the funds, the appropriate division shall determine that the following conditions have been met before disbursing the payments:

(1) The community action organization is an officially recognized community action agency, in accordance with [§§ 20-80-305](#) and [20-80-306](#) and has been constituted in accordance with [§ 20-80-307\(c\)](#); and

(2) The agency board of directors shall certify that a proposed budget has been established for the expenditure of state funds for purposes consistent with the purpose of this subchapter.

(c) At the end of each fiscal year, an audited report of each community action agency shall be submitted to the appropriate division.

(d) Any amounts of state funds unexpended or unobligated by June 30 shall be returned by the agency to the State Treasury.

(e) If any community action agency shall have expended any state funds for any purpose not within the purpose and intent of this subchapter, that amount shall be reimbursed by the agency to the State of Arkansas before any additional payments may be made to the agency.

History

Acts 1985, No. 345, § 6; A.S.A. 1947, § 83-1112.

[A.C.A. § 20-80-311](#)

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

AR - Arkansas Code Annotated > Title 20 Public Health and Welfare > Subtitle 5. Social Services > Chapter 80 Community Services > Subchapter 3-- Community Service and Community Action Program Act of 1985

20-80-311. Funding -- Antipoverty programs.

State funds appropriated by the General Assembly to the appropriate division of the Department of Human Services for payments to be made to recognize community action agencies in accordance with this subchapter shall be used by the agencies for funding antipoverty programs designated by state regulations.

History

Acts 1985, No. 345, § 7; A.S.A. 1947, § 83-1113.

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Section 3: State Plan Development and
Statewide Goals

PROPOSED

The State Lead Agency

The State Lead Community Services Block Grant Agency is housed in The Department of Human Services. The Department of Human Services (DHS) is Arkansas's largest state agency, with more than 7,400 employees working to ensure citizens are healthy, safe, and enjoying a high quality of life.

The agency's skilled and passionate staff cares for Arkansans of all ages. Often, that means providing a safety net for our most vulnerable residents. Families or individuals facing difficult times may need assistance to get back on their feet. People needing support will find at least one (1) local DHS office in each of the state's seventy-five (75) counties.

Arkansans may apply for a vast array of services at their local county office as well as online. Services include ARKids First health insurance for children, the Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps), Transitional Employment Assistance (TEA) and Medicaid.

Through a blend of federal and state Medicaid funds, DHS pays for sixty-four percent (64%) of the babies born in Arkansas each year and for the care of sixty-nine percent (69%) of the state's nursing home patients.

Additionally, DHS protects children and the elderly who have been abused or neglected; finds adoptive homes for foster children; funds congregate and home-delivered meals for the elderly; regulates nursing homes and childcare facilities; supports high-quality early childhood education; treats and serves youth in the juvenile justice system; oversees services for blind Arkansans; runs residential facilities for people with developmental disabilities; manages the Arkansas State Hospital and Arkansas Health Center for those with acute behavioral health issues; and supports nonprofit, community and faith-based organizations that depend on volunteers to continue programs vital to our communities.

The agency also works with a system of community mental health care centers to provide mental health services to nearly 74,000 people each year.

In all, DHS serves more than 1.2 million Arkansans every year.

Vision

Arkansas citizens are healthy, safe, and enjoy a high quality of life.

Mission Statement

Together we improve the quality of life of all Arkansans by protecting the vulnerable, fostering independence, and promoting better health.

Core Values

Compassion
Courage
Respect
Integrity
Trust

Operational Values

Customer Focused - Ensuring our actions and services are targeted to the well-being of recipients/customers and the citizens of Arkansas.

High Quality Workforce - Recruiting and developing our people so that they enjoy the highest quality work life and choose DHS as the best place to work.

Beliefs

Every person matters.

Families matter.

Empowered people help themselves.

People deserve access to good health care.

We have a responsibility to provide knowledge and services that work.

Partnering with families and communities is essential to the health and well-being of Arkansans.

Quality of our services depends upon a knowledgeable and motivated workforce.

We care. We act. We change lives.

The State Roles and Responsibilities

The Arkansas Department of Human Services, Division of County Operations, Office of Community Services (DHS/DCO/OCS) is the agency designated by the Governor to administer and distribute Community Services Block Grant (CSBG) funds.

In its second role, the State Lead Agency is responsible for performance-based reporting of Community Services Block Grant funds. This entails the collection of data from each agency, then compiling the data and submitting reports to the federal agency that is responsible for the funds. In the case of CSBG funds, the performance-based element is referred to as ROMA - Results Oriented Management and Accountability.

A third role, or responsibility, that the State Lead Agency has is that of providing training and technical assistance to the eligible entities' executive directors, board members, and staff. Training and technical assistance covers a wide range of subjects including, but not limited to, workshops on succession planning, ROMA, case management, financial management, CSBG Organizational Standards, reporting, OMB guidance, monitoring, and board governance. Technical assistance is provided both as a response to requests and because of monitoring reviews that indicate weaknesses. The State Lead Agency strongly encourages all the eligible entities to request technical assistance if they encounter issues or situations in which they feel guidance is needed. The State Lead Agencies' primary goal, exceeded only by the programmatic assurances set forth in the act, is to ensure that all CSBG funds and programs are administered to all sub-grantees in accordance with the law.

The fourth role of the State Lead Agency is determining if funds are used in accordance with applicable federal and state laws, rules, regulations, or policies. The determination is made through

monitoring reviews as well as audit reports. In those instances where it is determined that the use of funds was not in compliance with applicable laws, rules, regulations, or policies, then corrective action must be determined. If the determination includes disallowed costs that must be repaid, then the sub-grantee will be required to reimburse those funds to the State.

The State Lead Agency's fifth role with respect to eligible entities is that of partner. DHS/DCO/OCS works in partnership with not only the entities, but also: with other funding sources, state agencies, and the Arkansas Community Action Agencies Association (ACAAA). The partnerships serve to provide the widest range possible of services to the low- income in the most cost- effective and efficient manner. The Lead Agency will work directly with each eligible entity and its board pertaining to contractual matters or the affairs of that entity

PROPOSED

Goals

The State Lead Agency has established the following goals for the Community Services Block Grant for the FY 2022 and FY 2023 fiscal years:

Organizational Standards

Goal: To ensure that all Arkansas eligible entities have the tools to become 100% compliant with the Community Services Block Grant Organizational Standards as prescribed in IM 138.

Strategies: To partner with the Arkansas Community Action Agencies Association, with NASCSP, and with the National Community Action Partnership, and other consultants to provide peer-to-peer assistance, training, and additional resources to assist with the development of agency staff in the identified area of deficiency:

- ❖ Organizational wide comprehensive risk assessment
- ❖ Succession Planning
- ❖ Agency Leadership
- ❖ Board Governance
- ❖ Strategic Planning

Fiscal Management

Goal: To require that all the Arkansas eligible entities participate in three (3) hours of state sponsored financial management training per fiscal year.

Strategies: To partner with national organizations to provide training and technical assistance in the areas of:

- ❖ Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- ❖ Budgeting
- ❖ Fund Raising

Monitoring

Goal: To strengthen Compliance and Fiscal monitoring.

Strategies: To update the Community Services Block Grant monitoring tool, especially around financial management.

Professional Development and Implementation of ROMA

Goal: To ensure that the principles of (ROMA) are fully implemented in all the Arkansas eligible entities.

Strategies: To support and participate in quarterly ROMA workgroup sessions in the state and at the federal level (the CSBG Manager is a part of the federal ROMA workgroup for state managers).

State Distribution Formula

Goal: To revise and implement an updated state distribution formula.

Strategies: The State Lead Agency will research funding formula methods from other states and other human services agencies. The Lead Agency will identify and adopt the funding formula (in accordance with IM 116) that will best support the work of the Arkansas Community Services network. The new formula will be implemented in the year following its adoption.

State-wide Data Collection System

Goal: To implement a state-wide data collection system for Arkansas eligible entities.

Strategies: The State Lead Agency will coordinate with the eligible entities and the State Association to identify, purchase, and implement a state-wide data collection system for eligible entities during the period of this state plan.

Transition out of Poverty/Transitioning Toward Self-Sufficiency

Goal: To effectively track and report the number of low-income individuals and families that are moved above the 125% of poverty level annually through the efforts of the eligible entities.

Strategies: The State Lead Agency will not assign a specific number of clients each eligible entity is expected to assist in transitioning out of poverty during FF 2022 and FY 2023. However, it is expected as part of the Annual Community Action Plan (CAP Plan), each eligible entity will set a goal that is at least two percent (2%) higher than the goal for the previous fiscal year.

The eligible entities are expected to partner with local entities such as the local workforce, the Department of Human Services, and other local poverty fighting agencies to provide the tools that will empower individuals and families to become self-sufficient (42 USC 9901. Sec. 672).

The State Lead Agency reviewed Eligible entity quarterly National Performance Indicator reports, community needs assessments, community action plans and results of on-site monitoring visits, assessment of Organizational Standards for use in the development of the goals.

The State Lead Agency used feedback from the eligible entities and federal regulation changes in the development of the state-wide policies and monitoring procedures.

PROPOSED

Section 4: CSBG Hearing Requirements

PROPOSED

Community Services Block Grant Hearing Requirements

Community Services Block Grant State Legislation

The State of Arkansas's statutory authority for the Community Services Block Grant Program is the "Community Service and Community Action Program Act of 1985" (Act 345).

Through this Act, the Arkansas Legislature institutionalized the Community Service Program and determined that it will be carried out primarily through the State's local Community Action Agencies.

The Act also determined service areas of these eligible entities to include all seventy-five (75) counties and mandated ninety percent (90%) pass through of Community Services Block Grant funds to these eligible entities. The Act limits state administrative expenditures of Community Services Block Grant funds to five percent (5%); the remaining five percent (5%) will be used as discretionary funds.

The types of community services provided are consistent with requirements of the Community Services Block Grant Federal Act.

Designation of Lead State Agency

Governor Asa Hutchinson, as the Chief Executive for the State of Arkansas, designates the Arkansas Department of Human Services, Division of County Operations, Office of Community Services, as the lead agency for administration of the Community Services Block Grant.

In addition, through Act 345 of 1985, the Arkansas Legislature has made the Arkansas Department of Human Services, Division of County Operations, Office of Community Services responsible for carrying out all aspects of the Act. Included in the application is a letter of designation signed by Governor Asa Hutchinson.

Public and Legislative Hearing Requirements

The State of Arkansas has complied with public and legislative hearing requirements of the Community Services Block Grant Act regarding the State Application and Plan, as follows:

Public Hearing

The Act requires the designated lead agency to conduct at least one (1) Public Hearing to provide an opportunity for comment on the proposed use and distribution of funds, in conjunction with development of the State Application and Plan. Arkansas held one (1) Zoom public hearing, on July 14, 2021 at 10 am CST. Notice of the hearing was published in the statewide daily newspaper for three (3) consecutive days, as well as published in the local newspaper of the service area and posted on the Arkansas Department of Human Services website. The Executive Directors of each of the Community Action Agencies and of the Arkansas Community Action Agencies Association received a draft copy of the Application. The public was offered the opportunity to comment on the proposed use and distribution of funds for the plan period (fiscal years 2022 and 2023).

