



DRAFT 2018-2019 CALIFORNIA CSBG STATE PLAN & APPLICATION



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U.S. Department of Health and Human Services
Administration for Children and Families
Office of Community Services



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CSBG Lead Agency, CSBG Authorized Official, and CSBG Point of Contact

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Introduction

The California Department of Community Services and Development (CSD) is pleased to submit the California Community Services Block Grant (CSBG) State Plan and Application for Federal Fiscal Years (FFY) 2018 and 2019.

CSBG is funded under the U.S. Department of Health and Human Services, Administration for Children and Families (ACF), Office of Community Services (OCS). CSBG funds are distributed to 50 states, U.S. Territories, Native American Indian Tribes and other organizations. CSD is designated by the Governor as the state agency responsible for administering the CSBG program in California. There are currently 60 private non-profit and local governmental organizations across California (referred to as eligible entities throughout this State Plan) receiving CSBG funds. In 2018 and 2019, California's network of eligible entities will continue administering programs that assist low-income individuals and families with attaining the skills, knowledge and motivation necessary to achieve self-sufficiency.

The State Plan contains several elements, including:

- Programmatic, administrative and financial assurances and certifications that CSD agrees to as the designee in California to receive and administer the CSBG funds. The signature of the CSD Director on the certification forms attests to CSD's compliance with the assurances and certifications. A detailed narrative plan is provided on how CSD plans to carry out these assurances in 2018 and 2019.
- Evidence that the public and legislative hearing requirements were met.
- Results from the 2016 Annual Report describing the CSBG activities, services and outcomes for the 2016 program year.

The State Plan provides an overview of the national focus on greater program accountability and measurable results from government funded programs. Information is provided on CSD's implementation of the state and federal level accountability measures and organizational performance standards for local eligible entities, and the Results Oriented Management and Accountability (ROMA) next generation.

I. Federal Fiscal Years Covered by this State Plan and Application

This CSBG State Plan covers FFY 2018 (October 1, 2017 to September 30, 2018) and 2019 (October 1, 2018 to September 30, 2019).

II. Executive Summary

A. CSBG State Legislation and Regulation

California Government Code §12725 et seq. provides that the CSBG program in California shall be governed by the principle of community self-help, thereby promoting new economic opportunities for Californians living in poverty through well-planned, broadly-based and locally-controlled programs of community action.

The purpose of the CSBG program is to stimulate an effective concentration of all available local, private, state, and federal resources based on the goal of enabling low-income families and individuals of all ages, in rural and urban areas, to attain the skills, knowledge, and motivation to secure the opportunities needed for them to become fully self-sufficient.

B. Designation of Lead State Agency to Administer the CSBG

Section 676(a) of the CSBG Act, as amended (42 U.S.C. 9901, et seq.) (The Act), requires the Chief Executive of each state to designate an appropriate state agency to act as the lead agency for administration of the CSBG.

As the state lead agency, responsible for administering the CSBG program in California, the Director of CSD is the state official designated to sign assurances and receive the grant award. The current letter of designation, issued by Governor Edmund G. Brown Jr., confirming designation of CSD as the lead agency is included in the Appendix - Attachment 1.

C. Public Hearing Requirements

The public/legislative hearing was hosted jointly by the California State Senate and Assembly, Human Services Committees and other interested parties on Tuesday, August 22, 2017 at 1:30 p.m. in Room 437 at the State Capitol in Sacramento, California. The State provides ten days' notice of the public hearing, notification of the date, time and location of the hearing was

provided. Public notices were published in newspapers, in the northern, central and southern parts of the state in advance of the hearing (Appendix: Attachment 2). In addition, CSD used its public website and social media channels to notify members of the public and stakeholders about the hearing. In addition, CSD sent a notice of the public hearing to all eligible entities. The public was given the opportunity to review and submit comments on the State Plan.

Written comments were accepted until 5:00 p.m. on August 22, 2017. Comments were submitted via email to CSBG.Div@csd.ca.gov or mailed to:

Department of Community Services and Development
Attention: Community Services Division
2389 Gateway Oaks Drive, #100
Sacramento, CA 95833

Oral and written testimonies were accepted at the hearing and incorporated as appropriate into the State Plan through transcripts (Appendix: Attachment 3).

III. The Narrative State Plan

A. Administrative Structure

1. Mission Statement

The mission of the Department of Community Services and Development (CSD) is to reduce poverty for Californians by leading the development and coordination of effective and innovative programs for low-income Californians.

2. Responsibilities

CSD partners with a network of private non-profit and local government community-based organizations dedicated to helping low-income families and individuals achieve and maintain self-sufficiency, meet and manage their home energy needs, and access renewable energy. CSD's mission is to reduce poverty by leading in the development and coordination of effective and innovative programs for low-income Californians. In addition to CSBG, CSD administers the U.S. Department of Health and Human Services' Low Income Home Energy Assistance Program (LIHEAP) and the U.S. Department of Energy's Weatherization Assistance Program (DOE WAP).

As one of California's Climate Investments, and an example of the state's commitment to reducing greenhouse gas emissions, CSD administers the Low-Income Weatherization Program (LIWP) to bring energy efficiency and renewable energy to disadvantaged

communities across California. LIWP expands upon CSD's existing weatherization efforts under LIHEAP and WAP to provide energy efficiency upgrades and solar photovoltaic systems to low-income households residing in single-family and multi-family buildings. By improving energy efficiency through weatherization and solar, LIWP not only reduces greenhouse gas emissions, it also reduces energy costs for low-income households, freeing up disposable income for other necessities.

B. Goals and Objectives

CSD developed a five-year department strategic plan, which identified key priorities and goals to guide CSD toward achieving its mission through the year 2020.

As part of the strategic plan process, CSD will accomplish the following CSBG specific goals during this state plan period:

- Implement the CSBG Annual Report to support eligible entity efforts to set and measure progress on targets for individual, family and community outcomes to address locally-identified community needs.
- Procure an automated system to allow for collection of Annual Reporting data from eligible entities.
- Maintain public and private partnerships through the State Interagency Team Reducing Poverty Workgroup to increase awareness of the Earned Income Tax Credit (EITC) statewide.
- Maintain a highly skilled workforce through ongoing training and participation in state and nationally sponsored workgroups intended to derive CSBG program policy and best practices.

C. Eligible Entity Involvement in the Development of the State Plan

CSD sought to increase understanding of the State Plan through the deployment of strategic engagement points. CSD presented the State Plan development process to eligible entities at the Quarterly CSBG Advisory Committee (CAC) meeting, held in May 2017. CSD held a June 2017 webinar to explain the State Plan development process and specifically how eligible entities could participate in the development of the Plan. The 2018-19 draft CSBG State Plan was distributed to the eligible entities in July 2017 providing a thirty-day review and comment period. A webinar followed the release of the 2018-19 draft CSBG State Plan to provide a forum to review the contents, answer questions and capture feedback on training and technical assistance (T&TA) needs and recommendations for the use of discretionary funds.

In addition to the meetings held, CSD utilized the feedback received in the American Customer Satisfaction Index (ACSI) and adjusted how it involved and engaged eligible entities in the development of the State Plan.



Picture Courtesy of Tehama County Community Action

CSD also engaged the eligible entities to perform an assessment of T&TA needs, as well as, the use of discretionary funds. CSD utilized various methods to obtain this assessment: surveys, in person communication and the use of the CSBG Working Group’s advisory functions. Further, CSD engaged the state association, California Community Action Partnership Association (CalCAPA), to further assess emerging T&TA needs and vet how CSD

will administer other elements of the CSBG program in support of the State Plan development. The State’s target for eligible entity overall satisfaction during the performance period is 81 percent.

D. CSBG Eligible Entities

1. List of Eligible Entities

A list of California’s eligible entities is provided on pages 7-11 (Table A).

Table A: Listing of Eligible Entities and Geographic Area Served			
CSBG Eligible Entity	Public or Nonprofit	Type of Entity	Geographic Area Served
Berkeley Community Action Agency	Public	Community Action Agency (CAA)	Alameda
City of Oakland, Department of Human Services	Public	CAA	Alameda
Inyo Mono Advocates for Community Action, Inc.	Nonprofit	CAA	Alpine/Inyo Mono
Amador-Tuolumne Community Action Agency	Public	CAA	Amador/Tuolumne

Community Action Agency of Butte County, Inc.	Nonprofit	CAA	Butte
Calaveras-Mariposa Community Action Agency	Public	CAA	Calaveras/ Mariposa
Contra Costa County Employment & Human Services Department/Community Services Bureau	Public	CAA	Contra Costa
Del Norte Senior Center	Nonprofit	CAA	Del Norte
El Dorado County Health & Human Services Agency	Public	CAA	El Dorado
Fresno County Economic Opportunities Commission	Nonprofit	CAA	Fresno
Glenn County Health and Human Services Agency	Public	CAA	Glenn/Colusa/ Trinity
Redwood Community Action Agency	Nonprofit	CAA	Humboldt
Campeños Unidos, Inc.	Nonprofit	CAA	Imperial
Community Action Partnership of Kern	Nonprofit	CAA	Kern
Kings Community Action Organization, Inc.	Nonprofit	CAA	Kings
North Coast Opportunities	Nonprofit	CAA	Lake/ Mendocino
Plumas County Community Development Commission	Public	CAA	Lassen/ Plumas/Sierra
Foothill Unity Center, Inc.	Nonprofit	CAA	Los Angeles
Long Beach Community Action Partnership	Nonprofit	CAA	Los Angeles
County of Los Angeles Department of Public Social Services	Public	CAA	Los Angeles
City of Los Angeles, Housing & Community Investment Department	Public	CAA	Los Angeles
Community Action Partnership of Madera County, Inc.	Nonprofit	CAA	Madera
Community Action Marin	Nonprofit	CAA	Marin
Merced County Community Action Agency	Nonprofit	CAA	Merced

Modoc-Siskiyou Community Action Agency	Public	CAA	Modoc/ Siskiyou
Monterey County Community Action Partnership	Public	CAA	Monterey
Community Action Napa Valley	Nonprofit	CAA	Napa
Nevada County Department of Housing and Community Services	Public	CAA	Nevada
Community Action Partnership of Orange County	Nonprofit	CAA	Orange
Project GO, Inc.	Nonprofit	CAA	Placer
Community Action Partnership of Riverside County	Public	CAA	Riverside
Sacramento Employment and Training Agency	Public	CAA	Sacramento
San Benito County Health & Human Services Agency, Community Services & Workforce Development	Public	CAA	San Benito
Community Action Partnership of San Bernardino County	Nonprofit	CAA	San Bernardino
County of San Diego, Health and Human Services Agency, Community Action Partnership	Public	CAA	San Diego
To be Determined ¹	Nonprofit	CAA	San Francisco
San Joaquin County Department of Aging & Community Services	Public	CAA	San Joaquin
Community Action Partnership of San Luis Obispo County, Inc.	Nonprofit	CAA	San Luis Obispo
San Mateo County Human Services Agency	Public	CAA	San Mateo
Community Action Commission of Santa Barbara County, Inc.	Nonprofit	CAA	Santa Barbara
Sacred Heart Community Services	Nonprofit	CAA	Santa Clara
Community Action Board of Santa Cruz County, Inc.	Nonprofit	CAA	Santa Cruz

¹ The Economic Opportunity Council of San Francisco (EOCSF) notified CSD by a Board Resolution dated August 5, 2017 that the Community Action Agency would be relinquishing its status as the CSBG eligible entity for the City and County of San Francisco. CSD intends on identifying a new entity eligible to receive CSBG funds through a competitive procurement in FFY 2018.

Shasta County Community Action Agency	Public	CAA	Shasta
Community Action Partnership of Solano, JPA	Public	CAA	Solano
Community Action Partnership of Sonoma County	Nonprofit	CAA	Sonoma
Central Valley Opportunity Center, Inc.	Nonprofit	CAA and MSFW	Mariposa, Tuolumne, Stanislaus, Madera, Merced
Sutter County Community Action Agency	Nonprofit	CAA	Sutter
Tehama County Community Action Agency	Public	CAA	Tehama
Community Services & Employment Training, Inc.	Nonprofit	CAA	Tulare
Community Action of Ventura County, Inc.	Nonprofit	CAA	Ventura
County of Yolo, Department of Employment and Social Services	Public	CAA	Yolo
Yuba County Community Services Commission	Public	CAA	Yuba
California Human Development Corporation	Nonprofit	MSFW	Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo,

			Yuba
Center for Employment Training	Nonprofit	MSFW	Alameda, Imperial, Inyo, Los Angeles, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Francisco, Santa Barbara, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Ventura
Proteus, Inc.	Nonprofit	MSFW	Fresno, Kern, Kings, Tulare,
Karuk Tribe of California	Nonprofit	Tribe or Tribal Organization	Statewide
Los Angeles City/County Native American Indian Commission	Public	Tribe or Tribal Organization	Los Angeles
Northern California Indian Development Council, Inc.	Nonprofit	Tribe or Tribal Organization	Statewide

The total number of eligible entities is 60, including the two Limited Purpose Agencies. The Community Design Center and Rural Community Assistance Corporation, which are funded through discretionary funds, are not listed in the table above.

E. Service Delivery System

The service delivery strategies utilized by each eligible entity provide opportunities for low-income Californians to become self-sufficient and address the systematic causes of poverty. The mission of eligible entities is to transition community members out of poverty by helping low-

income Californians overcome barriers to self-sufficiency. Eligible entities outline their efforts to address the conditions of poverty in their Community Action Plan (CAP) submitted to CSD on a biennial cycle. The CAP aids eligible entities in understanding the needs of the low-income, identifying their service territory and service delivery system. As part of the CAP, eligible entities submit a comprehensive community needs assessment describing the current conditions of poverty within their community. eligible entities provide direct services and/or sub-contract with community based organizations to provide the most applicable and effective services in their communities, in response to the results of the community needs assessment. The services are customized to address not only the needs of the community, but also the removal of obstacles to administering those services.

F. Innovative Community and Neighborhood-Based Initiatives

California's economic challenges require eligible entities to explore new and efficient ways to deliver critical services to low-income Californians. This exercise in innovative problem solving and development of neighborhood based initiatives spurs a wide range of services and opportunities to help people achieve self-sufficiency. Examples of innovative programs submitted by California's eligible entities are provided below:

Sacramento Employment Training Agency (SETA) (Family Services)

Waking the Village (WTV) offers 18 months of housing and support for Sacramento County's homeless, parenting or pregnant youth and their children. Through Tubman House, young parents experience healthy living, intensive case management, parent coaching, and career support so that they leave the program prepared to be leaders in their own lives and communities. In exchange for housing, child care, and wrap-around support, Tubman residents grow as leaders, governing Tubman and spearheading projects to build up community.

The WTV project committed to the two-generation strategy since launching in 2003. Tubman has provided 143 young parents and their 128 children a path out of homelessness by shielding children from the impacts of early stress, connecting each parent to free quality childcare that lays a foundation for learning, and by supporting parents as they claim a path toward career and stability. Based in two houses and serving eight families at a time, Tubman partners with each resident to reduce system dependency and unhealthy relationships so that each parenting youth can sustain housing, a strong parent-child attachment, and employment.

Each resident meets three hours weekly with a coach to tackle goals, and intersect throughout each day with Youth Development Directors and House Directors. Coaches guide residents in building a continuum-of-care that connects them to career, housing, counseling, school, and healthcare. A typical resident during their Tubman stay will secure employment and/or career

training, attend college, work alongside child development teachers to develop parenting skills, clear debts and legal issues, lead service projects, attend weekly leadership workshops, commit to regular counseling, establish a savings and regular income, and govern their community. Residents save 75 percent of income as a commitment to self-sufficiency.



Planning for permanent housing begins upon entry as residents get on housing lists and begin saving. In the evenings, live in House Directors offer guidance in managing home and building community. Tubman staff

Picture Courtesy of Sacramento Employment and Training Agency

le prenatal counseling and labor nects every resident to a erica’s Job Center of California, as

well as offering in-house work experience through Art Beast (a cottage industry that generates income and provides jobs) and Graduate Academy (a program that trains graduates to work in social services).

In FY 2016 Tubman will provided a home and case management to 16 homeless, pregnant or parenting youth and their children for up to 18 months. The residents completed the program with the following results:



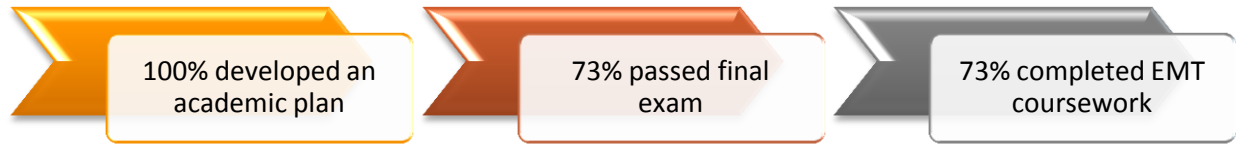
**City of Oakland, Department of Human Services
(Rescue Emergency Medical Technician Training Program)**

“Elevating Soulciety” promotes career pathway opportunities to low-income minority youth in the underrepresented fields of EMT, fire services, and allied health care service sectors. They use assessments and completion of the Individual Service Strategy Plan to confirm the participant’s interest in EMT-related fields and their level of commitment to complete the program. They also identify challenges that may prevent the youth from completing their educational and occupational goals, overcoming socio-economic barriers, and successfully transitioning out of a life of poverty.

The program provided low-income minority youth with five months of emergency medical training that included career and academic assessment, job readiness training, tutoring, college credits, and a monthly stipend. Employment counselors worked with emergency service providers, health care centers, and other businesses to create job opportunities for the clients. In FFY 2016, eleven clients completed an assessment and developed a professional and academic plan, eight clients passed the training program final exam and received a course

completion certificate, eight clients completed at least 135 hours of course work, and one client was accepted into the Chabot College Fire Academy. CSBG funds were used to pay for staff, participant recruitment and assessment, and pre-employment health and wellness services.

Performance outcomes for “Elevating Soulciety” for fiscal year 2016 included:



City of Los Angeles Housing and Community Investment Department (Innovative Youth Services)

The City of Los Angeles Housing and Community Investment Department is committed to building partnerships that give every child in Los Angeles the opportunity to complete high school and pursue higher education. In 2016, they launched the L.A. College Promise in partnership with the Los Angeles Community College District (LACCD), Los Angeles Unified School District (LAUSD), and the L.A. Area Chamber of Commerce. The Promise guarantees admission and a tuition-free year at one of the nine LACCD campuses, as well as resources and support that ranges from tutoring and mentoring programs to financial literacy workshops.



Picture Courtesy of City of Los Angeles Housing and Community Investment Department

FamilySource Centers are managed by the City of Los Angeles Housing and Community Investment Department, which receives funding from Community Services Block Grant. Housed within each of the City’s sixteen FamilySource Centers, “College Corners” provides much-needed access to admissions and financial aid information for students and families across Los Angeles. The College Corners provide information on what classes students should take for college eligibility, resources for standardized test preparation, assistance with filling out financial aid forms, scholarship opportunities, college readiness programs, and other resources.

All FamilySource Centers are required to hire two part-time college students to provide dedicated assistance and serve as the primary staff of the College Corners.

Since 2001, the program has helped nearly 256,000 students and families apply for financial aid and navigate the college admissions process. FamilySource centers in FY 2016 have:



**Community Action Partnership of San Bernardino County
(Packing Party Program)**

The Community Action Partnership of San Bernardino County’s Food Bank Program developed innovative strategies for improving service delivery to its clients, increasing public awareness of the effects of poverty, and increasing program participation. The Packing Party Program was implemented to educate eligible individuals on hunger and food insecurity while serving those suffering from poverty. Various organizations volunteer to participate and host Packaging Parties utilizing a hands-on approach. The team provides customized corrugated boxes, supplies, and non-perishable foods to be packaged by a team of volunteers to create food boxes.

The Packaging Party Program successfully met all three goals of services, awareness, and participation. Eight Packaging Party Events were held at various organizations including schools, corporations, and churches.

The efforts resulted in:



G. Organizational Standards for Eligible Entities

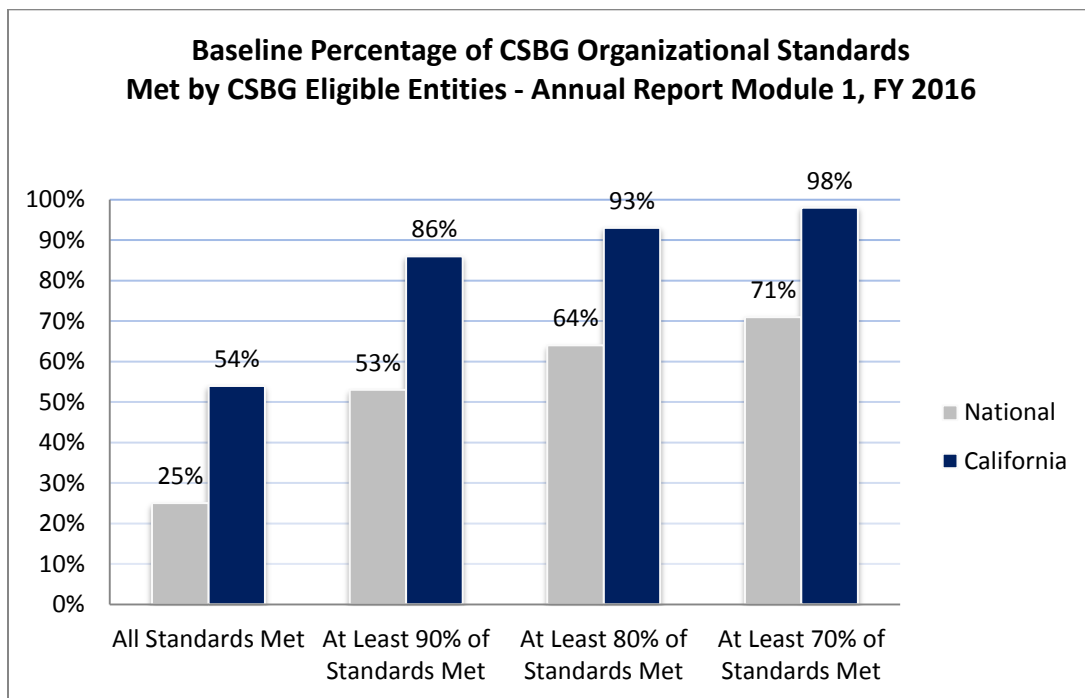
To help the CSBG Network increase accountability and achieve results, the OCS launched several initiatives. One focused on establishing Organizational Standards for eligible entities. The purpose of the Organizational Standards is to ensure that all eligible entities have appropriate organizational capacity, not only in the critical financial and administrative areas important to all nonprofit and public human service agencies, but also in areas of unique importance for CSBG-funded eligible entities.

Annually, CSD assesses eligible entities to identify if Organizational Standards are met or not met. Each eligible entity completes an automated self-assessment including uploading verifying documentation using an automated system for each Organizational Standard. CSD will perform an in-house assessment evaluating the documentation uploaded by the eligible entity. Upon completion of the review, CSD will determine if the standard is met or unmet. If a Standard is deemed unmet, or if the eligible entity upon submission designates a Standard as unmet, a

technical assistance plan is required. Upon agreement of the Technical Assistance Plan, CSD will work with the eligible entity to provide assistance to meet the Standards. Upon resolution of the Technical Assistance Plan, CSD provides the eligible entity with notice of satisfactorily meeting the Standard.

CSD will exempt the Community Design Center (CDC) and Rural Community Assistance Corporation (RCAC) from meeting the Organizational Standards. Both entities are designated as Limited Purpose Agencies (LPA) that are funded from the CSBG discretionary funds and are not required to have a tripartite board. The Karuk Tribe of California will also be exempt from meeting the organizational standards. The Karuk Tribe of California is a Native American Indian (NAI) Tribe that is governed by a nine-member Tribal Council and is not required to administer the CSBG through a tripartite board.

During calendar year 2016, 54 percent of eligible entities met 100 percent of the State adopted organizational standards. The State expects 60 percent of eligible entities will meet all the State-adopted Organizational Standards in the next year.



H. State Use of Funds

CSD is charged with administering CSBG funds in California to CSBG eligible entities to:



1. Description of Criteria and Distribution of Formula

CSD will pass through at least 90 percent of California’s CSBG award to eligible entities that meet both federal and state requirements (42 U.S.C. 9902(1)(a) and CA Gov. Code §12730(g)), and up to 5 percent for discretionary use. The budgeted distribution is as follows: see Table B.

Table B: Planned CSBG 90 Percent Funds	
CSBG Eligible Entity	FY 2018-2019
	Funding Amount \$56,605,246
Community Action Agencies	
Berkeley Community Action Agency	\$263,217
City of Oakland, Department of Human Services	\$1,335,822
Inyo Mono Advocates for Community Action, Inc.	\$1,290
Amador/Tuolumne Community Action Agency	\$257,714
Community Action Agency of Butte County, Inc.	\$356,356
Calaveras-Mariposa Community Action Agency	\$257,053
Contra Costa Employment & Human Services Dept/CSB	\$838,958
Del Norte Senior Center	\$50,477
El Dorado County Health and Human Services Agency	\$282,041
Fresno County Economic Opportunities Commission	\$1,829,309
Glenn County Health and Human Services Agency	\$258,495
Redwood Community Action Agency	\$265,509
Campesinos Unidos, Inc.	\$309,068
Inyo Mono Advocates for Community Action, Inc.	\$255,305
Community Action Partnership of Kern	\$1,469,183
Kings Community Action Organization, Inc.	\$297,060
North Coast Opportunities	\$539,042
Plumas County Community Development Commission	\$256,724
Foothill Unity Center, Inc.	\$317,918
Long Beach Community Action Partnership	\$776,335
County of Los Angeles Dept. of Public Social Services	\$5,989,130
City of Los Angeles Housing & Community Investment Dept.	\$6,486,302
Community Action Partnership of Madera County, Inc.	\$275,260
Community Action Marin	\$266,010

Merced County Community Action Agency	\$492,580
Modoc-Siskiyou Community Action Agency	\$258,495
Monterey County Community Action Partnership	\$493,548
Community Action Napa Valley	\$283,065
Nevada County Dept. of Housing & Community Services	\$267,580
Community Action Partnership of Orange County	\$2,695,917
Project GO, Inc.	\$329,762
Community Action Partnership of Riverside County	\$2,565,015
Sacramento Employment and Training Agency	\$1,743,146
San Benito County DCS & WD	\$264,270
Community Action Partnership of San Bernardino County	\$2,656,074
County of San Diego, H&HSA, CAP	\$3,289,954
To be Determined, County of San Francisco ²	\$843,455
San Joaquin County Dept. of Aging & Community Services	\$961,719
Community Action Partnership of San Luis Obispo County, Inc.	\$293,460
San Mateo County Human Services Agency	\$447,255
Community Action Commission of Santa Barbara Co., Inc.	\$522,702
Sacred Heart Community Service	\$1,396,487
Community Action Board of Santa Cruz County, Inc.	\$286,248
Shasta County Community Action Agency	\$295,407
Community Action Partnership of Solano, JPA	\$379,454
Community Action Partnership of Sonoma County	\$442,561
Central Valley Opportunity Center, Inc.	\$755,524
Sutter County Community Action Agency	\$265,482
Tehama County Community Action Agency	\$281,665
Community Services & Employment Training, Inc.	\$886,433
Community Action of Ventura County, Inc.	\$672,686
County of Yolo, Dept. of Employment & Social Services	\$290,542
Yuba County Community Services Commission	\$268,816
Migrant Seasonal Farmworker (MSFW)	
California Human Development Corporation	\$1,446,579
Proteus, Inc.	\$2,327,105
Central Valley Opportunity Center, Inc.	\$566,052
Center for Employment Training	\$1,949,736
Native American Indian (NAI)	
Karuk Tribe of California (Core Funding)	\$42,000
Karuk Tribe of California	\$78,309
Northern California Indian Development Council, Inc. (Core Funding)	\$122,000
Northern California Indian Development Council, Inc. (CCTG/LIFE Core Funding)	\$54,250

² The Economic Opportunity Council of San Francisco (EOCSF) notified CSD by a Board Resolution dated August 5, 2017 that the Community Action Agency would be relinquishing its status as the CSBG eligible entity for the City and County of San Francisco. CSD intends on identifying a new entity eligible to receive CSBG funds through a competitive procurement in FFY 2018.

Northern California Indian Development Council, Inc.	\$1,876,226
Los Angeles City/County Native American Indian Commission of LA	\$280,109
Total	\$56,605,246

Upon receipt of the Award Letter from OCS, CSD determines the appropriate CSBG allocation

Distribution of funds to Eligible Entities

- 2018 *Proposed Allocation*: **\$56,605,246**

for each eligible entity within five to seven working days. The funds are distributed through a contract and the contracts are initiated and mailed to the eligible entities within ten working days.

CSD administers contracts on a calendar year (January to December). To ensure a timely distribution of CSBG funds, CSD prepares contracts for distribution to eligible entities prior to the receipt of the CSBG Grant Award Notification. Contracts are mailed to eligible entities allowing services to begin at the beginning of the calendar year, preventing interruption in services.

The current federal administration is proposing to eliminate CSBG. The reduction is projected for the 2018 FFY beginning October 1, 2017. The projected funding allocation is presented in Table B entitled: Planned CSBG 90 Percent Funds on pages 18-19, is based upon funding allocated in the FFY 2017 year. CSD has requested that eligible entities assess reduction contingency plans as a part of their CAP to ensure planning efforts are underway at the local level for any significant cuts. As with previous practice, CSD will reconstitute a funding formula Taskforce per California Government Code § 12785, should the grant experience significant reductions. In addition, CSD may elect to utilize Discretionary funding to backfill reductions to lessen impacts to local service delivery.

I. Administrative Efficiencies-Performance Management Adjustment

CSD examined the administrative process associated with processing contracts and amendments. The assessment revealed an administrative burden associated with processing multiple amendments due to the frequency of releases of funds from CSBG being on a Continuing Resolution. The previous process required CSD to issue an amendment with every quarterly CSBG Award Letter for each of its eligible entities. To remedy this issue, CSD will encumber contracts at the previous year’s allocation and issue guidance on the amount of funds each eligible entity should spend. CSD will make final adjustments to contracts, up or down, once the final CSBG Award Letter has been received. This revision will reduce the

administrative burden of processing contract amendments by at least thirty-three percent annually. The State plans to allocate 5 percent for administrative activities, under this State Plan.

Use of State Administrative Funds

- 2018 Proposed Allocation: **\$3,144,736**

- 80.9 State staff positions will be funded in whole or in part with CSBG funds under the State Plan.

- 24.7 State Full Time Equivalents (FTEs) will be funded with CSBG funds under this State Plan.

J. Remainder/Discretionary Funds

In accordance with Section 675C(b) of the Act (42 U.S.C. § 9907(b)) (excluding administration), and in accordance with California Government Code §12786, CSD will use 5 percent of its annual CSBG funding for remainder/discretionary purposes.

CSD may initiate a competitive grant process to make discretionary funds available to California eligible entities to support targeted community initiatives in selected categories or identify other funding needs for eligible entities.

Table C: Use of Remainder/Discretionary Funds

Planned \$3,144,735			
Remainder/ Discretionary Fund Uses (See 675C(b)(1) of the CSBG Act)	Year One Planned	Year Two Planned	Brief description of services/activities
a. Training and Technical Assistance (T&TA)	21%	21%	Annually, CSD sets aside a portion of the discretionary funds to support T&TA for the eligible entities. T&TA is used to meet administrative and programmatic requirements, and to enhance operations.
b. Coordination of State-operated programs and/or local programs	1%	1%	To increase public awareness for increasing the both State and Federal Earned Income Tax Credit

			(EITC) filings, CSD may support statewide public service announcements and/ or other initiatives.
c. Statewide coordination and communication among eligible entities			
d. Analysis of distribution of CSBG funds to determine if targeting greatest need			
e. Asset building programs			
f. Innovative programs/activities by eligible entities or other neighborhood groups	44%	44%	CSD may set aside a portion of the discretionary funds to support eligible entity targeted initiatives, innovative projects, and program priorities identified by CSD.
g. State charity tax			
h. Other activities specify _____	34%	34%	CSD will use a portion of the discretionary funding to support Limited Purpose Agencies as defined in subdivision (a) of Government Code § 12775 as community-based nonprofit organizations. In addition, discretionary funds may be designated to eligible entities in the event of a disaster. If a State of Emergency is declared by California Governor’s Office (or at the CSD Director’s discretion), CSD may make available all or a portion of the disaster set-aside to eligible entities in the affected counties. In Fiscal Year (FY) 2018 CSD may set aside a portion of the discretionary funds to develop a statewide CSBG automated data collection system to meet the applicable State Accountability

			Measures. Reductions to the grant may also be backfilled with discretionary funds.
Totals	100%	100%	

CSD utilized the input from the eligible entities in regards to the use of discretionary funds. CSD will closely monitor the needs of eligible entities while implementing the CSBG Annual report to assess whether additional support should be deployed to aid in the reporting and collection of data.

K. State Training and Technical Assistance Plan

CSD provides T&TA to eligible entities to improve fiscal and programmatic accountability and program administration. The different types of T&TA provided are described below in Table D.

Fiscal Year (FY) Quarter (Q)/Timeframe	Training, Technical Assistance, or Both	Topic
Ongoing/Multiple Quarters	Both	Fiscal
Ongoing/Multiple Quarters	Both	Governance/Tripartite
Ongoing/Multiple Quarters	Technical Assistance	Organizational Standards
Ongoing/Multiple Quarters	Technical Assistance	Organizational Standards – for eligible entities with unmet standards
Ongoing Multiple Quarters	Technical Assistance	Reporting
Ongoing/Multiple Quarters	Both	ROMA
FY2 – Q2	Both	Community Assessment
Ongoing/Multiple Quarters	Both	Strategic Planning

Ongoing/Multiple Quarters	Technical Assistance	Monitoring
Ongoing/Multiple Quarters	Training and Technical Assistance	Community Economic Development

The California Community Action Partnership Association (CalCAPA) empowers members through capacity building, representation and outreach. Founded in 1976, CalCAPA serves member Community Action Agencies (CAAs) and other Community Services Block Grant (CSBG) funded organizations that deliver human services to economically disadvantaged families and children across California

<http://calcapa.org/>

CSD will administer its annual T &TA survey of eligible entities to assess and improve upon the delivery strategies for addressing emerging needs. CSD will also work with its T &TA providers to derive areas of improvement to address the quality and type of T &TA made available to eligible entities.