Documentation of the Public Hearing is attached to this application.

Legislative Hearing

The Act requires the State to hold at least one (1) legislative hearing every three (3) years in conjunction with the development of the State Plan. The Arkansas General Assembly conducted a legislative hearing through the appropriate committee(s) for fiscal years 2022 and 2023 on August 2, 2021. Attached is the agenda and the video of the legislative hearing.

Public Inspection of State Plan

The Act requires the State to make the State Plan available for public inspection, to facilitate review of and comment on the plan. The State Plan for fiscal years 2022 and 2023 was made available for public inspection and comment from June 27, 2021 – July 26, 2021, at all Community Action Agencies and the Arkansas Department of Human Services, Division of County Operations, Office of Community Services. Those who wished to comment could respond orally at the Public Hearings, submit written comments through their local Community Action Agency, or submit comments directly to the Arkansas Department of Human Services, Division of County Operations, Office of Community Services. Notice of the public hearing and comment period was provided in the Arkansas statewide daily newspaper and via the Arkansas Department of Human Service Website.

Copies of the State Plan will be made available at the Arkansas State Library, Arkansas Department of Human Services, Legislative Council, Arkansas Community Action Agencies, and Arkansas Community Action Agencies Association.

Section 5: CSBG Eligible Entities

PROPOSED

Arkansas Eligible Entities

There are fifteen (15) eligible entities (Community Action Agencies) in Arkansas that receive ninety percent (90%) of the Community Services Block Grant allocation to carry out the purposes of the Community Services Block Grant Act, as described under Section 675C of the Community Services Block Grant.

PROPOSED

Arkansas Community Action Agencies

Agency & Contact Information

Counties Served

ARVAC

Stephanie Garner, Chief Executive Director

Arkansas River Valley Area Council, Inc.
Post Office Box 808
613 North 5th Street
Dardanelle, Arkansas 72834

Telephone: (479) 229-4861

FAX: (479) 229-4863

E-Mail: sgarner@arvacinc.org

Conway
Franklin
Johnson
Logan
Perry
Polk
Pope
Scott
Yell

BRAD

Rhonda Ahrent, Executive Director

Black River Area Development Corp.
1403 Hospital Drive
Pocahontas, Arkansas 72455

Telephone: (870) 892-4547, Ext 256

FAX: (870) 892-0707

E-Mail: rahrent@bradcorp.org

Clay
Lawrence
Randolph

CADC

Randy Morris, Executive Director

Central Arkansas Development Council
Post Office Box 580
321 Edison
Benton, Arkansas 72015

Telephone: (501) 315-1121

Fax: (501) 778-9120

E-Mail: rmorris@cadc.com

Web: www.cadc.com

LR Office Number: (501) 603-0909

LR Address: 5401 S. University (inside Workforce)

Lonoke Number: (501) 676-0019

Calhoun
Clark
Columbia
Dallas
Hot Spring
Lonoke
Montgomery
Ouachita
Pike
Pulaski
Saline
Union
Hempstead
Howard
Lafayette
Little River
Miller
Nevada
Sevier

CAPCA Jennifer Welter, Executive Director

Community Action Program for Central Arkansas, Inc.
707 Robins Street, Ste. 118
Conway, Arkansas 72034
Telephone: (501) 329-3891
FAX: (501) 329-8642
E-Mail: Jennifer.Welter@capcainc.org
Web: www.capcainc.org

Cleburne
Faulkner
White

CRDC

Jeremy Wooldridge, Executive Director

Crowley's Ridge Development Council, Inc.
Post Office Box 16720
2401 Fox Meadow Lane
Jonesboro, Arkansas 72401
Telephone: (870) 802-7100
FAX: (870) 935-0291
E-Mail: jwooldridge@crdcnea.com
Web: www.crdcnea.com

Craighead
Crittenden
Cross
Greene
Jackson
Poinsett
St. Francis
Woodruff

C-SCDC Marc Baker, Executive Director

Crawford-Sebastian Community Development
Council, Inc.
Post Office Box 180070
1617 South Zero Street
Fort Smith, Arkansas 72914
Telephone: (479) 785-2303
FAX: (479) 785-2341
E-Mail: mbaker@cscdcaa.org
Web: www.cscdcaa.org

Crawford
Sebastian

CSO

Leslie Barnes, Executive Director

Community Services Office, Inc.
Post Office Box 1175
600 West Grand Avenue
Hot Springs, Arkansas 71901
Telephone: (501) 624-5724
FAX: (501) 624-1645
CELL: (901) 389-0162
E-Mail: executivedirector@csoarkansas.org

Garland

EOAWC **Delia Anderson Farmer, Executive Director** Washington
Economic Opportunity Agency of Washington Co., Inc.
614 East Emma Avenue, Suite M401
Springdale, Arkansas 72764
Telephone: (479) 872-7479
FAX: (479) 872-7482
E-Mail: dfarmer@eoawc.org
Web: www.eoawc.org

MCAEOC **Priscilla Johnson, Executive Director** Mississippi
Mississippi County, Arkansas Economic
Opportunity Commission, Inc.
Post Office Drawer 1289
1400 North Division Street
Blytheville, Arkansas 72316-1289
Telephone: (870) 776-1054
FAX: (870) 776-1875 or (870) 776-1880
E-Mail: cilla.Johnson@sbcglobal.net

M-DCS **Bobbie Salter, Executive Director** Lee
Mid-Delta Community Services, Inc. Monroe
Post Office Drawer 745 Phillips
610 South Biscoe Street Prairie
Helena, Arkansas 72342
Telephone: (870) 338-6406
FAX: (870) 338-3629
E-Mail: bsalter@m-dcs.com

NADC **Staci Albert, Interim Executive Director** Fulton
Northcentral Arkansas Development Independence
Council, Inc. Izard
Post Office Box 3349 Sharp
550 9th Street Stone
Batesville, Arkansas 72503
Telephone: (870) 793-5765
FAX: (870) 793-2167
E-Mail: cmorris@nadcinc.org

OHC **Susan Moore, Executive Director** Benton
Office of Human Concern, Inc. Carroll
Post Office Box 778 Madison
506 East Spruce Street
Rogers, Arkansas 72757
Telephone: (479) 636-7301
FAX: (479) 636-7312
E-Mail: smoore@eohc.org

OOI **Richard T. Atkinson, Executive Director** Baxter
Ozark Opportunities, Inc. Boone
Post Office Box 1400 Marion
701 East Prospect Avenue Newton
Harrison, Arkansas 72601 Searcy
Telephone: (870) 741-9406 Van Buren
FAX: (870) 741-0924
E-Mail: rtatkinson@ozarkopp.org

Note: **Physical Address zip code is 72601**
 P.O. Address zip code is 72602

PB-JCEOC **Helen Snyder, Interim Executive Director** Arkansas
Pine Bluff-Jefferson County Economic Cleveland
Opportunities Commission, Inc., dba Grant
CDCAA Jefferson
PO Box 506 Lincoln
Rison, AR 72601
Telephone: (870) 536-0046
FAX: (870) 535-7558
E-Mail: helen@cdcaa.com

SEACAC **Carolyn Davis Executive Director** Ashley
Southeast Arkansas Community Action Corp. Bradley
Post Office Box 312 Chicot
1208 North Myrtle Street Desha
Warren, Arkansas 71671 Drew
Telephone: (870) 226-2668
FAX: (870) 226-5637
E-Mail: ECarolyn.Davis.ed@seacac.com

(ACAAA) Terry Bearden, Executive Director

Arkansas Community Action Agencies Association, Inc.

1111 West 6th Suite C

Little Rock, Arkansas 72201

Telephone: (501) 372-0807

E-Mail: www.acaaa.org

E-Mail: tbearden@acaaa.org

Neighbor to Neighbor Inc. – 870-534-2883

Ms. Pat Tate, Executive Director Neighbor
to Neighbor Inc.

1419 Pine Street

Pine Bluff, Arkansas 71601

Arkansas Single Parent Scholarship Fund – 479-927-1402

Ms. Ruthanne Hill, Executive Director

Arkansas Single Parent Scholarship Fund

614 East Emma Avenue, Suite 119

Springdale, Arkansas 72764

Watershed H&CDA, Inc. - Carla 501-378-0176

Rev. Hezekiah D. Stewart, Executive Director

Watershed Human and Community Development Agency, Inc.

3701 Springer Blvd.

Little Rock, Arkansas 72206

PROPOSED

Section 6: Organizational Standards for Eligible
Entities

PROPOSED

State Oversight of Organizational Standards

Section 678B of the CSBG Act (42 U.S.C. § 9914) requires State CSBG Lead Agencies to establish “performance goals, administrative standards, financial management requirements, and other requirements” that ensure an appropriate level of accountability and quality among the State’s eligible entities. The purpose of States using the organizational standards is to ensure each eligible entity has appropriate organizational capacity to fulfill the purpose of the CSBG Act.

The State CSBG Lead Agency is responsible for assessing the status of standards among all the eligible entities annually and for reporting to OCS on the standards in the CSBG Annual Report.

The State CSBG Lead Agency expects that ninety percent (90%) of the eligible entities will meet 100% of the Organizational Standards in year one (1) of the state plan. In year two (2) of the state plan, it is expected that all fifteen (15) eligible entities will meet 100% of the Organizational Standards.

Below are the results from the FY 2019 Annual Report regarding eligible entities percentages of met Community Services Block Grant Organizational Standards.

Organizational Standards Results for FY 2019 as reported on the Annual Report:

- Seven (8) agencies in the 100%
- Five (4) agencies in the 90% - 99%
- Three (3) agencies in the 80% - 89%

ORGANIZATIONAL STANDARDS FOR PRIVATE, NONPROFIT CSBG ELIGIBLE ENTITIES

MAXIMUM FEASIBLE PARTICIPATION

Category one (1): Consumer Input and Involvement

Community Action is rooted in the belief that people with low incomes are in the best position to express what they need to make a difference in their lives. CSBG eligible entities work in partnership with the people and communities they serve. Community Action works in a coordinated and comprehensive manner to develop programs and services that will make a critical difference in the lives of participants. Individuals and families are well attuned to what they need, and when Community Action taps into that knowledge, it informs our ability to implement high-impact programs and services.

Research shows that through engagement in community activities such as board governance, peer to peer leadership, advisory bodies, volunteering, and other participatory means, the poor build personal networks and increase their social capital so that they are able to move themselves and their families out of poverty. Community Action is grounded in helping families and communities build this social capital for movement to self-sufficiency.

Standard 1.1 • private the organization demonstrates low-income individuals' participation in its activities.