CSD will utilize CalCAPA to deliver T &TA to eligible entities in a broad range of topical areas. CalCAPA will provide T &TA to address deficiencies arising out of monitoring, capacity building needs, ROMA and other elements.

CSD will contract with the California Community Economic Development

Association (CCEDA), an organization that has expertise in community economic development. CCEDA provides T &TA to eligible entities to achieve results through a full range of economic and community development strategies.

IV. State Linkages and Communication

The formation of linkages in the community with various partners and organizations is essential to the development of effective community-based programs. By coordinating efforts and developing high quality, effective programs, communities can establish direct pathways to self-sufficiency and socioeconomic advancement. The state in collaboration with the eligible entities form sustainable relationships with community partners in public, private, and low-income sectors results in a synergistic effort leading to success. Eligible entities are well-positioned to develop and maintain the linked infrastructure necessary for low-income Californians to achieve self-sufficiency.

As the state administrator of the LIHEAP and WAP programs, CSD staff works collaboratively to ensure the coordination of these programs at the local level. Information pertaining to the LIHEAP/WAP services providers and their service areas are shared with the respective eligible entities.

Approximately 50 percent of California’s eligible entities administer both the LIHEAP and CSBG program.

CSD participates in the California Health in All Policies (HiAP) Task Force, led by the California Department of Public Health (CDPH). HiAP brings together state agencies, departments, and offices with a common goal of working together to improve the health of all people by incorporating health, equity, and sustainability considerations into decision-making across sectors and policy areas.

CSD will continue its participation on the State Interagency Team (SIT), whose purpose is to provide leadership and guidance to facilitate implementation of improved systems that benefit communities and the common populations of children, youth and families. The SIT promotes shared responsibility and accountability for the welfare of children, youth and families to ensure that planning, funding and policy is aligned across state departments. CSD also participates in sub workgroups of the SIT including the:

- Critical Incident Workgroup focused on preventing child fatalities and near fatalities that are the result of abuse and neglect by sharing strategies, information and data that impacts the common population of children and families;
- California Home Visiting Program focused on improving the quality, efficiency, and effectiveness of home visiting through interagency collaboration through improved service delivery and coordination;
- Work Group to Eliminate Disparities and Disproportionality focused on developing recommendations for addressing disparity and disproportionality as it impacts service delivery to economically or racially disadvantaged individuals/communities; and
- Homelessness Matters Workgroup focused on promoting awareness about the plight of homeless students in California.

CSD also participates in the Department of Social Services Food Access Nutrition Education and Outreach Participation Committee meetings comprised of federal, state, county, non-profit, advocates and others focused on providing and coordinating the Supplemental Nutrition Assistance Program (SNAP) and SNAP Education (SNAP-Ed) program for low-income Californians.

A. State Linkages and Coordination at the Local Level

California eligible entities have developed collaborative partnerships with a myriad of partners in addition to the state, including city and county government entities, along with a variety of social services providers including faith-based and other community-based organizations. The CAP submitted by each eligible entity includes a description of existing partnerships, as well as an assessment of the effectiveness of the partnerships. In addition to the partnerships, the eligible entities also participate in a variety of workgroups within their communities, focusing on issues such as economic development, homelessness, Workforce Investment Boards and

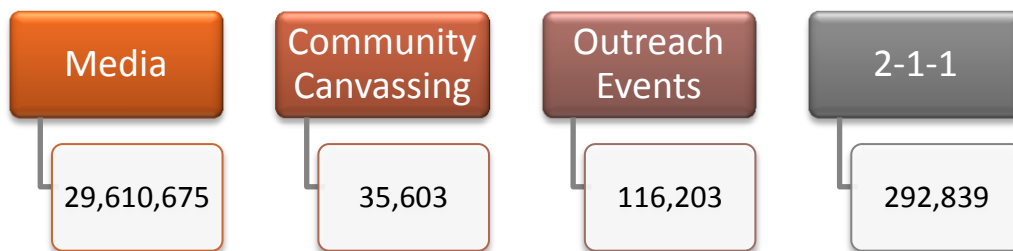
community mental health councils. These workgroups are important linkages that help to identify and fill gaps in services to the low-income community.

CSD leads the State Interagency Team – Workgroup to Reduce Poverty. The goal of the Workgroup is to reduce poverty in California by increasing the number of Earned Income Tax Credits (EITC) claimed by eligible low-income populations and to increase awareness and outreach for the new state EITC program and free tax preparation services.

Earned Income Tax Credit (EITC) is widely recognized as one of the nation’s most powerful resources for lifting low-income people out of poverty. In 2015, Governor Jerry Brown signed the first-ever California Earned Income Tax Credit (Cal EITC) extending a new cashback credit to working families. In 2016, approximately 385,000 Cal EITC credits were issued, with almost \$200 million going into the pockets of low-income Californians who needed it most.

To further reach eligible Californians and ensure they file their taxes and claim the EITC, the 2016-2017 and 2017-2018 California State Budget Act allocated \$2 million to the Franchise Tax Board (FTB) to support education and outreach activities on the Cal EITC. Through the efforts of the Workgroup, FTB elected to partner with CSD to make grant funds available for community-based outreach efforts. CSD anticipates awarding grants to non-profit and local government agencies in twelve targeted counties across the state, including: Los Angeles, San Diego, Orange, Riverside, San Bernardino, Sacramento, Alameda, San Francisco, Santa Clara, Fresno, Rural communities, and Statewide.

The 2016 Cal EITC Education and Outreach activities included the methods below. Each metric represents the number of times Californians heard about the EITC through that activity.



B. Eligible Entity Linkages and Coordination

CSD requires eligible entities to coordinate and establish linkages with other public and private sector resources within their service area. The CAP requires each eligible entity to provide a description of how they will coordinate and establish linkages to mobilize resources to assure maximum leveraging of the CSBG funds. Examples of these linkages include coordination or partnerships with local Workforce Investment Boards, social service departments, one-stop centers, child care centers, community health centers, faith-based organizations, educational institutions and other community based organizations. CSD will ensure that these activities are

carried out through the review of the CAPs, monitoring of the eligible entities' program performance and oversight of the contract requirements.

C. State Assurance of Eligible Entity Linkages to Fill Service Gaps

Eligible entities have established partnerships and collaborate with local community organizations, service providers and public and private agencies to assure the effective delivery of services to the low-income population. Eligible entities enrich local services by linking low-income Californians to available resources through direct services, and by establishing formal and informal agreements through contractual relationships with subcontractors and referrals to community partners.

Eligible entities utilize and evaluate community assessment data to identify gaps in services and opportunities. They then develop strategies to resolve the identified gaps and enhance current programs. As such, the practice of cross-referring clients is common, as staff participates on local area commissions and share information about respective services and gaps in services.

D. Workforce Innovation and Opportunity Act Employment and Training Activities

Eligible entities coordinate efforts and link resources with employment related community partners. Including, but not limited to: businesses, adult education programs, the America's Job Centers, Workforce Investment Boards, youth organizations, one-stop career centers and California Work Opportunity and Responsibility to Kids (CalWORKs) employment programs, to meet the immediate and long-term training and employment needs of low-income families and individuals. Through direct service, informal agreements, service referrals and contractual relationships, employment training program participants benefit from shared resources to access crucial employment and job training opportunities.



E. Emergency Energy Crisis Intervention

Approximately 50 percent of the eligible entities administer both the CSBG and LIHEAP grants. The remaining eligible entities are acquainted with the local LIHEAP provider and utilize the linkage to serve the low-income in their community. Further, eligible entities describe in their CAP the coordination between antipoverty programs in their community

and how the emergency energy crisis intervention is reviewed by CSD to make sure this assurance

Picture Courtesy of Community Action Partnership of San Luis Obispo County, Inc.

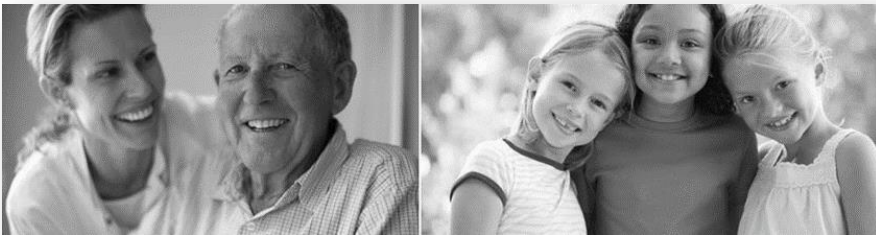
are
HEAP

administrator, continues to foster coordination between the eligible entities and, where applicable, the LIHEAP provider.

F. State Assurance: Faith-based Organizations, Charitable Groups, Community Organizations

Eligible entities provide CSD, through the CAP, a description of partnership with faith-based, charitable and community organizations. Through the course of monitoring and review of annual programmatic reports CSD will ensure compliance with this state assurance.

G. Coordination of Eligible Entity 90 Percent Funds with Public/Private Resources



Eligible entities coordinate funds and resources with a vast network of public and private

Picture Courtesy of Community Action Napa Valley

limited to: Workforce Investments Boards, One-Stop Centers, CalWORKs, housing projects, healthcare providers, Senior Centers, community advisory boards, youth councils and emergency services entities to meet immediate and long-term needs of low-income individuals and families. Eligible entities coordination efforts may include information sharing, direct referrals, MOUs and subcontract agreements to ensure delivery of services to low-income individuals.

H. Coordination among Eligible Entities and State Community Action Association

In coordination with the CalCAPA, CSD hosts quarterly CAC meetings. The CAC is a quarterly stakeholder meeting offering a forum for CSD and CalCAPA to update eligible entities on CSBG related topics, issues and to share experiences and innovations with their peers and CSD.

CalCAPA is the lead agency administering the Administration for Children and Families, Region IX Regional Performance & Innovation Consortia (RPIC). The RPIC serves as a comprehensive T&TA system providing services to California's eligible entities. CSD will continue to partner with CalCAPA and the Region IX RPIC to ensure that eligible entities in California meet operational and organizational needs. Through ongoing collaboration, CSD and CalCAPA will

strive to increase eligible entities' capacity and identify exemplary practices in the CSBG network.

I. Communication with Eligible Entities and the State Community Action Association

The communication with eligible entities and the State Community Action Association is detailed below in Table E.

Table E: Communication Plan			
Topic	Expected Frequency	Format	Brief Description of "Other"
Organizational Standards	Other	Other	Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.
Earned Income Tax Credit	Other	Other	Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.
Funding Opportunities	Other	Other	Information about funding opportunities are made available to providers utilizing CSD's Public and Provider Websites. When applicable, funding opportunities are also highlighted and presented at the quarterly CSBG Advisory Committee (CAC) meeting. Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.
CSBG Updates	Other	Other	CSBG updates are made available to providers via CSD's Provider Website. Depending on the urgency of the topic, CSBG update items are issued immediately and are also included on the quarterly CSBG Advisory Committee (CAC) meeting agenda. Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.
Contract	Annually	Other	Contract information is issued via CSD's Provider Website, where the documents are available for immediate review/use. The CSBG contract is a recurring item on CSBG Advisory Committee (CAC) meeting agenda. Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.
Programmatic and Fiscal Reporting	Other	Other	Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.

Training Opportunities	Other	Other	Formats used to inform the network include blogs, email, meetings, phone calls, presentations, and webinars.
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J. Feedback to Eligible Entities and State Community Action Association

CSD will utilize a variety of communication methods to inform eligible entities and the state community action association, CalCAPA. CSD will utilize its communication plan to actively engage and provide feedback on performance, funding opportunities and best practices for service delivery.

K. Monitoring, Corrective Action, and Fiscal Controls

CSD conducts an onsite monitoring review of each eligible entity at least once every three years in accordance with the Act to ensure compliance. Annually, CSD staff complete a review in the areas of board governance, administrative, fiscal, and program performance. The results of the assessment are used to identify the scope of the review and prioritize the onsite monitoring schedule.

If an eligible entity is not scheduled for a full onsite review, CSD conducts an annual in-house review. The in-house review includes an evaluation of the board and programmatic and fiscal performance. During the onsite monitoring visits, an onsite monitoring tool is utilized to verify whether eligible entities meet the performance goals, administrative standards, financial management requirements, and other provisions included in the CSBG contract. During the onsite review CSD and the entities work collaboratively to identify any T&TA needs that will assist to enhance the administration of the CSBG. Also, best practices are identified that can be shared with other eligible entities.

Following the full onsite and in-house reviews, written monitoring reports are issued that identify findings (if applicable), best practices and T&TA topics that will benefit the entity. Per the State’s procedures, the State must disseminate monitoring reports for On-site reviews to local entities within sixty (60) calendar days. The findings are monitored closely to ensure that the eligible entity implements the required corrective action plan. In addition, the T&TA needs are assessed and coordinated with CalCAPA.

L. Monitoring Schedule for FY 2018 – FY 2019

The proposed monitoring schedule for Fiscal Year 2018-Fiscal Year 2019 is detailed below in Table F.

Table F: Monitoring Schedule for FY 2018- FY 2019

CSBG Eligible Agency	Review Type	Target Date	Date of Last Full Onsite Review	Brief Description of "Other" "Other" monitoring activities may include an in-house review and/or onsite as indicated by*
Community Action Agency of Butte County, Inc.	Full Onsite	FY1 Q3	8/3/2016	
California Human Development Corporation	Other	FY1 Q3	4/26/2017	*
Community Services & Employment Training, Inc.	Other	FY1 Q3	8/21/2017	*
Foothill Unity Center, Inc.	Other	FY1 Q3	6/20/2017	*
Community Action Partnership of Kern	Other	FY1 Q3	6/26/2017	*
Long Beach Community Action Partnership	Other	FY1 Q3	7/25/2017	*
Monterey County Community Action Partnership	Other	FY1 Q3	8/14/2017	*
Community Action of Napa Valley	Other	FY1 Q3	4/24/2017	*
North Coast Opportunities	Other	FY1 Q3	8/21/2017	*
Center for Employment Training	Full Onsite	FY1 Q3	9/22/2015	
Del Norte Senior Center	Full Onsite	FY1 Q3	10/26/2015	
El Dorado County Health & Human Services Agency	Full Onsite	FY1 Q3	8/10/2015	
Fresno County Economic Opportunities Commission	Full Onsite	FY1 Q3	6/26/2015	
Inyo Mono Advocates for Community Action, Inc.	Full Onsite	FY1 Q3	9/21/2015	
Los Angeles City/County Native American Indian Commission of LA	Full Onsite	FY1 Q3	5/4/2015	
Community Action Marin	Full Onsite	FY1 Q3	4/27/2015	
Modoc-Siskiyou Community Action Agency	Full Onsite	FY1 Q3	9/24/2015	
Nevada County Department of Housing and Community Services	Full Onsite	FY1 Q3	4/14/2015	
Sacramento Employment and Training Agency	Full Onsite	FY1 Q3	6/1/2015	
Shasta County Community Action Agency	Full Onsite	FY1 Q3	10/5/2015	
Sutter County Community Action Agency	Full Onsite	FY1 Q3	6/7/2015	
Project GO, Inc.	Other	FY1 Q4	6/26/2017	*
Proteus, Inc.	Other	FY1 Q4	5/22/2017	*
Rural Community Assistance Corporation	Other	FY1 Q4	6/6/2017	*
Sacred Heart Community Services	Other	FY1 Q4	8/7/2017	*
San Benito County Health & Human Services Agency, Community Services & Workforce Development	Other	FY1 Q4	4/24/2017	*
Community Action Partnership of San Bernardino	Other	FY1 Q4	8/22/2017	*

County				
Community Action Commission of Santa Barbara County, Inc.	Other	FY1 Q4	5/9/2017	*
Community Action Board of Santa Cruz County, Inc.	Other	FY1 Q4	6/9/2017	*
Community Action of Ventura County, Inc.	Other	FY1 Q4	5/31/2017	*
County of San Diego, Health and Human Services Agency, Community Action Partnership	Full Onsite	FY1 Q4	5/12/2015	
San Joaquin County Department of Aging and Community Services	Full Onsite	FY1 Q4	10/6/2015	
Community Action Partnership of San Luis Obispo County, Inc.	Full Onsite	FY1 Q4	10/27/2015	
Yuba County Community Services Commission	Full Onsite	FY1 Q4	9/10/2015	
Campeños Unidos, Inc.	Other	FY2 Q1	9/26/2017	*
County of Yolo, Department of Employment and Social Services	Full Onsite	FY2 Q2	5/4/2016	
Berkeley Community Action Agency	Full Onsite	FY2 Q3	10/25/2016	
Calaveras-Mariposa Community Action Agency	Full Onsite	FY2 Q3	6/21/2016	
Community Design Center	Full Onsite	FY2 Q3	9/13/2016	
Central Valley Opportunity Center, Inc.	Full Onsite	FY2 Q3	8/21/2016	
Glenn County Health and Human Services Agency	Full Onsite	FY2 Q3	9/27/2016	
Lassen/Plumas/Sierra Community Action Agency	Full Onsite	FY2 Q3	7/18/2016	
City of Los Angeles, Housing & Community Investment Department	Full Onsite	FY2 Q3	10/4/2016	
County of Los Angeles Department of Public Social Services	Full Onsite	FY2 Q3	11/7/2016	
Contra Costa County Employment & Human Services Dept. Community Services Bureau	Full Onsite	FY2 Q3	10/31/2016	
Karuk Tribe of California	Other	FY2 Q3	9/26/2017	*
Community Action Partnership of Orange County	Other	FY2 Q3	10/2/2017	*
Community Action Partnership of Riverside County	Other	FY2 Q3	9/18/2017	*
Amador-Tuolumne Community Action Agency	Full Onsite	FY2 Q4	8/9/2016	
Community Action Partnership of Madera County, Inc.	Full Onsite	FY2 Q4	4/12/2016	
Merced County Community Action Agency	Full Onsite	FY2 Q4	7/19/2016	
Northern California Indian Development Council, Inc.	Full Onsite	FY2 Q4	6/7/2016	
City of Oakland, Department of Human Services	Full Onsite	FY2 Q4	10/10/2016	
Redwood Community Action Agency	Full Onsite	FY2 Q4	9/13/2016	
San Mateo County Human Services Agency	Full Onsite	FY2 Q4	10/18/2016	
Community Action Partnership of Sonoma County	Full Onsite	FY2 Q4	6/21/2016	
Tehama County Community Action Agency	Full Onsite	FY2 Q4	9/20/2016	
Kings Community Action Organization, Inc.	Other	FY2 Q4	9/18/2017	*

To be Determined, County of San Francisco ³	Full Onsite	FY2 Q4	10/2/2016	
Community Action Partnership of Solano, JPA	Full Onsite	FY2 Q4	10/24/2016	

M. Monitoring Policies

After analyzing the monitoring process, CSD identified areas of improvement related to the structure of the report and adherence to state and federal requirements. Through consultation with the CSBG Working Group, CSD modified the monitoring tool and the process to include the following change:

1. Updated monitoring tool to ensure compliance with state and federal requirements.
2. Developed a standardized methodology for sampling of expenditures and programmatic records.