Standard 1.2 • private the organization analyzes information collected directly from low-income individuals as part of the community assessment.

Standard 1.3 • private the organization has a systematic approach for collecting, analyzing, and reporting customer satisfaction data to the governing board.

Category two (2): Community Engagement

No CSBG eligible entity can meet all of a community's needs independently. Through formal and informal partnerships, ongoing community planning, advocacy, and engagement of people with low incomes, partners ranging from community and faith-based organizations, educational institutions, government, and business work together with Community Action Agencies and other CSBG eligible entities to successfully move families out of poverty and revitalize communities.

Community Action is often the backbone organization of community efforts to address poverty and community revitalization: leveraging funds, convening key partners, adding the voice of the underrepresented, and being the central coordinator of efforts. It is not an easy role to play, but a vital one for families and communities.

Standard 2.1 • private the organization has documented or demonstrated partnerships across the community, for specifically identified purposes; partnerships include other anti-poverty organizations in the area.

Standard 2.2 • private the organization utilizes information gathered from key sectors of the community in assessing needs and resources, during the community assessment process or other times. These sectors would include at minimum: community-based organizations, faith-based organizations, private sector, public sector, and educational institutions.

Standard 2.3 • private the organization communicates its activities and its results to the community.

Standard 2.4 • private the organization documents the number of volunteers and hours mobilized in support of its activities.

Category three (3): Community Assessment

Local control of Federal CSBG resources is predicated on regular comprehensive community assessments that take into account the breadth of community needs as well as the partners and resources available in a community to meet these needs. Regular assessment of needs and resources at the community level is the foundation of Community Action and a vital management and leadership tool that is used across the organization and utilized by the community to set the course for both CSBG and all agency resources.

Standard 3.1 • private the organization conducted a community assessment and issued a report within the past three (3) years.

Standard 3.2 • private as part of the community assessment, the organization collects and includes current data specific to poverty and its prevalence related to gender, age, and race/ethnicity for their service area(s).

Standard 3.3 • private the organization collects and analyzes both qualitative and quantitative data on its geographic service area(s) in the community assessment.

Standard 3.4 • private the community assessment includes key findings on the causes and conditions of poverty and the needs of the communities assessed.

Standard 3.5 • private the governing board formally accepts the completed community assessment.

VISION AND DIRECTION

Category four (4): Organizational Leadership

Community Action leadership is exemplified at all levels across the organization and starts with a mission that clarifies Community Action's work on poverty. A well-functioning board, a focused chief executive officer (CEO)/executive director, well-trained and dedicated staff, and volunteers giving of themselves to help others will establish Community Action as the cornerstone and leverage point to address poverty across the community. Ensuring strong leadership both for today and into the future is critical.

This category addresses the foundational elements of mission as well as the implementation of the Network's model of good performance management (ROMA). It ensures CAAs have taken steps to plan thoughtfully for today's work and tomorrow's leadership.

Standard 4.1 • private the governing board has reviewed the organization's mission statement within the past five (5) years and assured that:

1. The mission addresses poverty; and
2. The organization's programs and services are in alignment with the mission.

Standard 4.2 • private the organization's Community Action plan is outcome-based, anti-poverty focused, and ties directly to the community assessment.

Standard 4.3 • private the organization's Community Action plan and strategic plan document the continuous use of the full Results Oriented Management and Accountability (ROMA) cycle or comparable system (assessment, planning, implementation, achievement of results, and evaluation). In addition, the organization documents having used the services of a ROMA-certified trainer (or equivalent) to assist in implementation.

Standard 4.4 • private the governing board receives an annual update on the success of specific strategies included in the Community Action plan.

Standard 4.5 • private the organization has a written succession plan in place for the CEO/executive director, approved by the governing board, which contains procedures for covering an emergency/unplanned, short-

term absence of three (3) months or less, as well as outlines the process for filling a permanent vacancy.

Standard 4.6 • private an organization-wide, comprehensive risk assessment has been completed within the past two (2) years and reported to the governing board.

Category five (5): Board Governance

Community Action boards are uniquely structured to ensure maximum feasible participation by the entire community, including those the network serves. By law, Community Action boards are comprised of at least one-third (1/3) low-income consumers (or their representatives), one-third (1/3) elected officials (or their appointees), and the remainder private-sector community members. To make this structure work as intended, CAAs must recruit board members thoughtfully, work within communities to promote opportunities for board service, and orient, train, and support them in their oversight role. Boards are foundational to good organizational performance and the time invested to keep them healthy and active is significant, but necessary.

Standard 5.1 • private the organization's governing board is structured in compliance with the CSBG Act:

1. At least one-third (1/3) democratically-selected representatives of the low-income community;
2. One-third (1/3) local elected officials (or their representatives); and
3. The remaining membership from major groups and interests in the community.

Standard 5.2 • private the organization's governing board has written procedures that document a democratic selection process for low-income board members adequate to assure that they are representative of the low-income community.

Standard 5.3 • private the organization's bylaws have been reviewed by an attorney within the past five (5) years.

Standard 5.4 • private the organization documents that each governing board member has received a copy of the bylaws within the past two (2) years.

Standard 5.5 • private the organization's governing board meets in accordance with the frequency and quorum requirements and fills board vacancies as set out in its bylaws.

Standard 5.6 • private Each governing board member has signed a conflict of interest policy within the past two (2) years.

Standard 5.7 • private the organization has a process to provide a structured orientation for governing board members within six (6) months of being seated.

Standard 5.8 • private Governing board members have been provided with training on their duties and responsibilities within the past two (2) years.

Standard 5.9 • private the organization's governing board receives programmatic reports at each regular board meeting.

Category six (6): Strategic Planning

Establishing the vision for a Community Action Agency is a big task and setting the course to reach it through strategic planning is serious business. CSBG eligible entities take on this task by looking both at internal functioning and at the community's needs. An efficient organization knows where it is headed, how the board and staff fit into that future, and how it will measure its success in achieving what it has set out to do. This agency-wide process is board-led and ongoing. A "living, breathing" strategic plan with measurable outcomes is the goal, rather than a plan that gets written but sits on a shelf and stagnates. Often set with an ambitious vision, strategic plans set the tone for the staff and board and are a key leadership and management tool for the organization.

Standard 6.1 • private the organization has an agency-wide strategic plan in place that has been approved by the governing board within the past five (5) years.

Standard 6.2 • private the approved strategic plan addresses reduction of poverty, revitalization of low-income communities, and empowerment of people with low incomes to become more self-sufficient.

Standard 6.3 • private the approved strategic plan contains family, agency, and community goals.

Standard 6.4 • private Customer satisfaction data and customer input, collected as part of the community assessment, is included in the strategic planning process.

Standard 6.5 • private the governing board has received an update(s) on progress meeting the goals of the strategic plan within the past twelve (12) months.

PROPOSED

OPERATIONS AND ACCOUNTABILITY

Category seven (7): Human Resource Management

The human element of Community Action's work is evident at all levels of the organization and the relationship an organization has with its staff often reflects the organization's values and mission.

Oversight of the chief executive officer (CEO)/executive director and maintaining a strong human resources infrastructure are key responsibilities of board oversight. Attention to organizational elements such as policies and procedures, performance appraisals, and training lead to strong organizations with the capacity to deliver high-quality services in low-income communities.

Standard 7.1 • private the organization has written personnel policies that have been reviewed by an attorney and approved by the governing board within the past five (5) years.

Standard 7.2 • private the organization makes available the employee handbook (or personnel policies in cases without a handbook) to all staff and notifies staff of any changes.

Standard 7.3 • private the organization has written job descriptions for all positions, which have been updated within the past five (5) years.

Standard 7.4 • private the governing board conducts a performance appraisal of the CEO/executive director within each calendar year.

Standard 7.5 • private the governing board reviews and approves CEO/executive director compensation within every calendar year.

Standard 7.6 • private the organization has a policy in place for regular written evaluation of employees by their supervisors.

Standard 7.7 • private the organization has a whistleblower policy that has been approved by the governing board.

Standard 7.8 • private All staff participate in a new employee orientation within sixty (60) days of hire.

Standard 7.9 • private the organization conducts or makes available staff development/training (including ROMA) on an ongoing basis.

Category eight (8): Financial Operations and Oversight

The fiscal bottom line of Community Action is not isolated from the mission, it is a joint consideration. Community Action boards and staff maintain a high level of fiscal accountability through audits, monitoring by State and Federal agencies, and compliance with Federal Office of Management Budget circulars. The management of Federal funds is taken seriously by CSBG eligible entities and the Standards specifically reflect the board's oversight role as well as the day-to-day operational functions.

Standard 8.1 • private the organization's annual audit (or audited financial statements) is completed by a Certified Public Accountant on time in accordance with Title 2 of the Code of Federal Regulations, Uniform Administrative Requirements, Cost Principles, and Audit Requirement (if applicable) and State audit threshold requirements.

Standard 8.2 • private All findings from the prior year's annual audit have been assessed by the organization and addressed where the governing board has deemed it appropriate.

Standard 8.3 • private the organization's auditor presents the audit to the governing board.

Standard 8.4 • private the governing board formally receives and accepts the audit.

Standard 8.5 • private the organization has solicited bids for its audit within the past five (5) years.

Standard 8.6 • private The IRS Form 990 is completed annually and made available to the governing board for review.

Standard 8.7 • private the governing board receives financial reports at each regular meeting that include the following:

1. Organization-wide report on revenue and expenditures that compares budget to actual, categorized by program; and
2. Balance sheet/statement of financial position.

Standard 8.8 • private All required filings and payments related to payroll withholdings are completed on time.

Standard 8.9 • private the governing board annually approves an organization-wide budget.

Standard 8.10 • private the fiscal policies have been reviewed by staff within the past two (2) years, updated as necessary, with changes approved by the governing board.

Standard 8.11 • private A written procurement policy is in place and has been reviewed by the governing board within the past five (5) years.

Standard 8.12 • private the organization documents how it allocates shared costs through an indirect cost rate or through a written cost allocation plan.

Standard 8.13 • private the organization has a written policy in place for record retention and destruction.

Category nine (9): Data and Analysis

The Community Action Network moves families out of poverty every day across this country and needs to produce data that reflect the collective impact of these efforts. Individual stories are compelling when combined with quantitative data: *no data without stories and no stories without data*. Community Action needs to better document the outcomes families, agencies, and communities achieve. The Community Services Block Grant funding confers the obligation and opportunity to tell the story of agency-wide impact and community change, and in turn the impact of the Network as a whole.

Standard 9.1 • private the organization has a system or systems in place to track and report client demographics and services customers receive.

Standard 9.2 • private the organization has a system or systems in place to track family, agency, and community outcomes.

Standard 9.3 • private the organization has presented to the governing board for review or action, at least within the past twelve (12) months, an analysis of the agency's outcomes and any operational or strategic program adjustments and improvements identified as necessary.

Standard 9.4 • private the organization submits its annual CSBG Information Survey data report and it reflects client demographics and organization-wide outcomes.