Created a lifecycle approach to expenditure and client files to ensure a full spectrum review of documentation.

A copy of monitoring policies and procedures can be found in the Appendix – Attachment 4.

N. Corrective Action, Termination and Reduction of Funding and Assurance Requirements

42 U.S.C. §9915 of the federal CSBG statutes specifies procedures for corrective action, termination, and reduction of funding in compliance with federal law. The process includes:

1. Inform the eligible entity of the deficiency to be corrected;
2. Require the eligible entity to correct the deficiency;
3. Offer technical assistance to help correct the deficiency, if appropriate; and
4. Allow the eligible entity to develop and implement a quality improvement plan to correct the deficiency.

CSD cooperates fully with investigations, audits, and program reviews conducted by the Federal government by providing access to state fiscal and programmatic records. Access to eligible entity fiscal and programmatic records is assured through contract requirements.

CSD will submit written documentation to OCS within 30 calendar days of the State approving a Quality Improvement Plan (QIP). The documentation will describe the details of the QIP and the

³ The Economic Opportunity Council of San Francisco (EOCSF) notified CSD by a Board Resolution dated August 5, 2017 that the Community Action Agency would be relinquishing its status as the CSBG eligible entity for the City and County of San Francisco. CSD intends on identifying a new entity eligible to receive CSBG funds through a competitive procurement in FFY 2018.

corrective action and timeline of actions to be completed. CSD will provide applicable updates to OCS and notification of the resolution of the QIP and/or required subsequent action.

The State will assure, per Section 676(b)(8), that “any eligible entity that received CSBG funding the previous fiscal year will not have its funding terminated 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).”

O. Policies on Eligible Entity Designation, De-designation, and Re-designation

The State CSBG statute or regulations provide for the designation of new eligible entities is addressed in California Government Codes §12750.1 and §12750.2 (Appendix - Attachment 5).

The State CSBG statute and/or regulations provide for de-designation of eligible entities. This subject is addressed in California Government Code §12781 and Code of regulations, 22 CCR §100780 (Appendix - Attachment 6).

P. Fiscal Controls and Audits and Cooperation Assurance

Eligible entities are required to have a single agency wide audit conducted in accordance with Office of Management & Budget. The CSD Audit Services Unit (ASU) reviews the annual audits that are submitted by the eligible entities receiving funding through CSD.

Administrative and program costs of federal grants are tracked through the usage of Projects and Activities through the statewide financial reporting and accounting system, Financial Information System for California (FI\$Cal). All Federal Trust Fund (FTF) activities are accounted by the State Controller’s Office (SCO).

FI\$Cal allows departments and agencies within the State who receive federal funding to account at the appropriation and account levels to facilitate control and reconciliation with SCO accounts.

Q. Single Audit Management Decisions

CSD conforms with the single audit as dictated in 2CFR200.521. Further, CSD adheres to the requirements through its process with the State Controller’s Office. The State Controller Office (SCO) has responsibility for reviewing the audit reports for compliance with Title 2 CFR requirements (generally referred to as crosscutting issues). As the pass-through entity, CSD Audit Services Unit (ASU) has responsibility for verifying that federal funds administered by CSD

are expended in accordance with federal regulations, statutory requirements, state law, and contract provisions. For agencies that the SCO does not have oversight responsibility, CSD reviews the independent auditors' reports for compliance with Title 2 CFR, as well as, for financial compliance with the applicable regulations and laws.

- Per Title 2CFR200.521, CSD ASU has six months from the date that the audit report is received to address and resolve any issues identified.
- Audit reports are received in accordance with 2CFR200.501. The Federal awarding agency or pass-through entity responsible for issuing a management decision must do so within six months of acceptance of the audit report.

When the audit is received, the auditor:

- 1) For audit reports that are not required to be submitted to the SCO, a complete review for compliance with Government Auditing Standards is performed.
- 2) Collects the closeouts for the contracts that are completed in the audit report. If a closeout report has not been received, the program analyst is contacted to determine the status of the closeout.
- 3) Relevant materials are collected from prior audit reports that contain contracts that are included in the current audit.
- 4) CSD financial records of disbursements are compared to reported expenditures and total audited costs. (Supplemental schedules required in CSD contract language form the basis for CSD's final reconciliation of completed contracts.)
- 5) When discrepancies between audited costs and reported costs are noted, a finding is identified for each material discrepancy noted. Each finding indicates what action the agency needs to take to clear/resolve the finding. When it is warranted, CSD's Financial Services Unit is notified to establish an account receivable.
- 6) A management decision addressing the findings identified during CSD's review is issued to the eligible entity in a transmittal letter.

V. Assurance on Federal Investigations

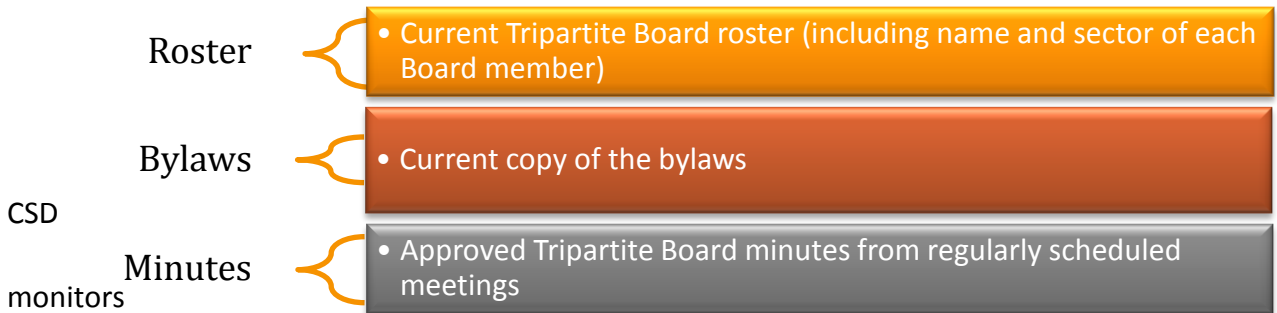
The State will “permit and cooperate with Federal investigations undertaken in accordance with Section 678D” of the CSBG Act, as required by the assurance under Section 676(b)(7) of the CSBG Act.

A. Eligible Entity Tripartite Board

Sections 676B of the Community Services Block Grant Reauthorization Act of 1998 requires that, as a condition of designation, private nonprofit entities and public organizations

administer their CSBG program through tripartite boards that "fully participate in the development, planning, implementation, and evaluation of the program to serve low-income communities.

To ensure Tripartite Board compliance, the CSBG Grant Agreement between CSD and eligible entities requires submission of the following:



B. Assurance on Eligible Entity Tripartite Board Representation

As part of the CAP, eligible entities must describe their agency’s procedures for ensuring adequate low-income representation on the board. CSD will assess agencies compliance by reviewing the description of the written procedures that describe how the board will ensure adequate board representation in which low-income individuals or organizations.

CSD has accepted an alternative mechanism to a tripartite board for LPA and NAI Contractors using either a NAI governing council, commission, board or other body responsible for the administration of the CSBG funded programs.

C. Individual and Community Income Eligibility Requirements

CSD published a CSBG Program Notice (CPN-C-16-01) to provide eligible entities with guidance to address income eligibility determination. Eligible entities shall serve applicant/households at incomes not exceeding 100 percent of the Federal Poverty Level (FPL), except for applicant/households receiving CalWORKs. Those program participants shall maintain incomes not exceeding 125 percent of the FPL (Appendix - Attachment 7).

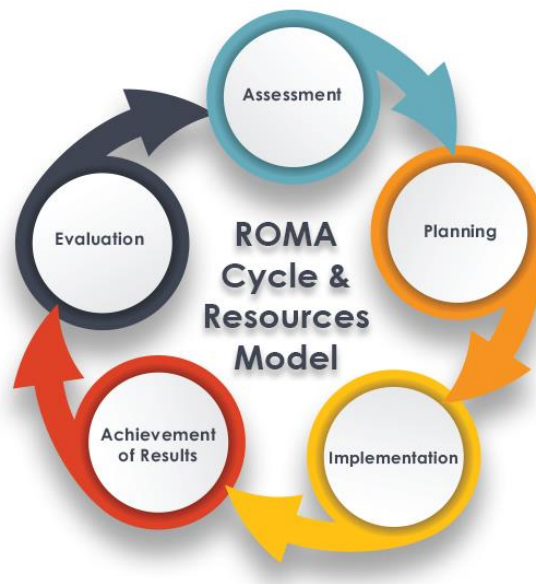
As part of the CAP, eligible entities are required to describe how the agency verifies income eligibility for services with limited in-take services and how they will provide services that target and benefit low-income communities. CSD will review the CAP responses including the needs assessment to ensure services are targeting low income communities. CSD will review the income verification process for limited intake through the monitoring process.

D. Results Oriented Management and Accountability (ROMA) System

In FFY 2018 and 2019, California and the eligible entities will continue to meet the following assurance in 676(b)(12) of the Act (42 U.S.C. §9908(b)(12)):

“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 or another performance measure system for which the Secretary facilitated development pursuant to Section 678E(b) of the Act.”

The eligible entities comply with the ROMA, a management and accountability process that is focus on achieved results. This is accomplished through the ROMA cycle of the assessment of needs and resources, planning by using assessment data to identify results and strategies, implementation of the strategies and services, observing and reporting on the progress and achievement of results, and the evaluation of the data and benchmark comparison.



California and the eligible entities will continue to participate and comply with ROMA, a management and accountability process that is focused on achieved results. California has incorporated the cycle of the ROMA principles into the CAP and comprehensive community needs assessment. To ensure that the eligible entities are meeting the ROMA principles, the CAP and community needs assessment are evaluated to verify that the needs assessment data drives the goal setting process and formulates the program activities. The achievement of results will be reported in the Annual Report, Modules 2 through 4, which will be used by CSD to monitor the eligible entities performance. CSD will comply with the implementation schedule for the CSBG Annual Report for Federal Fiscal Years 2018 and 2019. CSD will measure the performance of the eligible entities against the new reporting structure to project performance goals as a part of the annual review.

In preparation for the upcoming new data collection associated with Modules 2 through 4 of the CSBG Annual Report, CSD coordinated a mandatory two-day training in Sacramento in July 2017. The training was conducted by the National Association for State Community Services Programs (NASCSPP). The training offered hands-on activities to assist eligible entities in understanding how programs and services can be reported in the CSBG Annual Report, as well as, provide assistance in preparing agencies for the implementation of the new reporting elements.

CSD currently has ROMA certified trainers on staff that will be available to eligible entities to provide assistance through the various stages of planning and evaluation of programs. In addition, CSD will continue to support ongoing training for certified ROMA trainers to ensure the eligible entities have access to highly knowledgeable trainers.

E. Community Action Plans and Needs Assessments

The State will secure a Community Action Plan from each eligible entity, as a condition of receipt of CSBG funding by each entity, as required by Section 676(b)(11) of the CSBG Act. CSD requires each eligible entity to submit a CAP as a condition of receipt of funding. The CAPs are submitted to CSD no later than June 30th on a biennial basis.

The State will assure that each eligible entity includes a community needs assessment for the community served (which may be coordinated with community needs assessments conducted by other programs) in each entity's Plan, as required by Section 676(b)(11) of the CSBG Act.

As part of the Plan, eligible entities are required to submit a comprehensive community needs assessment. The needs assessment is evaluated to ensure the problems and conditions of poverty within the eligible entity's service area are captured and based on verifiable data and information gathered through various sources.

F. CSBG Programmatic Assurances and Information Narrative

Use of Funds Supporting Local Activities

CSBG Services

676(b)(1)(A) *The State will assure "that funds made available through 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 title IV of the Social Security Act, homeless families and individuals, migrant or seasonal farmworkers, 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 (particularly 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 community, which may include 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 individual and family needs;*
- (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;*

CSD requires each eligible entity to submit a biennial CAP that includes the top community needs, description of the programs or service delivery system to address the identified needs, and their coordination efforts with community partners including their roles, and how they will work with to meet the goals of the federal assurances. These assurances will be satisfied through activities such as disaster preparedness and relief, energy supports, job training, asset development programs, educational supports, career development, volunteer efforts, food supports, health education and access, tax preparation assistance, mentoring, parenting development, child care services and other activities. CSD will evaluate the CAP responses and annual contract outcome projections to ensure program activities are targeted towards achieving the federal assurances.

Needs of Youth

676(b)(1)(B) *The State will assure “that funds made available through grant or allotment will be used –*

- (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;*

Eligible entities submit a narrative as part of their CAP describing how they meet the above assurances that address the needs of the youth in their communities. Identified needs are met through various methods, including summer youth programs, tutoring, mentoring programs, gang suppression and prevention programs, life skills training and employment-related initiatives, health education and teen pregnancy prevention initiatives, youth enrichment scholarships, financial literacy training, entrepreneurship programs for youth, and programs to assist homeless youth.

Coordination of Other Programs

676(b)(1)(C) *The State will assure “that funds made available through grant or allotment will be used –*

- (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)*

Each eligible entity’s CAP must include a narrative describing the systems used to ensure optimal coordination with other appropriate programs in the community. CSD requires eligible entities to certify compliance with this assurance in the CAP.

State Use of Discretionary Funds

676(b)(2) *The 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.*

CSD will use a portion of the discretionary funding to support LPAs as defined in subdivision (a) of CA Government Code § 12775 as community-based nonprofit organizations. Annually, CSD sets aside a portion of the discretionary funds to support T&TA for eligible entities to meet administrative and programmatic requirements, and to enhance operations. If a State of

Emergency is declared by California Governor's Office (or at the CSD Director's discretion), CSD may make available all or a portion of a disaster set-aside to eligible entities in the affected counties. Additionally, CSD may set aside a portion of the discretionary funds to support eligible entity targeted initiatives, innovative projects, and program priorities identified by CSD.

G. Eligible Entity Service Delivery, Coordination, and Innovation

Eligible Entity Service Delivery System

676(b)(3)(A) Describe “the service delivery system, for services provided or coordinated with funds made available through grants made under 675C(a), targeted to low-income individuals and families in communities within the State;

Eligible entities adopt a service delivery system that seeks to maximize client access, avoid duplication of services and provide services along a continuum of need, how these models operate is a function of local conditions and priorities. The service delivery systems of some eligible entities are centralized, with the eligible entity directly providing all or most of the direct client services. Others rely on sub-contractors and referrals to a network of community partners for service delivery.

Service delivery systems also vary in how and where services are provided. Some eligible entities rely primarily on providing services at a centralized location. Others—particularly those in rural or remote regions where transportation is challenging for low-income residents—provide services to clients and communities in mobile vans or satellite offices. Co-location of services and One-Stop models are also common. CSD requires eligible entities to certify compliance with this assurance in the CAP.

Eligible Entity Linkages – Approach to Filling Service Gaps

676(b)(3)(B) Describe “how linkages will be developed to fill identified gaps in the services, through the provision of information, referrals, case management, and follow up consultations.”

Eligible entities have established partnerships and collaborate with local community organizations, service providers and public and private agencies to assure the effective delivery of services to the low-income population. Eligible entities enrich local services by linking low-income Californians to available resources through direct services, and by establishing formal and informal agreements through contractual relationships with subcontractors and referrals to community partners.

Eligible entities utilize and evaluate community assessment data to identify gaps in services and opportunities. They then develop strategies to resolve the identified gaps and enhance current programs. As such, the practice of cross-referring clients is common, as staff participates on local area commissions and share information about respective services and gaps in services.

Coordination of Eligible Entity Allocation 90 Percent Funds with Public/Private Resources

676(b)(3)(C) *Describe how funds made available through grants made under 675C(a) will be coordinated with other public and private resources.”*

Eligible entities coordinate funds and resources with a vast network of public and private sector partners including, but not limited to: Workforce Investments Boards, One-Stop Centers, CalWORKs, housing projects, healthcare providers, Senior Centers, community advisory boards, youth councils and emergency services entities to meet immediate and long-term needs of low-income individuals and families. Eligible entities coordination efforts may include information sharing, direct referrals, MOUs and sub-contract agreements to ensure delivery of services to low-income individuals. Each eligible entity’s CAP must include a narrative describing how the eligible entity will satisfy this assurance.