PROPOSED

Section 7: State Use of Funds

PROPOSED

State Use of Funds

The state of Arkansas is required to make available to eligible entities no less than ninety percent (90%) of the funds received through the Community Services Block Grant to accomplish the goals set forth in the programmatic assurances. No more than five percent (5%) may be utilized for state administrative purposes and the remainder of funds will be awarded for a variety of discretionary projects and services to benefit the network.

Ninety percent (90%) for Eligible Entities – funds appropriated for the Community Services Block Grant shall be allocated annually to the eligible entities. The funds will be allocated based on a historical allocation formula that was based on poverty, population, and a “hold-harmless” indicator number. The formula will stay in place for the period of FY 2022.

Upon Legislative approval of the Community Services Block Grant State Plan and approval of appropriate spending authority, funding awards are released to the eligible entities for the fiscal year.

Within thirty (30) days of receipt of Notice of Grant Award from HHS, the State Lead Agency requests the necessary internal updates to purchase documents that will allow reimbursement payments to be generated to the eligible entities. (U.S.C. Section 675 (a))

Five percent (5%) Administrative – U.S.C. Section 675C(b)(2), “no state may spend more than the greater of \$55,000.00 or five percent (5%) of the grant received under section 675A or State allotment received under Section 675B for administrative expenses, including monitoring activities. Funds to be spent for such expenses shall be taken from the portion of the grant under section 675A or State allotment that remains after the State makes grants to eligible entities under subsection (a)”. The state expects to fund four (4) full-time staff positions with Community Services Block Grant funds in FY 2022 and in FY 2023.

Five percent (5%) Discretionary – the remaining funds will be allocated in accordance with U.S.C. Section 675 (b)(2). The remaining five percent (5%) of the funds can be used for a variety of Community Services Block Grant related purposes. Examples include awarding funds to provide training and technical assistance to the community action agencies and awarding funds on a competitive basis for community-development activities, rural community development activities, case management, fatherhood initiatives, asset building, Volunteer Income Tax Preparation, jobs initiatives, technology upgrades, and educational scholarships. The State Lead Agency will also use the funds to provide for the identification, adoption, purchase, and implementation of a state-wide collection system for the eligible entities. The State Lead Agency may use funds for Intensive Eligible Entity Assessments.

Section 8: State Use of Funds

PROPOSED

Training and Technical Assistance Plan

State staff and other trainers and consultants will provide training and technical assistance during 2022 and 2023 to the Arkansas Community Action Agencies board and staff.

The State Lead Agency and the State Association have identified training and technical assistance that will benefit the “whole-agency” and have submitted a joint plan to the federal Office of Community Services. The goal is to effectively increase the level of skills of the agency boards, executive staff, front line staff in area to include, but not limited to, governance and board training, community needs assessments, strategic planning, creation of community action plans, financial management, data collection and analysis, risk assessment, and ROMA.

In addition to the training needs identified by the State Lead Agency and the State Association, the entities have requested training. These training requests are in the areas of family development, basic computer skills, ethics, human resources, financial management, and leadership.

Focus will continue to center on technical assistance for all fifteen (15) entities in reaching 100% compliance on the Organizational Standards. There are currently no Technical Assistance Plans or Quality Assistance Plans in place for eligible entities with unmet Organizational Standards. The State Lead Agency and State Association will provide T/TA to the entities to ensure all unmet Organizational Standards are addressed with the goal of all becoming 100% compliant.

The State Lead Agency staff will create individual staff development plans that will include receiving formal training from local, state, regional, and national sources in grants management and administration.

Section 9: State Linkages and Coordination

PROPOSED

State Linkages and Coordination

The DCO/Office of Community Services administers the Community Services Block Grant, and the Emergency Solutions Grant. The DCO/Office of Community Services will seek to partner with other human services state level agencies such as the Arkansas Department of Environmental Quality) which administers the state Low-Income Home Energy Assistance Program and the Weatherization Program, the State Office of Head Start and Workforce Innovation and Opportunity Act (WIOA).

The Community Services Block Grant Law requires the eligible entities to coordinate funds at the local level. The annual Community Action Plan is designed to describe how the entities plan to coordinate with city, county, state, federal, schools, non-profits, and other organizations to provide services. This description must include how they will avoid duplication of services as well as how any gaps in service will be addressed.

PROPOSED

Section 10: Monitoring, Corrective Action, and
Fiscal Controls

PROPOSED

Desk and Field Reviews

The Community Services Block Grant Act SEC. 678B - To determine whether eligible entities meet the performance goals, administrative standards, financial management requirements, and other requirements of a State, the State shall conduct the following reviews of eligible entities:

- ❖ A full onsite review of each such entity at least once during each three-year period.
- ❖ An onsite review of each newly designated entity immediately after the completion of the first year in which such entity receives funds through the Community Services Block Grant.

In Arkansas, the State Lead Agency will, at a minimum, conduct an on-site review of each eligible entity at least once annually.

Reviews will be conducted as a combination of desk and field reviews and may be specialized or general in nature.

Eligible entities will receive prior written notification of the dates and locations for the annual review. The timing of the notification, and areas to be reviewed, will be in accordance with the policies of the Community Services Block Grant.

Both an entrance and an exit conference will be conducted for onsite reviews with the executive director and other designated staff.

The monitoring process will address prior review findings, agency eligibility, governance, planning process, fiscal, audit reports, program administration, personnel, ROMA implementation, data collection, and reported performance.

Monitoring may include, but is not limited to a review of:

- ❖ Program policies and procedures.
- ❖ Income guidelines and verification procedures.
- ❖ Intake forms and procedures.
- ❖ Program work plans and activities.
- ❖ Community Services Block Grant administrative files.
- ❖ Personnel policies, files, and job descriptions.
- ❖ Inventory and procurement procedures.
- ❖ Cooperative agreements and contracts, including consultant contracts.

- ❖ Organizational structure and lines of authority.
- ❖ Board member files, bylaws, and meeting documentation.
- ❖ Fiscal policies and practices.
- ❖ Service activity reports, data tracking and reporting systems, and supporting documentation.

Monitoring may also include:

- ❖ Interviews with program staff regarding program operations and job functions.
- ❖ Interviews with administrative and fiscal staff.
- ❖ Interviews, with members of the governing/administering board.

A letter will be issued to the eligible entity, by the State Lead Agency stating the results of the review.

It will include comments on all areas reviewed and detail any concerns or findings.

All findings will cite the law, rule, regulation, or policy for which noncompliance has been determined.

The letter will set a deadline for a response to the concerns and findings in accordance with the division and program policies utilized for the review.

Responses must include appropriate documentation.

After receipt and review of responses by the State Lead Agency, if findings are not resolved, then corrective actions will be determined in accordance with Community Services Block Grant regulations.

CSBG program monitors will perform a monthly desk audit of each agency bank reconciliations.

This review will also consist of examining budgets and expenditure reports, quarterly program reports, board rosters, and board meeting minutes.

An on-site review of a newly designated entity will be conducted immediately after the completion of the first six (6) months in which such entity receives funds through the Community Services Block Grant program.

A subsequent visit will be conducted at the end of the first twelve (12) months of operation.

Additional on-site reviews will be conducted when specific concerns are identified that require attention beyond the Corrective Action Plan.

Monitoring Corrective Action Plan

In those instances when findings cannot be resolved through additional information or supporting documentation, a corrective action plan must be implemented in a manner that is consistent and fair.

Resolution of minor, first time findings, shall be through certification from the board chairman and executive director stating that the correction was made through whatever means that were used. The certification should also state that the finding will not reoccur because of the actions taken to preclude it.

The State Lead Agency will provide technical assistance to the entity to address any weakness the agency has identified as needing clarification or training.

The State Lead Agency will also provide technical assistance and training upon written requests from the eligible entity.

Actions (Items) that require additional monitoring

The State Lead Agency may perform additional on-site monitoring and provide technical assistance if determined appropriate based on prior monitoring, that the eligible entity is not financially stable, has a management system which does not meet management standards, or has not conformed to terms and conditions of the current or previous awards.

Examples of indicators that may lead to additional monitoring or technical assistance include but are not limited to:

- ❖ Entity is unresponsive to and noncompliant with requests and requirements to correct compliance findings.

- ❖ Management systems do not contain data driven strategic plans and work plans. The entity's adherence to its approved operating documents (including bylaws, personnel policy, and fiscal policy) is inconsistent.
- ❖ Record keeping related to board and committee activity is not systematic. The corporate record is, as a result, incomplete.
- ❖ Abrupt departure of the executive director or the fiscal officer.
- ❖ The audit conducted in accordance with the applicable Uniform Guidance requirements contains one (1) or more significant findings relevant to the entity's capacity to successfully administer its programs.
- ❖ Failure without cause to meet performance targets defined within the entity's approved Community Action Plan.
- ❖ Community Services Block Grant percent of revenue exceeds one-third (1/3) of the entity's total revenue.
- ❖ Entity lacks connection and a demonstrated commitment to the broader community action network.

Eligible entities will be notified in writing as to the specific findings or deficiencies and shall be required to remedy the situation within a specific timeline or to develop and implement a technical assistance plan or quality improvement plan.

Technical assistance and training will be provided by the State Lead Agency with the goal of preventing any reoccurrences.

The designation will remain in place for a specified time and will not be removed until a follow-up review, conducted by the State Lead Agency, clearly indicates that all weaknesses that resulted in the designation have been corrected.

Information Memorandum 116 (<http://www.acf.hhs.gov/programs/ocs/resource/no-116-corrective-action-termination-or-reduction-of-funding>) and revisions thereto will guide the designation and de-designation of Community Services Block Grant-eligible entities.

Fiscal Controls and Audits

At the state level, all Community Services Block Grant expenditures are recorded in the state's accounting system. Policies and procedures are in place to assure compliance with federal and state regulations. The SF-425 Federal fiscal report is prepared by the managerial accounting staff and reviewed by the division finance support staff and program staff prior to approval by the Division Chief Financial Officer. (45 CFR 96.30(a).

Section 11: Governing Boards

PROPOSED

Governing Boards

Legislative Mandate

The Community Services Block Grant Act (42 U.S.C. 9901 et seq.) as amended in 1998, requires the State Lead Agency to provide assurance that each community action agency or non-profit organization administering the Community Services Block Grant Program have a tripartite board which will be constituted as follows:

Board Composition

The federal Community Services Block Grant Act requires that the board be composed of three (3) sectors; however, it does not require that the three (3) sectors be equal in size. The Community Services Block Grant Act specifies the following:

- ❖ Elected public officials currently holding office, or their properly designated representatives, must comprise one-third (1/3) of the board. Appointed public officials may be counted in meeting this one-third (1/3) requirement only if the number of elected officials reasonably available and willing to serve is less than one-third (1/3) of the membership of the board.
- ❖ The persons chosen to represent the low-income population must comprise at least one-third (1/3) of the board;
- ❖ Representatives of business, industry, labor, religious, welfare, or other private groups and interests shall comprise the remainder of the board.

- ❖ The federal Community Services Block Grant Act requires that the eligible entity select the members of the tripartite board. This means that the eligible entity tripartite board makes the final approval of board members that have been elected according to the eligible entity democratic selection process.

- ❖ Boards of community action agencies with Head Start programs are subject to the Head Start Act's requirements on composition, responsibilities, and conflicts of interest.

- ❖ A board of a community action agency that operates a federally qualified community health center or intends to qualify as a Community Housing Development Organization (CHDO) must meet additional composition requirements. Those requirements will be outlined in the agency contract with HHS or HUD (HUD.gov).

Residency Requirements

Each member of the board selected to represent a specific geographic area within the community must reside in the area which he or she represents.

Conflict of Interest

- ❖ A person who serves on the board as an officer or an employee of an organization that wants to perform a component of the work program funded by the Community Services Block Grant must publicly disclose the intent to bid for the component. They must also recuse themselves from all discussion and any selection determinations regarding award of the component.
- ❖ Generally, public officials serving on the agency's boards will not be in conflict if the agency should contract with his or her jurisdiction to perform a component to the work program funded by Community Services Block Grant.
- ❖ A person may not serve on the board if an immediate family member is employed by the agency. An immediate family member is defined as anyone related by blood or marriage.

Limitations on Board Service

Everyone on an eligible entity governing board, regardless of sector represented, must be elected in accordance with a democratic selection process defined in the eligible entity bylaws.

The bylaws of each eligible entity shall define the term of office and its board election process. The term of service may be up to five (5) years as defined in the eligible entity bylaws.

The eligible entity may set the term lower than the State Lead Agency requirement but must hold an election at the end of each term of service.

Public officials elected to the eligible entity board may select a representative to serve in their stead during the term of board service. Public officials or their representatives, serve only if the public official is currently holding office, and is subject to the eligible entity selection process and term of service.

The State life-time term limit of ten (10) years for the Private and Low-Income sectors has been removed. However, each eligible entity must demonstrate that an election has been held at the end of each term of service for all three (3) sectors, Public, Private, and Low-Income.

Governing Power of the Board of Directors

The board members or governing board acting as one has the legal powers and responsibilities granted under its state charter as the board of directors of a private, not-for-profit corporation. For example, the board must have the power to enter into legally binding agreements with any Federal, State, or local agency or with any private funding organization for operating programs or providing services to low-income recipients.

Bylaws Requirements

In accordance with Information Memorandum 82, the eligible entities bylaws must address at least the following:

- ❖ **Composition of the board:** The bylaws shall set the number of seats on the board and the allotment of seats to public officials, representatives of the low income, and representatives of the private sector.
- ❖ **Selection Procedures:** The bylaws shall include procedures for selecting all sectors of the board.

Public Officials

The bylaws of the board may authorize each public official serving on such board to appoint a representative who will then serve as the board member. These representatives need not be public officials themselves, but they shall have full authority to act on behalf of the public officials whom they represent at meetings of the board regarding the business of the board.

Low – Income

Representatives of the low-income population shall be selected/ elected in accordance with democratic selection procedures adequate to assure representation of low-income persons residing in the area served.

Representatives of the low-income population may be democratically selected either to represent a specific area or community served by the agency, or at large to represent the entire area served by the agency. The following democratic selection procedures may be used, either separately or in combination:

- ❖ Nominations and elections, either within the community, specific areas, or the entire area served by the agency;
- ❖ Election at a meeting or conference of low-income persons where date, time, and place have been adequately publicized;
- ❖ Selection/election of representatives of a community-wide board by members of a neighborhood organization who are themselves selected by a low-income neighborhood of area residents;
- ❖ Democratic selection of representatives by existing organizations designated by the board whose membership is predominantly composed of low-income persons or their representatives. This is not meant to limit the variety of selection procedures which may be used. Any democratic selection procedure which assures adequate representation of the low-income where date, time, and place have been adequately publicized in advance of the selection is acceptable.

The entity will have these procedures documented in its bylaws or in a separate board approved document that must accompany the bylaws.

The defined boundaries for the democratic selection of representatives of low income will be maintained in documented form in the entity's files for review by the State Lead Agency.

Low income representatives are truly representative of current residents of the geographic area to be served, including racial and ethnic composition, as determined by periodic selection or reselection by the community. Being current should be based on the recent or annual demographics changes as documented in the community assessment. This does not preclude extended service of low-income community representatives on boards but does suggest that continued board participation of longer-term members be revalidated from and kept current through some form of democratic process and the assessment of community changes.

Agencies must maintain documentation of the selection and election process.

Private Sector

Private sector members shall be selected in such a manner as to assure that the board will benefit from broad community involvement. Such representation shall come from members of business, social service agencies, industry, labor, religious and educational institutions, or other major groups or constituencies of the low-income population concerned with specific problems of the community. Once an organization is selected, it shall nominate its own representative on the board in accordance with the bylaws. Each representative shall be empowered to speak and act on behalf of the organization which he or she represents regarding the business of the board.

Petition by Other Groups for Adequate Representation on the Board

The community action agencies shall establish and include in their bylaws' procedures allowing community agencies and representative groups of the low income who feel themselves inadequately represented on the board to petition for adequate representation. The bylaws shall specify in these procedures the channel of communication to be used, the number of signatures required for a valid petition, and the action required of the board in response to a petition for more adequate representation. The board bylaws shall include provisions for adjusting its composition in cases where a petition is granted, to maintain the proper percentage of public officials and of representatives of the low income.

Removal of a Board Member

The bylaws must include a description of the grounds for removal of a board member and the procedures to be followed for removing that member.

Alternates

The Arkansas Non-profit Corporation does not address the use of alternates to represent board members in their absence; therefore, alternates are prohibited.

Vacancies

A vacancy on the board exists when: (1) a member has been notified of his or her official removal by action of the board for cause; (2) a member notifies the board of his or her resignation; (3) a member dies; or (4) a public official leaves office. When the seat of a public official is vacant, the board shall ask the designating officials to select another public official to fill the seat. When the seat of a representative of a private sector is vacant, the board shall ask that organization to name another representative to finish out the term. When the seat of a representative of the low income is vacant, the board may include in its bylaws either of two (2) options: (1) it may repeat the democratic selection procedures; or (2) it may allow the remaining representatives of the low-income population to select a person to finish out the term, with the condition that the person selected represents the same constituency as the original representative.

The board must fill all vacancies within ninety (90) days after the vacancy occurs.

Quorum

A quorum for a meeting of the board shall be over fifty (50) percent of the board total as established in the agency's bylaws.

Calendar of meetings

- ❖ The board shall have not less than four (4) regular meetings per program year with a quorum. The annual meeting may count as one (1) of these meetings. The schedule shall be defined in the agency's bylaws.
- ❖ The board shall provide notice of the agenda in writing to all its members for any meeting as specified in its bylaws.
- ❖ All board of directors' meetings shall be posted in places in the community frequented by the public to ensure the public is informed of the time and date of each meeting in accordance with the Arkansas Freedom of Information Act. If a preliminary agenda is not available, the posted notice shall include a general description of the nature and purpose of the meeting." Agencies should identify in the posted notices whether the meeting to be conducted is a full board or committee meeting.
- ❖ All regular and special meetings of the board must meet in accordance with the Arkansas Freedom of Information Act.

Minutes

- ❖ The agency shall maintain a roster of attendance and written minutes for board and committee meetings including a record of votes on all motions. The members making, and seconding motions must be identified in the minutes. If motions are not unanimous, there must be a record of each member's vote. A record of attendance or sign-in sheet must be maintained along with the minutes.
- ❖ A signed copy of the minutes, roster of attendance, roster of those absent, and any written material distributed at the meeting must be submitted to the State Lead Agency within thirty (30) days after the minutes have been approved by the board. All minutes must be approved within ninety (90) days of the meeting.

Committees

The board may establish any committee it considers necessary for conducting its business. The composition of these committees shall fully reflect the composition of the full board. Public notices and quorums for committee meetings and full board meetings are required to be in accordance with The Arkansas Freedom of Information Act.

Compensation

- ❖ Regular compensation to members for their services on the board is not permitted.
- ❖ Travel reimbursement to all members of the board for expenses to attend the meetings is permitted.
- ❖ Reimbursement for a meal is allowed if no meal is provided during the board meeting.

Officials

- ❖ Define the responsibilities of the officers of the board, e.g., the chairperson, vice chairperson, secretary, and treasurer. There must be a description of duties in each member file.

Evaluation of Executive Director

- ❖ Define the responsibility and authority of the board regarding the hiring and firing of the Executive Director, and the responsibility of the performance of the Executive Director.
- ❖ All timesheets and travel requests for the Executive Director must be approved and signed by the Board Chair or his or her designee (board member).

Tripartite Board Updates

The State Lead Agency requires that eligible entities provide updates regarding the composition of the board, vacancies on the board, and the efforts to fill those vacancies as a part of the quarterly program report.

Tripartite Board Verification

The State Lead Agency will attend board meetings, assess Organizational Standards, interview board members during the on-site monitoring review, review copies of board meeting minutes, and track board vacancies and composition to verify validity of the eligible entity board.

Section 12: Individual and Community
Income Eligibility Requirements

PROPOSED

Individual and Community Income Eligibility Requirements

To be eligible for Community Services Block Grant services or benefits, clients must be at or below 100% of the federal poverty line as determined by the federal Office of Management and Budget (OMB) based on the most recent federal Census data and as revised annually (or more frequently) by the U.S. Department of Health and Human Services (the HHS poverty guidelines).

A state may permit Community Services Block Grant services to be provided to clients up to 125% of the federal poverty line whenever it determines that doing so serves the objectives of the Community Services Block Grant program.

Eligible entities should use the most current HHS poverty guidelines when assessing income eligibility. The current guidelines are published in the Federal Register and are available on the HHS website www.hhs.gov.

The guidelines are calculated on a sliding scale based on the number of persons in a client's family. To calculate 125% of the federal poverty line, use the amount stated in the poverty guidelines relating to the number of persons in the client's household and multiply that number by 1.25.

The federal CSBG law does not require any particular process for determining client income eligibility; nor do HHS regulations. However, to ensure that Community Services Block Grant funds are being used for income eligible clients, eligible entities should screen for income eligibility. The eligible entity may adopt its own written procedures for doing so. These procedures may, based on the eligible entity's community needs assessment, give priority to certain client populations within the applicable income limit (such as: people with disabilities; people (such as: people with disabilities; people who are homeless; the elderly; people who are unemployed; or people with children under age 18).

Definition of Family

The State Lead Agency recognizes that neither the HHS poverty guidelines, the federal Community Services Block Grant Act, nor applicable HHS regulations define the term "family." Following are two (2) examples of how the term "family" might be defined. Other reasonable definitions are also acceptable.