Eligible Entity Innovative Community and Neighborhood Initiatives, Including Fatherhood/Parental Responsibility

676(b)(3)(D) *Describe “how the local entity will use the funds [made available under 675C(a)] 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 parenting.”*

Note: The description above is about eligible entity use of 90 percent funds to support these initiatives. States may also support these types of activities at the local level using State remainder/discretionary funds, allowable under Section 675C(b)(1)(F). In this State Plan, the State indicates funds allocated for these activities under item 7.9(f).

Each eligible entity’s CAP must describe how it will use funds to support innovative community and neighborhood-based initiatives, including fatherhood and other initiatives with the goal of strengthening families and encouraging parental responsibility. Many eligible entities provide parent and child joint counseling classes, co-parenting communication skills, fatherhood, programs to address health disparities, parent engagement groups, and non-court-ordered parenting classes.

Other activities described by the eligible entities have focused on classes assisting incarcerated or recently paroled men, providing job training and employment assistance to prepare them to provide financial support to their children, and thus, help them re-establish healthy connections to their families. Coordinate with WIC educational classes that focus on providing basic parenting skills as well as nutrition.

Eligible Entity Emergency Food and Nutrition Services



676(b)(4) Describe how the State will assure “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.”

As a part of the State’s response to the needs of eligible entities de
Picture Courtesy of Tehama County Community Action Agency

needs will be met. Eligible entities work with

either a local food pantry, allocate funding to food banks, or operate their own emergency food service in house, to provide food in these circumstances. Nearly all eligible entities operate nutrition or nutrition-related programs using CSBG funding along with, or in concert with, other public and private resources.

State and Eligible Entity Coordination/linkages and Workforce Innovation and Opportunity Act Employment and Training Activities

676(b)(5) Describe how the State will assure “that the State and 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, and [describe] how the State and the eligible entities will coordinate the provision of employment and training activities, as defined in section 3 of the Workforce Innovation and Opportunity Act, in the State and in communities with entities providing activities through statewide and local workforce development systems under such Act.”

CSD will ensure that these activities are carried out through the review of the CAPs, monitoring of the eligible entities’ program performance and oversight of the contract requirements. CSD requires eligible entities to coordinate and establish linkages with other public and private sector resources within their service area. The CAP requires each eligible entity to provide a description of how they will coordinate and establish linkages to mobilize resources to assure maximum leveraging of the CSBG funds. Examples of these linkages include coordination or partnerships with local Workforce Investment Boards, social service departments, one-stop centers, child care centers, community health centers, faith-based organizations, educational institutions and other community based organizations.

State Coordination/Linkages and Low-income Home Energy Assistance

676(b)(6) Provide “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.”

The State will ensure that these activities are carried out through review of the CAPs, monitoring of the eligible entities' program performance, and enforcement of contract requirements. CSD will continue to foster coordination between antipoverty programs in each community, including the federal Low-Income Home Energy Assistance Program (LIHEAP), through coordination provisions of the eligible entity CAPs. CSD administers the LIHEAP, which contains provisions for weatherization and energy crisis intervention.

Federal Investigations

676(b)(7) *Provide “an assurance that the State will permit and cooperate with Federal investigations undertaken in accordance with section 678D.”*

In accordance with Section 678D of the CSBG Act, as required by the assurance under Section 676(b)(7) of the CSBG Act. The State will “permit” and cooperate with Federal investigations undertaken.

Funding Reduction or Termination

676(b)(8) *Provide “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).”*

The State will operate according to Section 676(b)(8) of the Act, that “any eligible entity that received CSBG funding the previous fiscal year will not have its funding terminated 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).”

Coordination with Faith-based Organizations, Charitable Groups, Community Organizations

676(b)(9) *Describe how the State will assure “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.”*

Eligible entities provide to CSD a narrative description of partnerships with faith-based, charitable and community organizations as a required element in their biennial CAP. Through the process of monitoring activities and review of annual programmatic reports CSD will ensure compliance with this state assurance.

Eligible Entity Tripartite Board Representation

676(b)(10) Describe how “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.”

As part of the CAP, eligible entities must describe their procedures for ensuring adequate low-income representation on the board. Further, CSD will assess agencies compliance by reviewing the description of the written procedures that describe how the board will ensure adequate board representation in which low-income individuals or organizations.

Eligible Entity Community Action Plans and Community Needs Assessments

676(b)(11) Provide “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.”

Each eligible entity is required to submit a CAP that includes a comprehensive community needs assessment. The needs assessment is received prior to the issuance of an annual contract in the year the CAP is due. A CAP review template is developed to aid the review process. The comprehensive community needs assessment is evaluated to ensure the problems and conditions of poverty within the eligible entity’s service area are captured and based on verifiable data and information gathered through various sources.

State and Eligible Entity Performance Measurement: ROMA or Alternate system

676(b)(12) Provide “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 [describe] outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization.”

The State of California and the eligible entities have embraced ROMA. California has incorporated the ROMA cycle principles into the CAP and comprehensive community needs assessment. To ensure that the eligible entities are meeting the ROMA principles, the CAP and community needs assessment are evaluated to verify that the needs assessment data drives the

goal setting process and formulates the program activities. Additionally, in the CAP response, eligible entities are required to provide examples of changes made to improve service delivery to enhance the impact for individuals, families, and communities based on an in-depth analysis of performance data.

Validation for CSBG Eligible Entity Programmatic Narrative Sections

676(b)(13) *Provide “information describing how the State will carry out the assurances described in this section.”*

The State provides information for each of the assurances in corresponding items throughout the State Plan.

H. Federal Certifications

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 subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification 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 certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, 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 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.

By checking this box, the State CSBG authorized official is providing the certification set out above.

Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645 (a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

- (1) By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
- (2) The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- (3) For grantees, other than individuals, Alternate I applies.
- (4) For grantees who are individuals, Alternate II applies.
- (5) Workplaces under grants, for grantees other than individuals, need to be identified on the certification. If known, they may be identified in the grant application. If the grantee does

not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

- (6) Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
- (7) If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
- (8) Definitions of terms in the Non-Procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of sub recipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about - -
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will - -
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within 10 calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted - -
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance:

**2389 Gateway Oaks Drive, #100
Sacramento, Sacramento County, California, 95833**

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

By checking this box, the State CSBG authorized official is providing the certification set out above.

I. 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 or 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 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 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 Exclusive-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions 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 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 Non-Procurement 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 judgment 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 or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such 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
- (3) 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 and/or debarment.
- (4) 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.

- (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 meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
- (6) The prospective lower tier participant agrees by submitting this proposal that, 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.
- (7) 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.
- (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 covered transactions, 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 Non-Procurement 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 five 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 with which this transaction originated may pursue available remedies, including suspension and/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 is presently debarred, suspended, proposed for debarment, declared

ineligible, or voluntarily excluded from participation in this transaction by any 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.

By checking this box, the State CSBG authorized official is providing the certification set out above.

15.4 Environmental Tobacco Smoke

Public Law 103227, Part C Environmental 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 or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 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 residences, 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 and/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 requirements of the Act.

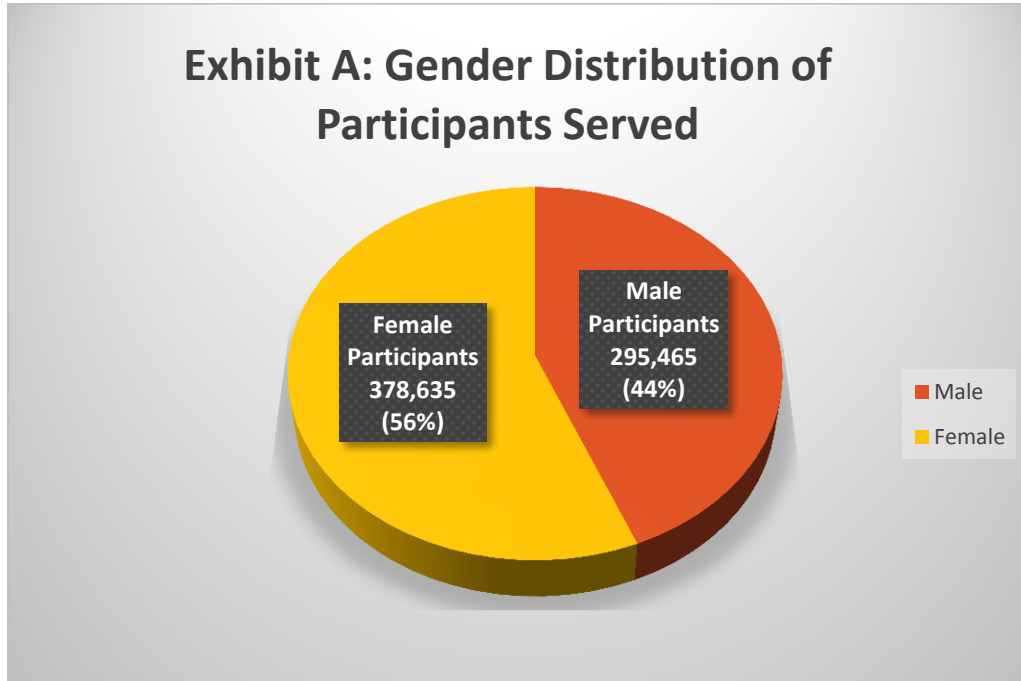
The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

By checking this box, the State CSBG authorized official is providing the certification set out above.

Profile of Participants Served

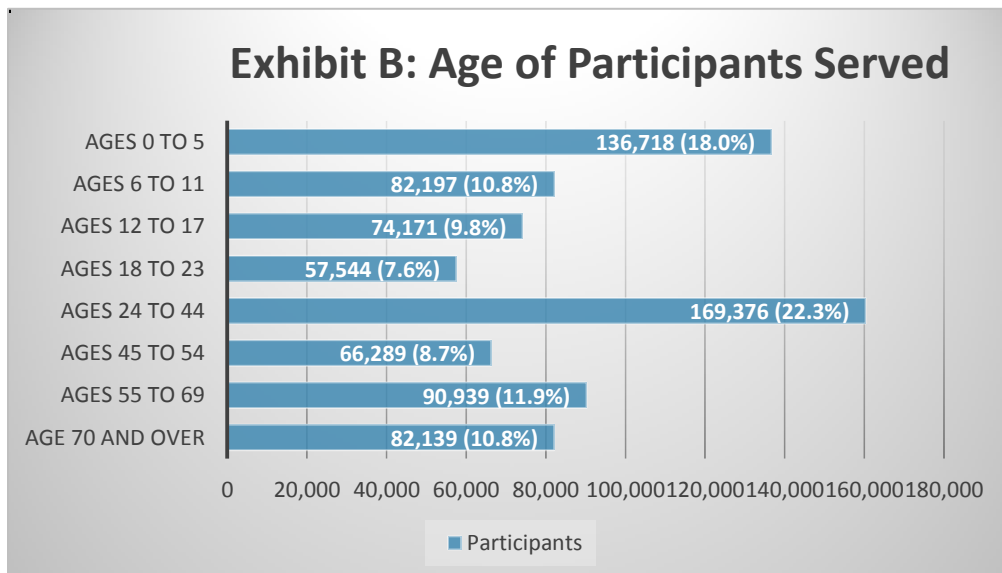
GENDER

Exhibit A illustrates the number of male and female participants served by California eligible entities during the 2016 program year.



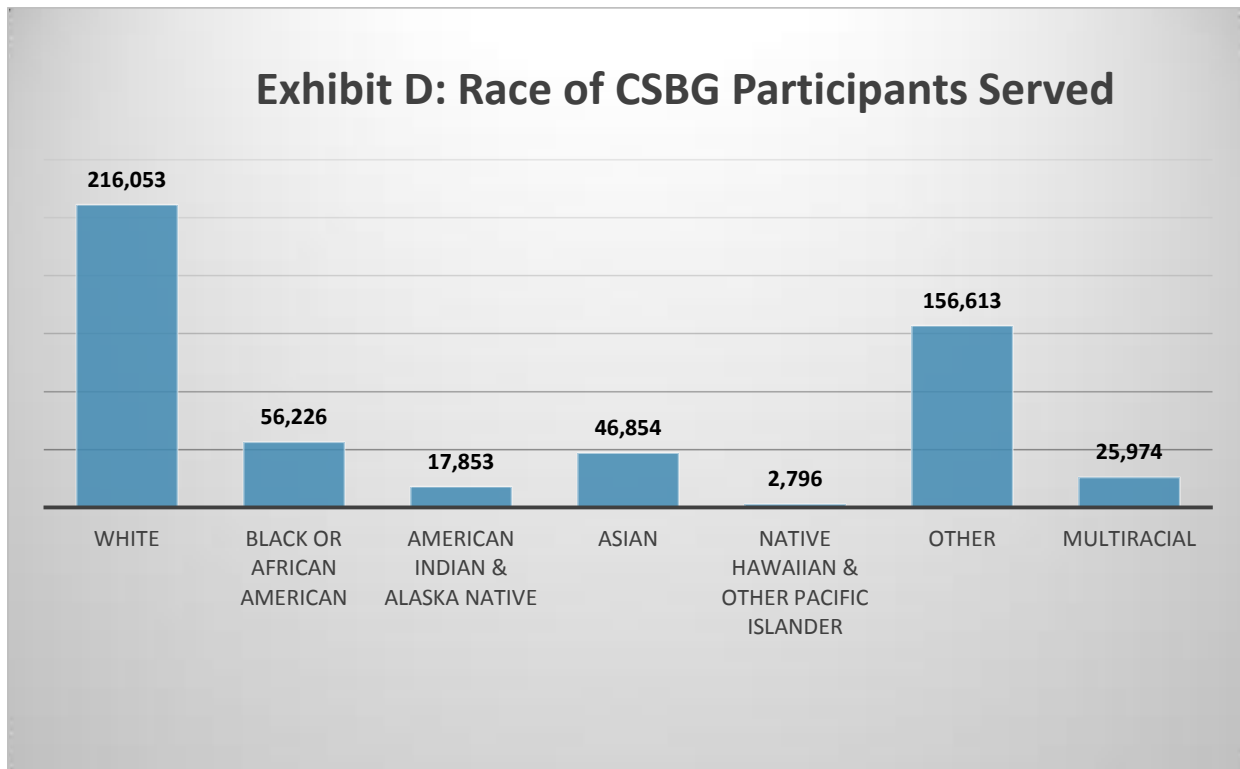
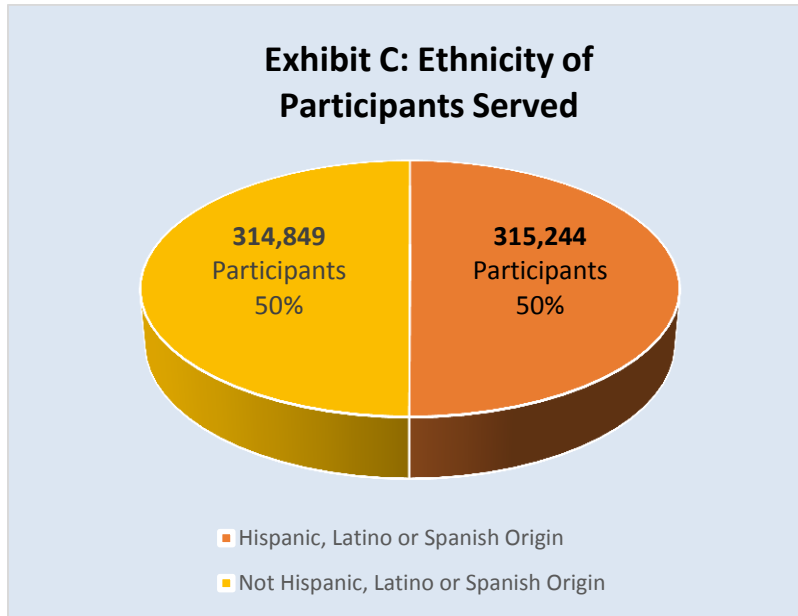
AGE

Exhibit B illustrates the age distribution of participants served by eligible entities during the 2016 program year.



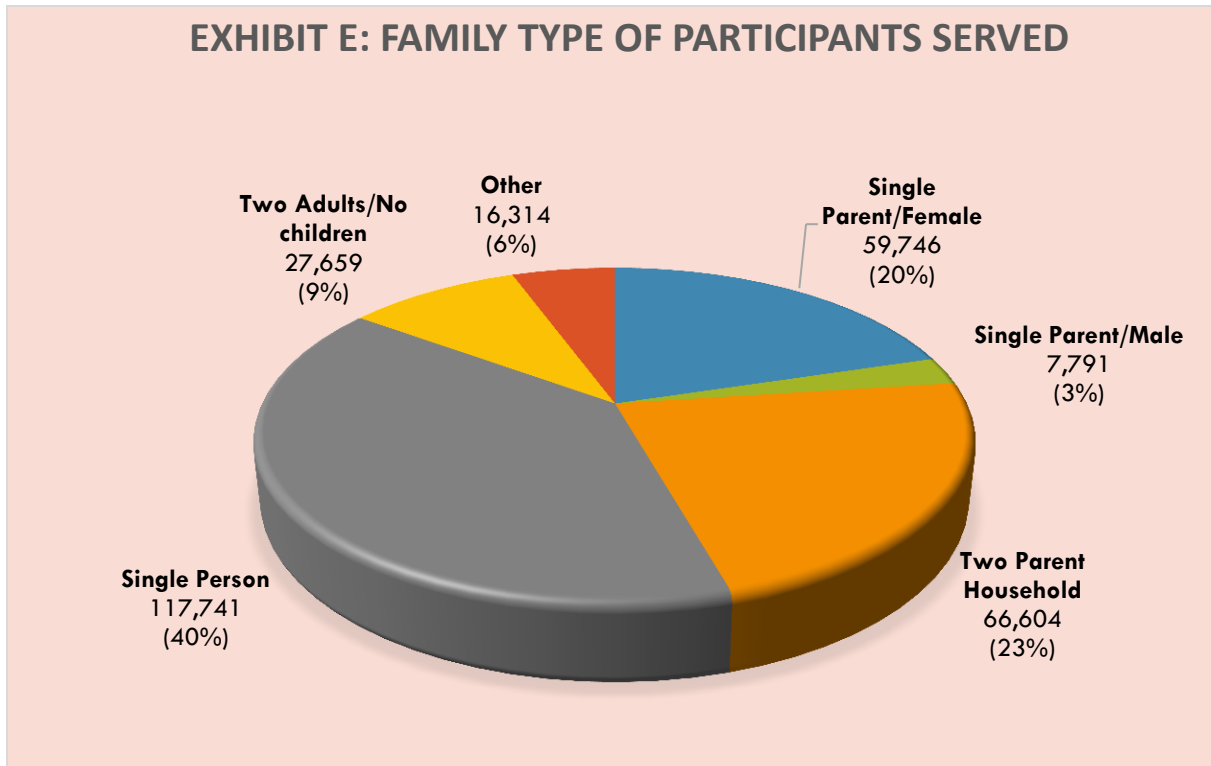
Ethnicity and Race

Exhibits C and D, reflect the race and ethnicity of the participants served by eligible entities in 2016 program year.



FAMILY STRUCTURE

Exhibit E illustrates the different family types served by eligible entities in 2016 program year.



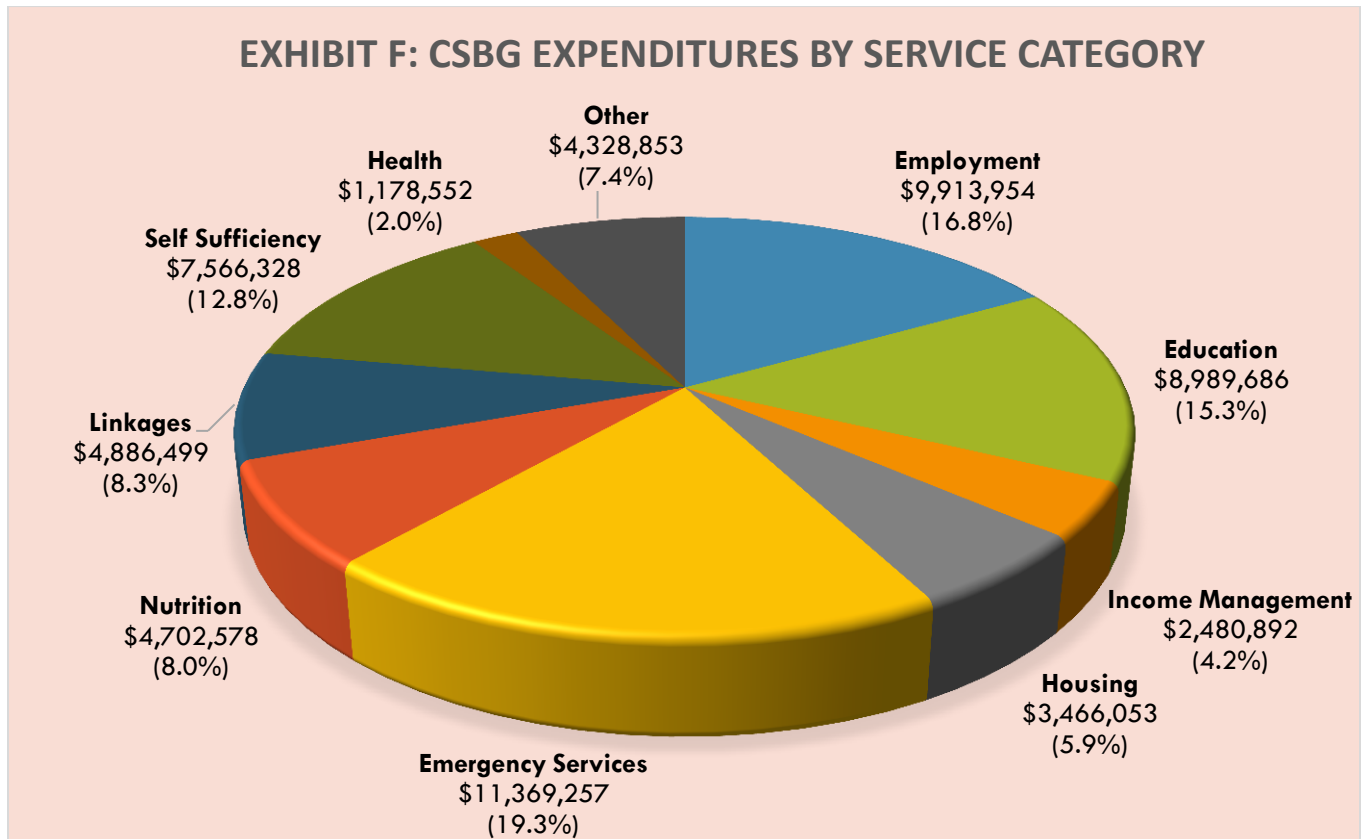
Statistical Report on CSBG Program Services

In 2016, the annual CSBG I/S report captured statistical data on CSBG program services (see Exhibit F). CSBG projects are classified by the conditions causing poverty that the CSBG statute identifies as significant or barriers to economic security. The CSBG service categories include:

- EDUCATION
- EMERGENCY SERVICES
- HEALTH
- HOUSING
- INCOME MANAGEMENT
- LINKAGES
- NUTRITION
- ECONOMIC DEVELOPMENT
- SELF-SUFFICIENCY
- SPECIAL/INNOVATIVE PROGRAMS

CSBG EXPENDITURES BY SERVICE CATEGORY

Exhibit F below illustrates how eligible entities expended CSBG funds during the 2016 program year among these categories. It is important to note that projects in any one category may further progress towards multiple goals.



Appendix:

- Attachment 1: State's Official CSBG Designation Letter
- Attachment 2: Documentation of Legislative and Public Hearings
- Attachment 3: Public Hearing Transcript
- Attachment 4: CSD California State Monitoring Procedures
- Attachment 5: California Government Codes §12750.1, §12750.2 and 22 CCR §100780
- Attachment 6: California Government Code §12781 and 22 CCR §100780
- Attachment 7: CSBG Program Notice (CPN-C-16-01) Eligibility for Households Receiving CalWORKs Benefits
- Attachment 8: Glossary of Terms

Attachment 1: State's Official CSBG Designation Letter



OFFICE OF THE GOVERNOR


May 26, 2011

Ms. Yolanda J. Butler, Ph.D.
Acting Director
Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Dear Ms. Butler:

Pursuant to 42 U.S.C. 9908(a)(1) and Title 45, Part 96.10(b) of the Code of Federal Regulations, I hereby delegate signature authority to John A. Wagner, Acting Director of the State of California's Department of Community Services and Development, and his successor, for the purposes of submitting the application and certifying compliance with federal assurances relating to the Community Services Block Grant and Low-Income Home Energy Assistant Program.

Sincerely,


Edmund G. Brown Jr.

GOVERNOR EDMUND G. BROWN JR. • SACRAMENTO, CALIFORNIA 95814 • (916) 445-2841



Attachment 2: Documentation of Legislative and Public Hearings

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Attachment 3: Public Hearing Transcript

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Attachment 4: CSD California State Monitoring Procedures

California Department of Community Services and Development

**Community Services Division
Field Operations Unit**

Community Services Block Grant

Monitoring Procedures



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The Community Services Block Grant Monitoring (CSBG) Procedures have been prepared by the Community Services Division, Field Operations Unit (FOU), to provide uniform procedures and guidance to FOU staff for the administration of the Community Services Block Grant Program.

PROGRAM OVERVIEW

Federal Administration

The Community Services Block Grant refers to the federal funds and program established by the CSBG Program in the Omnibus Budget Reconciliation Action of 1981 as contained in Public Law 97-35, as that law has been amended from time to time and as currently codified as Section 9901 et. seq. of Title 42 of the United States Code.

The CSBG Program is funded under the U.S. Department of Health and Human Services, Administration for Children and Families (ACF), Office of Community Services (OCS). CSBG funds are distributed to 50 states, U.S. Territories, Native American Indian Tribes and other organizations. CSBG activities are carried out by a national network of over 1,000 CSBG “eligible entities” which provide a diverse range of services for, and advocacy on behalf of, low-income individuals and families. An eligible entity may include a private nonprofit organization or public agency that operates one or more projects funder under the CSBG Program. By law, at least 90 percent of a State’s CSBG allocation must be allocated to local eligible entities.

State Administration

California Government Code §12725 et seq. provides that the CSBG Program shall be governed by the principle of community self-help, thereby promoting new economic opportunities for Californians living in poverty through well-planned, broadly-based and locally-controlled programs of community action. It also provides authorization for the Governor of the State of California to assume responsibility for California’s CSBG Program and for the state to implement this block grant in conformity with the laws, principles, purposes and policies of the CSBG Program. The Governor has designated the California Department of Community Services & Development (CSD) as the lead Department for purposes of carrying out California’s CSBG activities and ensuring program compliance.

CSD’s current network of eligible entities consists of approximately 60 non-profit and local governmental organizations (Community Action Agency, Migrant Seasonal Farm Workers (MSFW), Native American Indian Program (NAI) and Limited Purpose Agency (LPA)) that receive CSBG funds. CSD’s eligible entities are required to conduct a needs assessment, develop a Community Action Plan, and offer services based on identified local needs.

CSBG funds result in innovative programs that address the leading causes of poverty as determined locally by community based organizations and promote the goals of self-sufficiency and independence among low-income individuals.

For example, CSBG funding supports projects that:

- Lessen poverty in communities
- Address the needs of low-income individuals including the homeless, migrant seasonal workers, youth and the elderly
- Provide access to early childhood programs
- Provide services and activities addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health

The flexible use of CSBG funds allows services offered throughout the State to vary depending on the local needs assessment conducted in each community.

Field Operations Unit Role

The FOU is responsible for ensuring each eligible entity (Agency) complies with CSBG federal and state laws, regulations, policies and contractual requirements. This is accomplished through several methods including, but not limited to, the following:

- Evaluating and approving Agency Community Action Plans, including goals, planned activities, work plans and budgets.
- Monitoring and evaluating Agency performance for compliance with provisions of applicable federal and state laws, regulations, policies, program guidelines and other contractual provisions.
- Planning and providing Agency training and technical assistance through individual consultations, written instructions, and webinars.
- Consulting with and otherwise advising CSD management and staff on policies and procedures that impact CSBG Program activities.

MONITORING PROGRAM OVERVIEW

Pursuant to the CSBG Act (42 U.S.C. §9901 et seq.), Public Law Section 678B, CSD has responsibility to ensure CSBG Agencies carry out their programs in accordance with all applicable laws, regulations, policies and the executed contract.

The FOU's monitoring objectives are to determine if Agencies are:

- Complying with federal and state laws, regulations and policies.
- Carrying out their CSBG programs as approved by their CAP.
- Carrying out their CSBG programs in accordance with their Work Plan.

- Demonstrating a continuing capacity to carry out the approved programs.
- Requesting reimbursement only for approved budget costs.
- Needing additional training and technical assistance.

DESCRIPTION OF MONITORING ACTIVITIES

The FOU monitoring activities occur year-round, in the FOU's office and at the Agency's site. Monitoring is conducted in collaboration with Agency staff and in a manner to assist Agencies with the most efficient and effective uses of federal funds to build capacity, improve service delivery, and achieve intended outcomes to serve low-income individuals and families.

Following is a brief description of the FOU's reviews and monitoring activities:

- A. Community Action Plans: Agencies must complete a Community Action Plan , as a condition to receive CSBG funding.

Agency Plans are to be submitted biennially to the FOU by June 30. The Plan serves as the Agency's two-year roadmap demonstrating how it plans to deliver services. It identifies and assesses poverty-related needs and resources in the community and establishes a detailed plan, goals, and priorities for delivering these services to individuals and families most affected by poverty. The Plan also identifies eligible activities to be funded in the program service areas and the needs that each activity is designed to meet.

The FOU's review of the Plan typically occurs during July and August. The Field Representative evaluates the CAP, including goals, planned activities, work plans, and other supporting documentation for completeness and compliance. The Community Action Plan Review Analysis form (CSD 410) is used to complete the Plan review.

Following the Field Representative's review and acceptance of the Plan, a letter is sent to the Agency acknowledging receipt and acceptance of their Plan.

- B. Contracts: CSD enters a Standard Agreement (contract), (STD 213), with Agencies receiving CSBG funds. The contract term is January 1st to December 31st. The contract, entered after an Agency's CAP is accepted by the FOU, specifies the grant amount, scope of work, requirements, and other terms and conditions.

Development of the contract is a collaborative effort involving several CSD Units. The contract is sent to Agencies in October for review, signature, and return of several documents as stipulated in the contract

Following an Agency's return of the signed contract and required documents, the Contracts Unit forwards the Contract Package to the FOU. Upon receipt, the Field Representative prepares the contract file, and using the Contract Review Form, completes a thorough review/analysis of the Contract Package primarily for completeness, reasonableness, compliance, and accuracy. Following completion of this review, the Field Representative signs the Contract Review Tracking Sheet (CSD 473) and forwards the Contract Package to the FOU Manager for review. Upon completion, the Contract Package is returned to the Contracts Unit to obtain internal approvals of the contract and to distribute the executed contract.

- C. Pre-Monitoring Assessment (PMA): This is an in-house review process that is conducted annually, usually between January and March, and prior to the start of the monitoring season. Results of the PMA determine the type of Agency monitoring review (desk review or on-site visit) that will be conducted during the program year and identify early warning signs that could be mitigated before the Agency is in an at-risk situation.

The Pre-Monitoring Assessment Tool is used to perform the PMA. Issues identified during the PMA are discussed with the FOU Manager.

The completed Pre-Monitoring Assessment Tool is submitted to the FOU Manager for review.

- D. Desk Review: This is an in-house review process that is conducted annually for all Agencies. The review assesses an Agency's overall capacity to administer their CSBG Program and determines whether the Agency has any training and technical assistance needs. The scope of the review may include an assessment of the Agency's board governance, fiscal progress, programmatic performance, and any open findings from previous monitoring reports. These documents are submitted during the contract term and are readily available to the Field Representative. Any follow up needed is conducted at the time of the document/data review.

The Agency will receive written notification/letter summarizing the results of the desk review no later than the end of the program year.

- E. On-site Monitoring Visit: Pursuant to the CSBG Act (42 U.S.C. §9901 et seq.), Agencies are required to have an on-site monitoring visit conducted once during each three (3) year period. A new eligible entity is required to have an on-site visit immediately after the completion of its first year after being designated as an eligible entity. The on-site monitoring visit is a comprehensive review to assess an Agency's overall capacity to administer their CSBG Program in compliance with laws, regulations, policies and contractual requirements. The on-site monitoring season generally runs April 1 through October 30.

The on-site visit involves a partnership between the Agency and the Field Representative to assist with and ensure any compliance deficiencies are identified early and are corrected in a timely fashion. Agencies are expected to cooperate with the FOU by providing access to all programs, records, documents, resources, personnel, inventory, and other documentation reasonably related to the administration and implementation of the services and activities funded by the CSBG funds.

When possible, the on-site visit is scheduled during the time of the Agency's Board meeting, to provide an opportunity for the Field Representative to attend the Board meeting.

Written confirmation is provided to the Agency as early as forty-five days and no later than thirty (30) calendar days in advance of the on-site visit.

The On-site Monitoring Tool is used to perform a set of standard assessments and observations, which consists of reviewing fiscal, administrative and programmatic documentation; interviewing key staff and Board members; and observing programs and Board participation.

The on-site monitoring visit begins with an Entrance Conference with the Executive Director, finance manager, and anyone else the Agency deems appropriate. It provides the Agency with an overview of CSD's monitoring agenda as well as the purpose and scope of the on-site visit.

At the conclusion of the on-site monitoring visit, an Exit Conference is held typically with the Executive Director, finance manager, and anyone else the Agency deems appropriate. The Exit Conference provides an opportunity for the Field Representative to summarize his/her observations during the review and notify the Agency whether there are any potential findings of non-compliance as a result of the review.

Following completion of the on-site monitoring visit and return to the office, the Field Representative schedules a meeting with the FOU Manager, within three (3) work days, to discuss the outcome of the on-site visit. Additionally, the Field Representative completes an On-site Monitoring Report. This Report provides a summary of the on-site monitoring activities and includes any findings of non-compliance with statutory, regulations and/or contractual requirements supported by the facts considered in reaching the conclusion(s). For each finding, the Field Representative identifies specific corrective actions by which the deficiency can be resolved and assigns due dates for the Agency to correct compliance-related deficiencies. Following the FOU Manager's approval, the final On-site Monitoring Report is mailed to the Agency Executive Director and Board Chair within 60 calendar days of completing the on-site monitoring visit.