- The income of all members of each family unit must be included in determining the income eligibility. A family unit may be either: (1) related individuals; or (2) an unrelated individual.
 - a. The term “related individuals” means two (2) or more persons related by birth, marriage, or adoption who reside together.
 - b. The term “unrelated individual” means an individual who is not an inmate of an institution: (1) who resides alone or (2) who resides with one (1) or more persons who are not related to him or her by birth, marriage, or adoption. (Examples of unrelated individuals residing with others include a lodger, a foster child, a ward, or an employee.)

If a household includes more than one (1) family unit, the poverty guidelines shall be applied separately to each family unit, and not to the household as a whole.

- For purposes of determining income eligibility, the term “persons in family” in the HHS poverty guidelines means persons in a household. A household includes any individual or group of individuals who are living together as one (1) economic unit. The income of each individual in the household who is eighteen (18) years old or older must be included in determining income eligibility. In determining whether an individual is part of a household, the eligible entity may consider factors such as whether the individual pays for his or her own food and occupancy.

What Counts as Income?

Neither the HHS poverty guidelines nor the federal Community Services Block Grant Act nor applicable HHS regulations define the term “income.”

The following is one (1) example of how the term income might be defined. Other reasonable definitions are also acceptable.

Income includes:

- Wages and salaries before any deductions;
- Net receipts from nonfarm self-employment (receipts from a person’s own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);
- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers’ compensation, veterans’ payments, public assistance (including Temporary Assistance for Needy Families, Supplemental Security Income, and non-federally-funded General Assistance or General Relief money payments), and training stipends;
- Alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household;
- Private pensions, government employee pensions (including military retirement pay) and regular insurance or annuity payments;
- College or university scholarships, grants, fellowships, and assistantships;
- Dividends, interest, net rental income, net royalties;

- Periodic receipts from estates or trusts, and
- Net gambling or lottery winnings.

Income does not include:

- Tax refunds;
- Assets drawn down as withdrawals from a bank or the sale of property (such as a house or a car);
- Capital gains;
- Gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
- Employer-paid or union-paid portion of health insurance or other employee fringe benefits;
- Food or housing received in lieu of wages;
- Federal or state noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance; or

Payments required under federal or state law to be excluded from the definition of income for calculating eligibility for federal or state public benefit programs, such as cost reimbursements under the federal Foster Grandparent program (see 45 C.F.R. § 2552.47).

What Period Should Be Used in Determining Income?

Neither the HHS poverty guidelines, the federal CSBG Act, nor applicable HHS regulations specify the period to be used when determining a client's income. Following are examples of periods that could be used in determining a client's income. Other reasonable periods are also acceptable.

- The period for determining the annual income must not be more than twelve (12) months nor less than ninety (90) days preceding the request for assistance.
- Total monthly or annualized gross household income should be used to determine eligibility. The monthly income should be calculated for the 30-day period preceding and including the date of application.
- There is no prescribed look-back period for income assessment. Depending on an individual client's circumstances and the documentation available, it may be reasonable to calculate client income based upon the household's gross income in the past thirty (30) days (multiplied by twelve (12)) or based upon a review of the past year.
- It is recommended that no period shorter than the past thirty (30) days or longer than the past year should be used.

How Often Should Client Income Be Re-Determined?

Neither the CSBG Act nor applicable HHS regulations specify how often a client's income should be re-determined.

Following is one (1) example of a possible re-determination policy:

- After initial determination, the income level of a client receiving ongoing services should be re-determined at least annually and should be reviewed any time the eligible entity becomes aware of a significant income changing event or circumstance.

What Types of Income Documentation Should Be Reviewed?

Neither the CSBG Act nor applicable HHS regulations specify the type of income documentation that eligible entities should review in determining an applicant's income eligibility.

Following are two (2) possible examples of documentation an eligible entity could review in determining a client's income:

- Applicants must provide documentation of their household's source(s) of income. Some examples of acceptable documentation include: pay stubs; a current tax return; IRS Form W-2 or 1099; a letter from an employer; a Social Security check or benefits statement; retirement income statement; unemployment insurance benefit statement; child-support payments documentation (copies of checks, history of payments or court papers); or self-employed accounting records. Documentation of current participation in public benefits programs with income eligibility standards at or below 125% of the HHS federal poverty guidelines may also be used.
- Applicants who claim no household income must sign a form attesting to that fact and to the accuracy of the information provided to the eligible entity. This form must also be signed by a staff member indicating that the staff member has, in good faith, attempted to verify this condition, and that the information on eligibility in the file is accurate to the best of the staff member's knowledge.
- Before an applicant is determined to be eligible based on family income, the applicant must submit information to the program concerning the family's income. Verification must include examination of documents such as individual income tax forms, W-2 forms, pay stubs, pay envelopes, or written statements from employers (if individual income tax forms, W-2 forms, pay stubs, or pay envelopes are not available).
- When appropriate, in cases in which no documentation regarding the income eligibility of the applicant has been received by the eligible entity, or when it is either more efficient or reliable to do so rather than to search for eligibility documentation, eligible entities may seek information from third parties who have first-hand knowledge about the applicant's eligibility, and document each such third party's name, title, organizational affiliation (if any) and relationship to the applicant in the applicant's record. Eligible entities also may seek third party information in cases where documents are not submitted to prove a claim that an applicant has no income.
- If eligible entities plan to seek third party verification from one (1) or more parties regarding an applicant's eligibility, staff must inform the applicant about each party that they intend to contact. In addition, the applicant must sign a consent form permitting the eligible entity to

contact specified third parties; this provides applicants the opportunity to withhold their consent for third party verification from one (1) or more parties. An applicant must be given the opportunity to withhold consent related to each party the eligible entity would like to contact. If applicants do not sign the consent form, the eligible entity may not contact that party and the applicant remains responsible for providing appropriate documentation.

What Records Should Be Kept Regarding the Eligibility Determinations?

Neither the CSBG Act nor applicable HHS regulations specify the records an eligible entity should keep regarding the determination of an applicant's eligibility for CSBG benefits/services. At a minimum, an eligible entity should retain documentation sufficient to demonstrate that, where an individualized determination of income was required, staff screened applicants for income eligibility. Following are two (2) possible examples of the records that could be kept to document the fact that an eligible entity reviewed a client's income and determined the client to be eligible for CSBG services/benefits:

- An eligible entity maintains a statement that identifies which documents staff examined and states that the applicant is eligible for CSBG services/benefits. The statement is signed by an employee who reviewed the documentation and determined the applicant to be eligible for CSBG services/benefits. Where an applicant claims no household income, the eligible entity maintains the form attesting to that fact signed by the applicant and the staff member who attempted to verify the applicant's household income.
- An eligible entity keeps an eligibility determination record for each applicant for CSBG services/benefits, which includes:
 - a. Copies of all documents submitted by the applicant relating to the applicant's eligibility for services and any staff member's notes recording any other information related to eligibility received from any source;
 - b. A signed and dated statement by the applicant certifying that the documents and information that the applicant provided concerning eligibility are accurate to the best of the applicant's knowledge;
 - c. Documentation establishing that a staff member has sought to verify the accuracy of the information on eligibility provided to the eligible entity by:
 - d. Conducting an in-person interview with the applicant; and
 - e. Seeking information from third parties who have first-hand knowledge about the applicant's eligibility in cases in which no documentation regarding the income eligibility of the applicant has been received by the eligible entity, or when it is either more efficient or reliable to do so rather than to search for eligibility documentation. The record should include the names, titles, and affiliations of the third parties, and the applicant's signed consent form permitting the program to contact each third party.
 - f. A signed and dated statement by the staff person who made the eligibility in the file is accurate to the best of the person's knowledge, and based on that information, the person has determined the applicant to be eligible for services.

There are certain circumstances where individualized determination of income eligibility may not be required.

- Services are provided on a group, rather than individual, basis and circumstances indicate that those benefiting are likely to meet the CSBG income eligibility requirements.

For example, a financial literacy class provided to parents of children in the eligible entity's Head Start program, or a job skills class provided to residents of a homeless shelter.

PROPOSED

- Services are provided on an individual basis, but circumstances make it impossible or impracticable to obtain income documentation and indicate that those benefiting are likely to meet the CSBG income eligibility requirements or that the services facilitate linkages and coordination of services to low-income people in the community.

For example, a community resource hotline that provides referrals to local health and human services providers; general information and referrals regarding benefits and services available to low-income people in the community; and disaster response and relief (such as emergency shelters or provision of food and clothing during or immediately following a disaster).

- Services are intended to increase community awareness of or involvement in poverty issues. For example, an eligible entity sponsors a community forum on improving health care access for low-income people, convenes a meeting of organizations in the community serving homeless clients to discuss coordinating service delivery, or holds an open house to publicize the availability of its programs to members of the low-income community.

CSBG funds supporting other programs

When CSBG funds are used to support another program that does not have eligibility requirements, that has higher income eligibility requirements than the CSBG program, or that does not limit services to the CAA's CSBG service area, clients should be screened for CSBG eligibility and identified as CSBG-eligible or not CSBG-eligible.

The eligible entity should have a reasonable, documented basis for allocating the program costs between CSBG and the other funding source(s) based on the relative benefit each funding source receives.

An eligible entity must require documentation that applicants for CSBG services live in the eligible entity's CSBG service area.

Self-certification is permitted in the case of applicants who are homeless and have no current residential address.

Ineligible

Other than people who do not meet the CSBG income eligibility requirements, no one is categorically ineligible for CSBG services.

Staff, Board Members, and Members of their Families:

There is no prohibition against an eligible entity providing CSBG-funded services/benefits to members of its tripartite board, its staff or members of their families who apply for those services/benefits, provided that:

- a. the applicant meets all applicable eligibility criteria for the services/benefits;
- b. the applicant does not receive preferential treatment in receiving the services/benefits due to his or her connection with the eligible entity; and
- c. the services/benefits are provided on terms similar to those provided to individuals who are not so connected to the entity.

Neither the applicant nor a member of his or her family should make the determination of whether the applicant is eligible for the CSBG-funded services/benefits.

Non-Citizens:

OCS Information Memorandum 30 (September 30, 1998) states that non-citizens should not be banned from CSBG programs based solely on their alien status unless the exclusion is authorized by another statute.

Substance Abusers:

There is no prohibition on the use of CSBG funds to provide services/benefits to substance abusers. A number of eligible entities use CSBG funds to provide substance abuse treatment or to provide additional services to clients in their substance abuse treatment programs.

Convicted Felons:

Convicted felons are eligible for CSBG services.

Referrals without an intake process

The CSBG Act requires states to include in their CSBG state plans, “information provided by eligible entities in the State, containing...a description of how linkages will be developed to fill identified gaps in ...services, through the provision of information, referrals...” Sec. 676(b)(3)(B), 42 U.S.C. § 9908(b)(3)(B).

CSBG funds may be used to provide information and referrals, assuming the services are targeted to those who are CSBG eligible.