F. Preliminary Expenditure Review: This is an in-house review that is conducted throughout the year. The expenditure review is an analysis of an Agency's expenditures as compared to the approved budget to identify and address low expenditures, budget line item overages, and/or zero reporting.

Agencies are required to enter, and certify the accuracy of their monthly or bimonthly expenditure data, into CSD's Expenditure Activity Reporting System (EARS) by the 20th of each month following the expenditure report period regardless of activity.

G. Annual Report: This is an in-house review process conducted in January and February. Agencies are required to submit programmatic reports to the FOU annually by January 20 covering program activities and client demographic information from January 1 to December 31.

H. Organizational Standards Review: The organizational standards are a set of measurements to ensure that each eligible entity has the applicable organizational capacity (fiscal and administrative) to administer the community services block grant. Annually a review is conducted of the organizational standards submitted by each eligible entity. The review includes an evaluation of the documentation submitted to substantiate the standard is met. All NOT met standards require a technical assistance plan, which is monitored throughout the program year to assess the entities progress towards meeting the standard.

MONITORING FOLLOW-UP

When findings are included in the monitoring report, the Agency is required to resolve the issue on or before the established due date or within the timeframe established in the corrective action plan. Until such time, the Agency will submit a Monitoring Finding Status report providing the progress on resolving the issue. Upon receipt of the Agency's Monitoring Finding Status Report, the Field Representative conducts a review to ensure the Agency is progressing in resolving the finding(s). A letter is sent to the Agency acknowledging receipt of the status report or closing the finding.

The Field Representative will take these additional steps:

- Track monitoring findings and conduct on-going follow up based on the timeframe established in the monitoring report.
- Whenever an Agency is not compliant with submitting the applicable status update(s) or resolving a finding by the established due date, notify the Agency Executive Director by sending a follow up letter.
- Update SharePoint.

Pursuant to the CSBG Act (Section 678B, 678C, 42 USC 9914), unmet monitoring deficiencies will result in the FOU working more closely with the Agency to put in place a technical assistance plan or quality improvement plan, as appropriate. Below are the definitions for:

- Training and Technical Assistance Plan: Training and technical assistance provided by CSD and/or other organizations to address deficiencies that could be resolved within one year.
- Quality Improvement Plan (QIP): The corrective steps/actions that are to be taken, and by when, to address significant/serious deficiencies. The QIP is due within 60 days after being informed of the deficiency. The FOU is required to either approve the proposed plan or specify the reasons why the proposed plan cannot be approved; and after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of or reduce the funding of the Agency. The Office of Community Services will be informed within 30 calendar days of approving the QIP.

Whenever deficiencies are not resolved in a timely manner, it may lead to the FOU conducting follow up reviews, including a return visit to the Agency and their programs that fail to meet the goals, standards, and requirements established by the State. Also, the FOU will make training and technical assistance resources available to the Agency as directed by CSD or requested by the Agency.

CLOSEOUT

As required by Federal and State law, and thereby in each contract, CSD must assure that agencies submit a timely close-out package to bring closure to a contract and assure that any funds due either party are expeditiously processed.

Agencies are required to submit a contract close-out package to CSD within 90 days of the expiration of each contract but no later than March 31. The exception is when an Agency has an approved contract term extension.

The close-out of a contract does not affect the following:

- CSD's right to disallow costs and recover funds on the basis of a later audit or other review.
- The Agency's obligation to return any funds due as a result of later refunds, corrections, or other transactions.
- Records retention requirements.
- Equipment management requirements.

- Audit requirements.

The Field Representative completes a review of the Agency's close out package no later than April 30, with the exception of those contracts that have a term extension. The review is an analysis of the close-out reports and to determine completeness, accuracy of the documents prior to closing out of the grant. A Close-out letter is issued upon determination that the entity submitted all the applicable documentation and fiscal reports.

TRAINING & TECHNICAL ASSISTANCE

Agencies must be familiar with CSBG laws, regulations, policies and program requirements. CSD is responsible for providing Agencies with a range of technical assistance and training to establish and maintain sound grants management and program practices.

The FOU serves as an official conduit of information, including laws, regulations, rules, and other official memoranda from funding sources to eligible entities. The FOU offers on-going support, training, and technical assistance, as requested or needed, to help Agencies provide services to low-income clients. Training or workshops are typically conducted prior to contract issuance and/or if necessary, for the development of Agencies' biennial Community Action Plan. Training and/or workshops may be regionalized (a North/South venue) or centralized (one workshop centrally located).

Training services are performed several ways, such as:

- A site visit to the Agency
- By telephone or Webinar
- Subject-specific regional training seminars

CSD enters into an annual contract with an association that specializes in helping CSBG Agencies increase their knowledge, skills, and capacities to fulfill their various missions. For example, through this association, Agencies may participate in network meetings to problem solve, attend conferences, receive specific training such as in building organizational capacity and community relations, and request technical assistance.

The CSD provider website offers information such as policies, trainings, informational bulletins and other important information for CSD's community service providers administering a CSBG program at: <http://providers.csd.ca.gov/>

Periodically, CSD participates in multi-state training, workshops, or conferences at the request of our funding sources. Field Representatives may be asked to participate as presenters, facilitators, and/or to provide on-site support.

CSD RECORDKEEPING

The FOU is responsible for maintaining contract files, records, and relevant documentation consistent with federal requirements and CSD's Records Retention Schedule.

The Field Representative will maintain complete, organized, and standardized contract files.

Attachment 5: California Government Codes §12750.1, §12750.2 and 22 CCR §100780

California Code, Government Code - GOV § 12750.1

(a) No new community action agency may be designated by the director for a political subdivision that is served by an existing community action agency unless any of the following exist:

(1) The political subdivision is informed in writing by the director that the existing community action agency has failed to comply, after having a reasonable opportunity to do so, with the requirements of this chapter, subject to paragraph (5) of subdivision (c) of Section 12781.

(2) The political subdivision is informed by its existing community action agency that because of changes in assistance furnished to programs to economically disadvantaged persons it can no longer operate a satisfactory community action program.

(3) The director is petitioned by significant numbers of eligible beneficiaries to reconsider its existing designation and, based on that reconsideration, determines to designate an alternate community action agency.

(b) In the event that the designation of an existing community action agency is revoked, the director shall designate a new community action agency within a period of 90 days after the effective date of the revocation, subject to Section 12750.2.

(c) New community action agency designations may be made in political subdivisions or combinations of political subdivisions in a county or portion thereof for which no community action agency has been designated provided that the community to be served has a population of at least 50,000, as determined by the Bureau of Census from the most recent available census or survey. The director may waive the general requirement that the community to be served have a population of at least 50,000 in those instances where no practical grouping of contiguous political subdivisions can be made in order to meet that requirement.

(d) A private nonprofit agency that serves a political subdivision or combination of political subdivisions having more than 50,000 population shall be entitled to petition the department for state designation as a community action agency, provided it has a governing board meeting community action agency requirements and has the capability to plan, conduct, administer, and evaluate a community action program.

California Code, Government Code - GOV § 12750.2

For purposes of serving any area of the state in which community action programs cease to be provided, the director shall designate an organization in accordance with Section 9909 of Title 42 of the United States Code, as amended, and through a process that shall include all of the following:

- (a) Notice of intent to designate.
- (b) Request for proposals by any political subdivision or by any other qualified organization that can demonstrate adequate representation of low-income individuals in the development, planning, implementation, and evaluation of the community action program.
- (c) Invitation to the political subdivision to participate in the review of the proposals.

22 CCR § 100780

§ 100780. Denial of Refunding, Suspension and Termination of Contract Procedures.

(a) Purpose and Scope -This section establishes the rules and procedures governing the denial of refunding and the suspension and termination of contracts. This section shall not apply to any administrative action based upon any violation or alleged violation of Title VI of the Civil Rights Act of 1964. In case of such violations or alleged violations, the provisions of 45 CFR Part 1010 shall apply.

(b) Definitions.

(1) The term “termination” means the cancellation by the Department of state and or federal assistance in whole or in part, under a contract at any time prior to the time of completion.

(2) The term “suspension” means an action taken by the Department which temporarily suspends state and/or federal assistance under the contract, pending DEO's decision to terminate the contract.

(3) The term “responsible Department official” means the Director, Deputy Director, or any other official who is authorized to make the contract in questions, or the designee of any of these officials.

(c) Failure to Comply with Contract Terms and Conditions.

When a grantee has materially failed to comply with the contract terms and conditions, the Department may suspend the contract in whole or in part.

(d) Suspension Notice.

(1) The responsible Department official shall notify the grantee in writing that the Department intends to suspend a contract, in whole or in part, unless good cause is shown why the contract should not be suspended. The notice shall specify the grounds for the proposed suspension, the proposed effective date of suspension and the grantee's right to submit written material in opposition to the intended suspension and of its right to request an informal meeting at which the grantee may respond with an attempt to show cause why such suspension should not occur. The period of time within which the grantee may submit such written material or request the informal meeting shall be specified in the notice of intent to suspend and shall be no less than 5 days after the notice has been sent. If the grantee requests a meeting, the responsible Department official shall set a time and place for the meeting, which shall not be less than 5 days after the grantee's request is received by the Department. In lieu of the right of the grantee to request an informal meeting, the responsible Department official may on his/her own initiative establish a time and place for such a meeting. In no event, however, shall such a meeting be scheduled less than 7 days after the notice of intent to suspend has been sent to the grantee. The responsible Department official may extend the periods of time or dates previously referred to and shall notify the grantee of any such extension.

(2) At the time the responsible Department official sends the notice of intent to suspend the grantee, he/she shall also send a copy of it to any delegate agency whose activities or failure to act are a substantial cause of the proposed suspension, and shall inform such delegate agency that it shall be entitled to submit written material or to participate in the informal meeting referred to in subparagraph (d) (1) of this section. The responsible Department official may give such notice to any other delegate agency.

(3) Within 3 days of receipt of the notice, the grantee shall send a copy of these regulations to all delegate agencies which would be financially affected by the proposed suspension action. Any delegate agency which wishes to submit written material may do so within the time stated in the notice. Any delegate agency that wishes to participate in the informal meeting may request permission to do so from the responsible Department official, who may in his/her discretion, grant or deny such permission. In acting upon any such request from a delegate agency, the responsible Department official shall take into account the effect of the proposed suspension on the particular delegate agency, the extent to which the meeting would become unduly complicated as a result of granting such permission, and the extent to which the interest of the delegate agency requesting such permission appears to be adequately represented by other participants.

(4) In the notice of intent to suspend, the responsible Department official shall invite voluntary action to adequately correct the deficiency which led to the initiation of the suspension proceeding.

(5) The responsible Department official shall consider any timely material presented to him/her during the course of the informal meeting provided for in subparagraph (d) (1) of this section, as well as any showing that the grantee has adequately corrected the deficiency which led to the initiation of suspension proceedings. If after considering the material presented to him/her, the responsible Department official concludes the grantee has failed to show cause why the contract should not be suspended, he/she may suspend the grant in whole or in part and under such terms and conditions as he/she shall specify.

(6) Notice of such suspension shall be promptly transmitted to the grantee and shall become effective upon delivery. Suspension shall not exceed a 30 day period unless during such period of time, termination proceedings are initiated or unless the responsible DEO official and the grantee agree to a continuation of the suspension for an additional period of time. If termination proceedings are initiated, the suspension shall remain in full force and effect until such proceedings have been fully concluded.

(7) During a period of suspension, no new expenditures shall be made by the grantee and no new obligations shall be incurred in connection with the suspended program except as specifically authorized in writing by the responsible Department official. Expenditures to fulfill legally enforceable commitments made prior to the notice of suspension, in good faith and in accordance with the grantee's approved work program, and not in anticipation of suspension or termination, shall not be considered new expenditures. However, funds shall not be recognized as committed solely because the grantee has obligated them by contract or otherwise to a delegate agency.

(8) The responsible Department official may in his/her discretion modify the terms, condition and nature of the suspension or rescind the suspension action at any time on his/her own initiative or upon a showing satisfactory to him/her that the grantee has adequately corrected the deficiency which led to the suspension and that repetition is not threatened. A suspension partly or fully rescinded may, in the discretion of the responsible Department official, be reimposed with or without further proceeding. Provided, however, that the total time of suspension may not exceed 30 days unless termination proceedings are initiated in accordance with Department policies and procedures governing the termination of contracts or unless the responsible Department official and the grantee agree to a continuation of the suspension for an additional period of time. If termination proceedings are initiated, the suspension shall remain in full force and effect until such proceedings have been fully concluded.

(e) Notice and Pre-hearing Procedures.

(1) If the responsible DEO official believes a grantee's violation of the terms and conditions of its contract is sufficiently serious to warrant termination, whether or not the contract has been

suspended, he/she shall state that there appears to be grounds which warrant termination and shall set forth the specific reasons therefor. If the reason(s) result in whole or substantial part from the activities of a delegate agency, the notice shall identify that delegate agency. The notice shall also advise the grantee that the matter has been set down for hearing at a stated time and place in accordance with paragraph (f) of this section. In the alternative, the notice shall advise the grantee of its right to request a hearing and shall fix a period of time which shall not be less than 10 days, in which the grantee may request such a hearing.

(2) Termination hearings shall be conducted in accordance with the provisions of paragraphs (g) and (h) of this section. They shall be scheduled for the earliest practicable date, but not later than 30 days after a grantee has requested such a hearing. Consideration shall be given to a request by a grantee to advance or postpone the date of a hearing scheduled by the Department. Any such hearing shall afford the grantee a full and fair opportunity to demonstrate that it is in compliance with all applicable laws, regulations, and other requirements. In any termination hearing, the Department shall have the burden of justifying the proposed termination. However, if the basis of the proposed termination is the failure of a grantee to take action required by law, regulation, or other requirement, the grantee shall have the burden of proving that such action was timely taken.

(3) If a grantee requests that the Department hold a hearing in accordance with subparagraph (e)(1) of this section, it shall send a copy of its request for such a hearing to all delegate agencies which would be financially affected by the termination and to each delegate agency identified in the notice pursuant to subparagraph (e)(1) of this section. This material shall be sent to these delegate agencies at the same time the grantee's request is made to the Department. The grantee shall promptly send the Department a list of the delegate agencies to which it has sent such material and the date on which it was sent.

(4) If the responsible Department official pursuant to subparagraph (e)(1) of this section informs a grantee that a proposed termination action has been set for hearing, the grantee shall, within 5 days of its receipt of this notice, send a copy of it to all delegate agencies which would be financially affected by the termination action and to each delegate agency identified in the notice pursuant to subparagraph (e)(1) of this section. The grantee shall send the responsible Department official a list of all delegate agencies notified and the dates of notification.

(5) If the responsible Department official has initiated termination proceedings because of the activities of a delegate agency, that delegate agency may participate in the hearing as a matter of right. Any other delegate agency, person, agency or organization that wishes to participate in the hearing may, in accordance with paragraph (g) of this section, request permission to do so from the presiding officer of the hearing. Such participation shall not, without the consent of the Department and the grantee, alter the time limitations for the delivery of papers or other procedures set forth in this section.

(6) The results of the proceeding and any measure taken thereafter by the Department pursuant to this section shall be fully binding upon the grantee and all its delegate agencies whether or not they actually participated in the hearing.

(7) A grantee may waive a hearing and submit written information and argument for the record. Such material shall be submitted to the responsible Department official within a reasonable period of time to be fixed by him/her upon the request of the grantee. The failure of a grantee to request a hearing, or to appear at a hearing for which a date has been set, unless excused for good cause, shall be deemed a waiver of the right to a hearing and consent to the making of a decision on the basis of such information as is then in the possession of the Department.

(8) The responsible Department official may attempt, either personally or through a representative, to resolve the issues in dispute by informal means prior to the date of any applicable hearing.

(f) Time and Place of Termination Hearings.

The termination hearing shall be held in Sacramento, CA, at a time and place fixed by the responsible Department official, unless he/she determines that the convenience of the Department or of the parties or their representatives requires that another place be selected.

(g) Termination Hearing Procedures.

(1) The termination hearing, the decision on termination and any review thereof shall be conducted in accordance with paragraph (g), (h) and (i) of this section.

(2) The presiding officer at the hearing shall be the responsible Department official. The presiding officer shall conduct a full and fair hearing, avoid delay, maintain order, and make a sufficient record for a full and true disclosure of the facts and issues. To accomplish these ends, the presiding officer shall have all powers authorized by law, and he/she may make all procedural and evidentiary rulings necessary for the conduct of the hearing. The hearing shall be open to the public unless the presiding officer, for good cause shown, determines otherwise.

(A) After the notice described in subparagraph (g)(6) of this section is filed with the presiding officer, he/she shall not consult any person or party on a fact in issue unless on notice and opportunity for all parties to participate. However, in performing his/her functions under this subparagraph the presiding officer may use the assistance and advise of an attorney designated by the General Counsel of the Department. The attorney designated to assist him/her however, must not have represented the Department or any other party or otherwise participated in a proceeding, recommendation, or decision in the particular matter.

(3) Both the Department and the grantee are entitled to present their cases by oral or documentary evidence, to submit rebuttal evidence and to conduct such examination and cross-examination as may be required for a full and true disclosure of the facts bearing on the issues. The issues shall be those stated in the notice required to be filed by subparagraph (g)(6) of this section, those stipulated in a pre-hearing conference or those agreed to by the parties.