- a. An eligible entity may use CSBG funds for initial intake and eligibility screening for general CAA services.
- b. If an applicant is determined not to meet the CSBG eligibility requirements, but is eligible for other services/ benefits provided by the eligible entity or by other organizations or entities that have less restrictive eligibility requirements (such as higher income), CSBG funds may be spent on staff time and related expenses for the intake staff to inform the applicant about the availability of those services/benefits and to refer the applicant to a staff person whose time is paid out of the funding sources for those services/ benefits for more information about and intake for those services/benefits.

What non-discrimination requirements apply to the CSBG eligibility determination process?

Eligible entities must conduct CSBG eligibility determinations in a manner that does not discriminate against applicants on the basis of race, color, national origin, age, or disability. In addition, eligible entities that are religious organizations are prohibited from discriminating against applicants on the basis of religion.

May an eligible entity deny CSBG services/benefits to an applicant if the applicant is receiving similar services/benefits from another source?

- Eligible entities must gather information that will permit them to coordinate services/benefits with those provided by other entities.
- If an eligible entity determines that the client has less need for services/benefits than other clients due to receiving similar services elsewhere, the eligible entity could use this factor in determining the priority of that client.
- In addition, an eligible entity may take steps (including denying CSBG-funded services or benefits) to ensure that clients are not receiving duplicated CSBG-funded services or benefits from the eligible entity (for example, receiving the same services or benefits at multiple sites).
- An eligible entity could include questions on its intake form about whether applicants for services/benefits have recently received or are currently receiving services/benefits that are similar to those for which they are applying from the eligible entity and, if so, what organization(s) or entity(ies) provided those services.
- These questions would be asked of all applicants for services/benefits. Answers provided by applicants could then be used to determine whether there are specific organizations with which the eligible entity should coordinate in providing services/benefits and whether additional releases are needed from applicants or clients to enable the eligible entity to contact those organizations to coordinate the provision of services/benefits to those applicants or clients.

Section 13: Results Oriented Management and
Accountability (ROMA) Implementation Checklist

PROPOSED

Results Oriented Management and Accountability (ROMA) IMPLEMENTATION CHECKLIST

ROMA Cycle	ROMA Action Item	Found <i>(check if this item demonstrates ROMA Principles and Practices)</i>		Reference (Where Found?)	Notes <i>(expand as needed)</i>
Mission Local TOC	Documentation that current Mission statement has been reviewed within the past 3 years.				
	Evidence that the mission statement is used in guiding the agency's decisions and actions.				
	If the agency has a Local Theory of Change, evidence of how is it used in decision making, communications, etc.				
Assessment	Identifies the community being assessed (could be service area or other designation)				
	The Community Needs Assessment includes a variety of data from reliable sources:	These kind of data are included	The source of the data is identified		
	Quantitative Data				
	Qualitative Data (including input from customers about their needs and the needs of the community)				
	Customer Satisfaction Data				
	Resources (in the community)				
	Agency Report Data				
	Identifies the population in need				
	The needs are identified as <i>family, agency, and community levels</i>				
The needs are prioritized using _____ technique					
Identifies the involvement of the Board of Directors					
Planning	There are several agency plans that can be considered as a part of ROMA Implementation.	Agency wide Strategic Plan	Community Action Plan		
	The needs (at least the top 3 to 5) identified in the CNA are addressed in the plan and are connected to an outcome expected to be achieved. <i>The levels of need and outcome match.</i>				
	The needs and their related outcomes are connected to appropriate services for individuals and families or strategies at the community and agency level.				

	Outcome indicators are identified for each outcome. <i>They may be connected to the NPIs.</i>				
	Measurement tools and processes are identified.				
	Identifies the involvement of the Board of Directors				
	There is some documentation regarding how the plans work together to produce an agency wide “results orientation.”				
Implementation of Services and Strategies	MOUs in place for community level work				
	information about how the agency’s facilities and program operations support high quality implementation of services and strategies				
	Documentation that staff are properly trained and equipped.				
	Assure that staff knows what is expected of them (projected indicators)				
	Human Resource policies and procedures in place to provide supervision, evaluation, and support to staff (OS category 7)				
	Fiscal policies and procedures in place to assure funds are spent appropriately to support achievement of outcomes (OS category 8)				
	Information about the target population to be served: <ul style="list-style-type: none"> • How many people will be served? • Who are they? • What service do they get? • What changes? 				
	Appropriate oversight of programs is in place, including monitoring the implementation of the agency plans.				
Process in place to secure Customer Satisfaction feedback					
Observation of Results and Reporting	Assure a system for data collection and aggregation into reports				
	Identify system for sharing reports across programs (agency wide reporting practices)				
	Identify the actual outcome indicators for each service and strategy (what actually happened?)				
	Compile data on the demographics of the population served.				
	Identify Board involvement in reviewing the reports				
	Submit CSBG Annual Report data to the State Office, assuring accuracy and timeliness of submission.				
	Analyze data; compare actual results with performance targets/projected success rates determined during the planning phase.				
	Compare the demographics of the population served with the population identified to be in need in the CNA.				

Analysis of the data and Evaluation	Consider the connections among people, services, and outcomes. Identify those who have received single services, multiple services, or bundled services.			
	Make recommendations to the Board regarding action to be taken based on analysis.			
	Adjust performance goals as needed as evidenced by actual performance. Continue strategies that achieve desired performance goals. Revise or discontinue strategies that do not achieve desired performance.			
Reassessment	Based on analysis and recommendations, determine additional assessment data that would be useful for agency decision making.			
	Collect appropriate data elements to refine assessment profile.			
Planning	Update plans based on new data.			

2018 - Adapted from checklists developed in partnership with the Oklahoma Department of Commerce, the West Virginia Office of Economic Opportunity and the National Association for State Community Service Programs

PROPOSED

Section 13: History of the National Peer to Peer
(NPtP) ROMA Training and Certification Program

PROPOSED

History of the National Peer to Peer (NPtP) ROMA Training and Certification Program

The need to implement a performance-based management system among CAAs and other eligible entities receiving Community Service Block Grant (CSBG) funds has been recognized by OCS and the CSBG Network since the early 1990's. Efforts to adopt such a system were given impetus by the Government Performance and Results Act (GPRA) of 1993. In 1998 the CSBG Act was amended, mandating the implementation of a comprehensive performance-based management system across the entire Community Services Network - which system has been identified as "Results-Oriented Management and Accountability," or ROMA. The Community Action Association of Pennsylvania (CAAP), with Pennsylvania state Community Service Block Grant (CSBG) discretionary funding support, developed the Peer to Peer ROMA "Train the Trainer" Project in 1998, for the Community Action Agencies (CAAs) in Pennsylvania.

The training was based on curriculum developed by Frederick Richmond, The Center for Applied Management Practices, Inc., known initially as "Managing for Results and Measuring Success: Outcome-Based Management for Human Services (1994-1996)." The curriculum was revised by Richmond, under the direction of the CAAP, to include both Trainer and Participant guides -- renamed "Introduction to Results Oriented Management and Accountability for CSBG Eligible Entities." While several consultants assisted, Mr. Richmond was the primary contractor to the CAAP in the development and implementation of the Pennsylvania training project which became known as the Virtual Outcome College.

Funded and supported by the US Department of Health and Human Services/Office of Community Services (HHS/OCS), CAAP demonstrated its ability to move this training model to a national application starting in FY 2001. With Dr. Barbara Mooney as Project Director, CAAP's successful National Peer to Peer (NPtP) Project, established a corps of certified trainers in thirty-six (36) states who conduct training and provide technical assistance to the CAA Network leaders and agency personnel. A network of Mentors and Master Trainers has been developed from the pool of Certified ROMA Trainers, to extend the reach of the training project throughout the country.

Updates to the original curriculum reflect improved understanding of the core principles identified in OCS Information Memorandum 49 (2001) and incorporate feedback from Certified ROMA Trainers from their activities across the country. The curriculum was revised several times (most recent update in 2012) as a collaboration between Frederick Richmond, who continues to be a driving force in the project, and Dr. Mooney. The revised curriculum moved to strengthen the use of the ROMA Cycle as a framework for introduction of the key concepts and to a more in-depth introduction to the use of the Logic Model. (Certified Trainers and Candidates have access to the training material under the Network Login tab).

New curriculum materials have been added, including "Planning for Results," co-authored by Julie Jakopic, Creating the Vision, and Dr. Mooney. The Planning for Results curriculum has been shared with Certified ROMA Trainers and state wide planning teams since 2006.

The primary goal of the project is to train and support Certified Trainers who in turn provide training and technical assistance throughout the country. The NPtP Project promotes development of state Teams or Task Force Groups to assist in the uniform implementation of ROMA principles and practices. Support for Trainers includes curriculum updates and enhancements, In-Service Continuing Education, use of electronic forums and other distance education formats, and regional focus groups. The National Certified ROMA Trainers (NCRTs), bringing experience and skills from a broad range of backgrounds and CAA network involvement, continue to help state CSBG offices, Community Action Associations, local CAAs, and related entities with their transition to performance-based management.

The results of the NPtP project, as observed and reported by Certified Trainers, include evidence of improved administration, programs, and outcomes as a result of ROMA implementation at all levels of the CSBG network. Trainers reported the following indicators of success:

- Increased standardized understanding of basic ROMA Principles and Practices
- Increased use of the Six National Goals in planning and implementing strategies
- Increased ability to relate agency mission to identified outcomes, at the family, agency, and community levels;
- Increased ability to identify outcomes and indicators
- Improved management of agencies and programs using a "results oriented" approach
- Increased ability to collect, aggregate, and report outcome data
- Improved ability to work with partners regarding shared outcomes

The pilot project developed in Pennsylvania was funded by the Pennsylvania Department of Community and Economic Development from October 1998 to September of 2000. The National ROMA project was funded by the US Office of Community Services from October 1, 2000 through September 30, 2011 and is now supported by fees for service.

2018 UPDATE:

After several years of work (2013-2017), a new Performance Management Framework has been instituted by the Office of Community Services. Materials to support the new Framework have been developed in collaboration with the National Association for State Community Service Programs

and the Community Action Partnership and are posted on their web sites: www.nascsp.org and www.communityactionpartnership.com

Beginning in 2016, a new level of certification was developed (piloted, beta tested, and now ready for full roll out). For more information about the Nationally Certified ROMA Implementer (NCRI) see the Resources tab.

PROPOSED

Section 14: Community Services Block Grant
Assurances

PROPOSED

Community Services Block Grant Assurances.

Community Services Block Grant Reauthorization Act of 1998: P.L. 105-285

As a part of the annual or biannual application and plan required by subsection 676 of Community Services Block Grant Act, as amended, (412 U.S.C. 9901 et seq.) (The Act), the designee of the Chief Executive of **the State hereby agrees to the Assurances in Section 676 of the Act -**

Programmatic Assurances

(1) an assurance that funds made available through the grant or allotment will be used—

(A) to support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), homeless families and individuals, migrant or seasonal farm workers, and elderly low-income individuals and families, and a description of how such activities will enable the families and individuals—

(i) to remove obstacles and solve problems that block the achievement of self-sufficiency (including self-sufficiency for families and individuals who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act);

(ii) to secure and retain meaningful employment;

iii) to attain an adequate education, with particular attention toward improving literacy skills of the low-income families in the communities involved, which may include carrying out family literacy initiatives;

(iv) to make better use of available income;

(v) to obtain and maintain adequate housing and a suitable living environment;

(vi) to obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs; and

(vii) to achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundations, and other public and private partners to—

(I) document best practices based on successful grassroots intervention in urban areas, to develop methodologies for widespread replication; and

(II) strengthen and improve relationships with local law enforcement agencies, which may include participation in activities such as neighborhood or community policing efforts;

(B) to address the needs of youth in low-income communities through youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in

meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime, such as—

(i) programs for the establishment of violence-free zones that would involve youth development and intervention models (such as models involving youth mediation, youth mentoring, life skills training, job creation, and entrepreneurship programs); and

(ii) after-school child care programs; and

(C) to make more effective use of, and to coordinate with, other programs related to the purposes of this subtitle (including State welfare reform efforts);

(2) a description of how the State intends to use discretionary funds made available from the remainder of the grant or allotment described in section 675C(b) in accordance with this subtitle, including a description of how the State will support innovative community and neighborhood-based initiatives related to the purposes of this subtitle;

(3) information provided by eligible entities in the State, containing—

(A) a description of the service delivery system, for services provided or coordinated with funds made available through grants made under section 675C(a), targeted to low-income individuals and families in communities within the State;

(B) a description of how linkages will be developed to fill identified gaps in the services, through the provision of information, referrals, case management, and follow-up consultations;

(C) a description of how funds made available through grants made under section 675C(a) will be coordinated with other public and private resources; and

(D) a description of how the local entity will use the funds to support innovative community and neighborhood-based initiatives related to the purposes of this subtitle, which may include fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging effective parenting;

(4) an assurance that eligible entities in the State will provide, on an emergency basis, for the provision of such supplies and services, nutritious foods, and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals;

(5) an assurance that the State and the eligible entities in the State will coordinate, and establish linkages between, governmental and other social services programs to assure the effective delivery of such services to low-income individuals and to avoid duplication of such services, and a description of how the State and the eligible entities will coordinate the provision of employment and training activities, as defined in section 101 of such Act, in the State and in communities with entities providing activities through statewide and local workforce investment systems under the Workforce Investment Act of 1998;

(6) an assurance that the State will ensure coordination between antipoverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention

programs under title XXVI (relating to low-income home energy assistance) are conducted in such community;

(7) an assurance that the State will permit and cooperate with Federal investigations undertaken in accordance with section 678D;

(8) an assurance that any eligible entity in the State that received funding in the previous fiscal year through a community services block grant made under this subtitle will not have its funding terminated under this subtitle, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction, subject to review by the Secretary as provided in section 678C(b);

(9) an assurance that the State and eligible entities in the State will, to the maximum extent possible, coordinate programs with and form partnerships with other organizations serving low-income residents of the communities and members of the groups served by the State, including religious organizations, charitable groups, and community organizations;

(10) an assurance that the State will require each eligible entity in the State to establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation;

(11) an assurance that the State will secure from each eligible entity in the State, as a condition to receipt of funding by the entity through a community services block grant made under this subtitle for a program, a community action plan (which shall be submitted to the Secretary, at the request of the Secretary, with the State plan) that includes a community-needs assessment for the community served, which may be coordinated with community-needs assessments conducted for other programs;

(12) an assurance that the State and all eligible entities in the State will, not later than fiscal year 2001, participate in the Results Oriented Management and Accountability System, another performance measure system for which the Secretary facilitated development pursuant to section 678E(b), or an alternative system for measuring performance and results that meets the requirements of that section, and a description of outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization; and

(13) information describing how the State will carry out the assurances[676(b)(13)] (**This is the Narrative CSBG State Plan**).

Administrative Assurances

The State further agrees to the following administrative assurances, as required under the Community Services Block Grant Act:

- (1) **STATE APPLICATION AND PLAN**- To submit an application to the Secretary containing information and provisions that describe the programs for which assistance is sought under the Community Services Block Grant program prepared in accordance with and containing the information described in Section 676 of the Act. [675A(b)] –

- (2) To use not less than ninety percent (90%) of the funds made available to the State by the Secretary under Section 675A or 675B of the Act to make grants to eligible entities for the stated purposes of the Community Services Block Grant program and to make such funds available to eligible entities for obligation during the fiscal year and the succeeding fiscal year, subject to the provisions regarding recapture and redistribution of unobligated funds outlined below. [675C(a)(1) and (2)]
- (3) In the event that the State elects to recapture and redistribute funds to an eligible entity through a grant made under Section 675C(a)(1) when unobligated funds exceed twenty percent (20%) of the amount so distributed to such eligible entity for such fiscal year, the State agrees to redistribute recaptured funds to an eligible entity, or require the original recipient of the funds to redistribute the funds to a private, nonprofit organization, located within the community served by the original recipient of the funds, for activities consistent with the purposes of the Community Services Block Grant program. [675C (a)(3)]
- (4) To spend no more than the greater of \$55,000 or five percent (5%) of its grant received under Section 675A or the State allotment received under section 675B for administrative expenses, including monitoring activities. [675C(b)(2)]
- (5) In states with a charity tax credit in effect under state law, the State agrees to comply with the requirements and limitations specified in Section 675(c) regarding use of funds for statewide activities to provide charity tax credits to qualified charities whose predominant activity is the provision of direct services within the United States to individuals and families whose annual incomes generally do not exceed 185 percent of the poverty line in order to prevent or alleviate poverty among such individuals and families. [675(c)]
- (6) That the lead agency will hold at least one (1) hearing in the State with sufficient time and statewide distribution of notice of such hearing, to provide to the public an opportunity to comment on the proposed use and distribution of funds to be provided through the grant or allotment under Section 675A or 675B for the period covered by the State Plan. [676(a)(2)(B)]
- (7) That the chief executive officer of the State will designate, an appropriate State agency for purposes of carrying out State Community Services Block Grant program activities. [676(a)(1)]
- (8) To hold as least one (1) legislative hearing every three (3) years in conjunction with the development of the State Plan. [676(a)(3)]
- (9) To make available for the public inspection each plan or revised State Plan in such a manner as will facilitate review of and comment on the plan. [676(e)(2)]
- (10) To conduct the following reviews of eligible entities:
 - a. a full onsite review of each such entity at least once during each three-year period;
 - b. an onsite review of each newly designated entity immediately after the completion of the first year in which such entity receives funds through the Community Services Block Grant program;

- c. follow-up reviews including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State;
 - d. other reviews as appropriate, including reviews of entities with programs that have had other Federal, State, or local grants (other than assistance provided under the Community Services Block Grant program) terminated for cause. [678B(a)]
- (11) In the event that the State determines that an eligible entity fails to comply with the terms of an agreement or the State Plan, to provide services under the Community Services Block Grant program or to meet appropriate standards, goals, and other requirements established by the State (including performance objectives), the State will comply with the requirements outlined in Section 678C of the Act, to:
- a. Inform the entity of the deficiency to be corrected
 - b. require the entity to correct the deficiency
 - c. offer training and technical assistance as appropriate to help correct the deficiency, and submit to the Secretary a report describing the training and technical assistance offered or stating the reasons for determining that training and technical assistance are not appropriate;
 - d. at the discretion of the State, offer the eligible entity an opportunity to develop and implement, within sixty (60) days after being informed of the deficiency, a quality improvement plan and to either approve the proposed plan or specify reasons why the proposed plan cannot be approved;
 - e. after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of or reduce the funding to the eligible entity unless the entity corrects the deficiency. [678(c)(a)]
- (12) To establish fiscal controls, procedures, audits and inspections, as required under Sections 678D(a)(1) and 678D(a)(2) of the Act.
- (13) To repay to the United States amounts found not to have been expended in accordance with the Act, or the Secretary may offset such amounts against any other amount to which the State is or may become entitled under the Community Services Block Grant program. [678D(a)(3)]
- (14) To participate, by October 1, 2001, and ensure that all-eligible entities in the State participate in the Results-Oriented Management and Accountability (ROMA) System [678E(a)(1)].
- (15) To prepare and submit to the Secretary an annual report on the measured performance of the State and its eligible entities, as described under 678E(a)(2) of the Act.
- (16) To comply with the prohibition against use of Community Services Block Grant funds for the purchase or improvement of land, or the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility, as described in Section 678F(a) of the Act.

- (17) To ensure that programs assisted by Community Services Block Grant funds shall not be carried out in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with any partisan or nonpartisan political activity or any political activity associated with a candidate, or contending faction or group, in an election for public or party office; any activity to provide voters or prospective voters with transportation to the polls or similar assistance with any such election, or any voter registration activity. [678F(b)]
- (18) To ensure that no person shall, on the basis of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with Community program funds. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) or with respect to an otherwise qualified individual with a disability as provided in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 12131 et seq.) shall also apply to any such program or activity. [678FC]
- (19) To consider religious organizations on the same basis as other non-governmental organizations to provide assistance under the program so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution; not to discriminate against an organization that provides assistance under, or applies to provide assistance under the Community Services Block Grant program on the basis that the organization has a religious character; and not to require a religious organization to alter its form of internal government except as provided under Section 678B or to remove religious art, icons, scripture, or other symbols in order to provide assistance under the Community Services Block Grant program. [679]

Other Administrative Certifications The State also certifies the following:

- (1) To provide assurances that cost and accounting standards of the Office of Management and Budget (OMB Circular A-110 and A-122) shall apply to a recipient of Community Services Block Grant program funds
- (2) To comply with the requirements of Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994, which requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of eighteen (18) if the services are funded by a Federal grant, contract, loan, or loan guarantee. The State further agrees that it will require the language of this certification be included in any sub-awards, which contain provisions for children's services and that all subgrantees shall certify accordingly.

Section 15: Federal Certifications

PROPOSED

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at the tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$1,000,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned stated, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Title

DHS/DCO/Office of Community Services

Organization

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environment Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned, leased, or contracted for by an entity and used routinely or regularly for provision of health, daycare, education, or library services to children under the age of eighteen (18), if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residence, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirement of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any sub awards which contain provisions for the children's services and that all sub grantees shall certify accordingly.

Signature

Title

DHS/DCO/Office of Community Service

Organization

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification of an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transaction and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and

information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one (1) or more public transactions (Federal, State, or local) terminated for cause or default.
- 2) Where the prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—
Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered, transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that , [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participation in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it is known that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant is a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—
Lower Tier Covered Transactions

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature

Date