(4) In addition to the Department, the grantee, and any delegate agencies which have a right to appear, the presiding officer, in his/her discretion, may permit the participation in the proceedings of such persons or organizations as he/she deems necessary for a proper determination of the issues involved. Such participation may be limited to those issues or activities which the presiding officer believes will meet the needs of the proceeding, and may be limited to the filing of written material.

(A) Any person or organization that wishes to participate in a proceeding may apply for permission to do so from the presiding officer. This application, which shall be made as soon as possible after the notice of proposed termination has been received by the grantee, shall state the applicant's interest in the proceeding, the evidence or arguments the applicant intends to contribute, and the necessity for the introduction of such evidence or arguments.

(B) The presiding officer shall permit or deny such participation and shall give notice of his/her decision to the applicant, the grantee, and the Department and, in the case of denial, a brief statement of the reasons therefor. The presiding officer may, however, subsequently permit such participation if, in his/her opinion, it is warranted by subsequent circumstances. If participation is granted, the presiding officer shall notify all parties of that fact and may, in appropriate cases, include in the notification a brief statement of the issues as to which participation is permitted.

(C) Permission to participate to any extent is not a recognition that the participant has any interest which may be adversely affected or that the participant may be aggrieved by any decision, but is allowed solely for the aid and information of the presiding officer.

(5) All papers and documents which are required to be filed shall be filed with the presiding officer. Prior to filing, copies shall be sent to the other parties.

(6) The responsible Department official shall send the grantee and any other party a notice which states the time, place, and nature of the hearing, and the legal authority and jurisdiction under which the hearing is to be held. The notice shall also identify with reasonable specificity the facts relied on in justifying termination and the Department requirements which it is contended the grantee has violated. The notice shall be filed and served not later than 10 days prior to the hearing and a copy therefor shall be filed with the presiding officer.

(7) The grantee and any other party which has a right or permission to participate in the hearing shall give written confirmation to the Department of its intention to appear at the hearing 3 days before it is scheduled to occur. Failure to do so may, at the discretion of the presiding officer, be deemed a waiver of the right to a hearing.

(8) All papers and documents filed or sent to a party shall be signed in ink by the appropriate party or his/her authorized representative. The date on which papers are filed shall be the day on which the papers or documents are deposited, postage prepaid in the U.S. mail, or are delivered in person. The effective date of the notice specifying the grounds which warrant termination shall be the date of its delivery or attempted delivery at the grantee's last known address as reflected in the records of the Department.

(9) Prior to the commencement of a hearing the presiding officer may, subject to the provisions of subparagraph (g)(2)(A) of this section, require the parties to meet with him/her or correspond with him/her concerning the settlement of any matter which will expedite a quick and fair conclusion of the hearing.

(10) Technical rules of evidence shall not apply to hearings conducted pursuant to this section but the presiding officer shall apply rules or principles designed to assure production of relevant evidence and to subject testimony to such examination and cross-examination as may be required for a full and true disclosure of the facts. The presiding officer may exclude irrelevant, immaterial, or unduly repetitious evidence. A transcript shall be made of the oral evidence and shall be made available to any participant upon payment of the prescribed costs. All documents and other evidence submitted shall be open to examination by the parties and opportunity shall be given to refute facts and arguments advanced by either side on the issues.

(11) If the presiding officer determines that the interests of justice would be served, he/she may authorize the taking of depositions provided that all parties are afforded an opportunity to participate in the taking of the depositions. The party who requested the deposition shall arrange for a transcript to be made of the proceedings and shall upon request, and at his/her expense, furnish all other parties with copies of the transcript.

(12) Official notice may be taken of a public document, or part thereof, such as a statute, official report, decision, opinion or published scientific data issued by any agency of the Federal Government or a State or local government and such document or data may be entered on the record without further proof of authenticity. Official notice may also be taken of such matters as may be judicially noticed in the courts of the United States, State of California, or any other matter of established fact within the general knowledge of the Department. If the decision of the presiding officer rests on official notice of a material fact not appearing in evidence, a party shall on timely request be afforded an opportunity to show the contrary.

(13) After the hearing has concluded, but before the presiding officer makes his/her decision, he/she shall afford each participant a reasonable opportunity to submit proposed findings of fact and conclusions. After considering each proposed finding or conclusion the presiding officer shall state in

his/her decision whether he/she has accepted or rejected them in accordance with the provisions of paragraph(h) and (i) of this section.

(h) Decision.

(1) Each decision of a presiding officer shall set forth his/her findings of fact, and conclusions, and shall state whether he/she has accepted or rejected each proposed finding of fact and conclusion committed by the parties, pursuant to subparagraph (g)(13) of this section. Findings of fact shall be based only upon evidence submitted to the presiding officer and matters of which official notice has been taken. The decision shall also specify the requirement or requirements with which it is found that the grantee has failed to comply.

(2) The decision of the presiding officer may provide for continued suspension or termination of the contract in whole or in part, and may contain such terms, conditions, and other provisions as are consistent with and will effectuate the purposes of the Community Services Block Grant Act, as amended.

(3) If the hearing is held by an independent hearing examiner rather than by the responsible Department official, he/she shall make an initial decision, and a copy of this initial decision shall be mailed to all parties. Any party may, within 20 days of the mailing of such initial decision or such longer period of time as the presiding officer specifies, file with the responsible Department official his/her exceptions to the initial decision and any supporting brief or statement. Upon the filing of such exceptions, the responsible Department official shall, within 20 days of the mailing of the exceptions, review the initial decision and issue his/her own decision thereon, including the reasons therefor. The decision of the responsible Department official may increase, modify, approve, vacate, remit, or mitigate any sanction imposed in the initial decision or may remand the matter to the presiding officer for further hearing or consideration.

(4) Whenever a hearing is waived, a decision shall be made by the responsible Department official and a written copy of the final decision of the reasonable Department official shall be given to the grantee.

(5) The grantee may request the Director to review a final decision made by the responsible Department official which provides for termination. Such a request must be made in writing within 15 days after the grantee has been notified of the decision in question and must state in detail the reasons for seeking the review. In the event the grantee requests such a review, the Director or his/her designee shall consider the reasons stated by the grantee for seeking the review and shall approve, modify, vacate or mitigate any sanction imposed by the responsible Department official or remand the matter to the responsible Department official for further hearing or consideration. The decision of the responsible Department official will be given great weight by the Director or his/her designee during the review. During the course of his/her review, the Director or his/her designee may, but is not required to, hold a hearing or allow the filing of briefs and arguments. Pending the decision of the Director or his/her designee, the grant shall remain suspended under the terms and the conditions specified by the responsible Department official unless the responsible Department official or the Director or his/her designee determines otherwise. Every reasonable effort shall be made to complete the review by the Director or his/her designee within 30 days of receipt of the grantee's request by the Director. The Director or his/her designee may, however, extend this period of time if he/she determines that additional time is necessary for an adequate review.

(6) The responsible Department official or the presiding officer of a termination hearing may alter, eliminate or modify any of the provisions of this section with the consent of the grantee and, in the case of a termination hearing, with the consent of all delegate agencies that have a right to participate

in the hearing pursuant the subparagraph (e)(5) of this section. Such consent must be in writing or be recorded in the hearing transcript.

(7) The procedures established by this section shall not preclude the Department from pursuing other remedies authorized by law.

(i) Right to Counsel; Travel Expenses.

(1) The Department and the grantee shall have the right to be represented by counsel or other authorized representatives in all proceedings under this section. Any grantee or delegate agency if authorized by resolution of their Board of Directors, may transfer sufficient funds from their current operating grants to pay for fees, travel and per diem expenses of such attorney. The fees for such attorneys shall be the reasonable and customary fees for an attorney practicing in the locality of the attorney. However, such fees shall not exceed \$100 per day, exclusive of travel costs and per diem, without the prior written approval of the Department.

(2) The Board of Directors of the grantee or any delegate agency which has a right to participate in an informal meeting pursuant to subparagraph (e)(8) of this section will also be authorized to designate two persons in addition to an attorney whose travel and per diem expenses to attend the meeting or hearing may be paid from the organization's current operating grant. Such travel and per diem expenses shall conform to the policies set forth in Office of Management and Budget (OMB) Circular A-110, dated 7/30/76, and OMB Circular A-102, dated 9/12/77, and other applicable federal laws or regulations which may supercede these policies.

(j) Denial of Refunding.

(1) No grantee shall be denied refunding by the Department without the Department first complying with paragraphs (e), (f), (g), (h) and (i) of this section.

(2) In addition to the general requirements of subsection (a), the Department shall obtain authority to terminate the contract of community action agency grantees or migrant and seasonal farmworker organization grantees from the Secretary of the U.S. Department of Health and Human Services pursuant to Section 676 A of the Community Services Block Grant Act, (42 U.S.C. 9905A), prior to a denial of refunding.

(k) Disposition of Unexpended Funds.

Upon termination, the disposition of unexpended CSBG funds and of property purchased with program funds shall be in accordance with the provisions of Section 100740 of Article 3 of these regulations, entitled Grant Closeouts for Terminated Grantees. Termination shall not affect expenditures or legally binding commitments made prior to the grantees receipt of notice of the termination provided such expenditures were made in good faith and are otherwise allowable.

Note: Authority cited: Section 12781(d)(1) and (e), Government Code. Reference: Section 12781(d)(1), Government Code.

California Code, Government Code - GOV § 12781

The department shall have the following powers and duties:

- (a) Development of an orderly grant application process culminating in a prescribed contract.
- (b) Ensuring that eligible entities will have a timely cashflow within the guidelines of the federal Cash Management Improvement Act of 1990 (P.L. 101-453), as amended. The department shall issue to each eligible entity an advance payment at the beginning of the contract period equal to 25 percent of the eligible entity's total contract amount. Payments thereafter shall be equal to expenditures reported on the eligible entity's financial progress reports, not to exceed the eligible entity's total contract amount.
- (c) Promulgation of uniform contracts management standards to include:
 - (1) Standards for fiscal control and fund accounting that do all of the following:
 - (A) Require new eligible entities to be certified by an accountant prior to receiving financial assistance.
 - (B) Require periodic financial reporting to the office and an annual audit.
 - (C) Permit a defined range of flexibility from approved budgets and the use of negotiated indirect costs rates.
 - (D) For the purpose of administrative expenditures, permit an eligible entity to use funds allocated under this chapter in an amount not to exceed 12 percent of the total operating funds of its community action program.
 - (E) Limit the use of funds for construction, as required by federal law.
 - (2) Minimum standards for procurement to prevent conflict of interest or malfeasance.
 - (3) Standards regarding property that provide that title to property purchased with funds granted under this chapter or with funds formerly granted pursuant to the federal Economic Opportunity Act of 1964 (Chapter 34 (commencing with Section 2701) of Title 42 of the United States Code) shall vest in the grantee, subject to conditions requiring prudent property management and the provision for disposition of the property among other eligible entities in the event of closeout.
 - (4) Procedures for the withholding of payments or recovery of moneys where the underlying cost expenditures or obligations claimed by the eligible entity are disallowed.
 - (5) Standards for termination or reduction of financial assistance to an eligible entity, or revocation of the designation of a community action agency, for failure to comply with this chapter. The department may terminate or reduce any financial assistance provided to an eligible entity under this chapter forthwith, if the department finds there is evidence of fraud or illegal use of funds. The department also may terminate or reduce any financial assistance to an eligible entity, if the department determines that "cause," as defined in Section 9908(c) of Title 42 of the United States Code, as amended, exists and after providing notice and an opportunity for a hearing on the record, subject to review by the secretary consistent with Section 9915 of Title 42 of the United States Code, as amended.

(d) Promulgation of regulations pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), and Chapter 5 (commencing with Section 11500), of Part 1) that are necessary and appropriate for the effective administration of this chapter. At a minimum these regulations shall clearly define all of the following:

(1) The due process rights, including notification, right of appeal, and opportunity for a fair hearing, of eligible entities, and the procedures to be followed in order to guarantee those rights, in cases of denial of refunding, suspension, reduction, or termination of funding, or revocation of designation by the department.

(2) The obligation of eligible entities to provide a fair procedure for clients denied services by eligible entities.

(3) The requirement that community action agencies select tripartite boards that include persons who represent the poor. These regulations shall ensure that democratic procedures are fully operative and may include criteria for tenure, geographic representation, and election procedures.

(e) Establishment of procedures for orderly closeout of terminated entities.

(f) Monitoring and periodic evaluation of eligible entities, using evaluation methods and standards that have been published prior to the evaluation and that provide eligible entities an opportunity to respond to evaluation findings.

(g) Development of standards to ensure compliance by eligible entities with federal and state requirements for public access to records, prohibition of partisan political activities, and nondiscrimination.

(h) Establishment of policies and procedures that ensure freedom of information.

(i) Fostering cooperation among community action agencies, including providing opportunities for community action agencies to work together and publishing a directory, that shall be periodically updated, of all grantees under this program and the Low-Income Home Energy Assistance Program (Subchapter II (commencing with Section 8621) of Chapter 94 of Title 42 of the United States Code).

(j) Establishment of procedures for the allocation of the funds available pursuant to subdivision (c) of Section 12759.

(k) Identification and encouragement of linkages with other state departments, local governments or private groups that oversee programs providing resources for low-income persons in order to coordinate existing efforts to overcome poverty.

22 CCR § 100780

§ 100780. Denial of Refunding, Suspension and Termination of Contract Procedures.

(a) Purpose and Scope -This section establishes the rules and procedures governing the denial of refunding and the suspension and termination of contracts. This section shall not apply to any administrative action based upon any violation or alleged violation of Title VI of the Civil Rights Act of 1964. In case of such violations or alleged violations, the provisions of 45 CFR Part 1010 shall apply.

(b) Definitions.

(1) The term “termination” means the cancellation by the Department of state and or federal assistance in whole or in part, under a contract at any time prior to the time of completion.

(2) The term “suspension” means an action taken by the Department which temporarily suspends state and/or federal assistance under the contract, pending DEO's decision to terminate the contract.

(3) The term “responsible Department official” means the Director, Deputy Director, or any other official who is authorized to make the contract in questions, or the designee of any of these officials.

(c) Failure to Comply with Contract Terms and Conditions.

When a grantee has materially failed to comply with the contract terms and conditions, the Department may suspend the contract in whole or in part.

(d) Suspension Notice.

(1) The responsible Department official shall notify the grantee in writing that the Department intends to suspend a contract, in whole or in part, unless good cause is shown why the contract should not be suspended. The notice shall specify the grounds for the proposed suspension, the proposed effective date of suspension and the grantee's right to submit written material in opposition to the intended suspension and of its right to request an informal meeting at which the grantee may respond with an attempt to show cause why such suspension should not occur. The period of time within which the grantee may submit such written material or request the informal meeting shall be specified in the notice of intent to suspend and shall be no less than 5 days after the notice has been sent. If the grantee requests a meeting, the responsible Department official shall set a time and place for the meeting, which shall not be less than 5 days after the grantee's request is received by the Department. In lieu of the right of the grantee to request an informal meeting, the responsible Department official may on his/her own initiative establish a time and place for such a meeting. In no event, however, shall such a meeting be scheduled less than 7 days after the notice of intent to suspend has been sent to the grantee. The responsible Department official may extend the periods of time or dates previously referred to and shall notify the grantee of any such extension.

(2) At the time the responsible Department official sends the notice of intent to suspend the grantee, he/she shall also send a copy of it to any delegate agency whose activities or failure to act are a substantial cause of the proposed suspension, and shall inform such delegate agency that it shall be entitled to submit written material or to participate in the informal meeting referred to in subparagraph (d) (1) of this section. The responsible Department official may give such notice to any other delegate agency.

(3) Within 3 days of receipt of the notice, the grantee shall send a copy of these regulations to all delegate agencies which would be financially affected by the proposed suspension action. Any delegate agency which wishes to submit written material may do so within the time stated in the notice. Any delegate agency that wishes to participate in the informal meeting may request permission to do so from the responsible Department official, who may in his/her discretion, grant or deny such permission. In acting upon any such request from a delegate agency, the responsible Department official shall take into account the effect of the proposed suspension on the particular delegate agency, the extent to which the meeting would become unduly complicated as a result of granting such permission, and the extent to which the interest of the delegate agency requesting such permission appears to be adequately represented by other participants.

(4) In the notice of intent to suspend, the responsible Department official shall invite voluntary action to adequately correct the deficiency which led to the initiation of the suspension proceeding.

(5) The responsible Department official shall consider any timely material presented to him/her during the course of the informal meeting provided for in subparagraph (d) (1) of this section, as well as any showing that the grantee has adequately corrected the deficiency which led to the initiation of suspension proceedings. If after considering the material presented to him/her, the responsible Department official concludes the grantee has failed to show cause why the contract should not be suspended, he/she may suspend the grant in whole or in part and under such terms and conditions as he/she shall specify.

(6) Notice of such suspension shall be promptly transmitted to the grantee and shall become effective upon delivery. Suspension shall not exceed a 30 day period unless during such period of time, termination proceedings are initiated or unless the responsible DEO official and the grantee agree to a continuation of the suspension for an additional period of time. If termination proceedings are initiated, the suspension shall remain in full force and effect until such proceedings have been fully concluded.

(7) During a period of suspension, no new expenditures shall be made by the grantee and no new obligations shall be incurred in connection with the suspended program except as specifically authorized in writing by the responsible Department official. Expenditures to fulfill legally enforceable commitments made prior to the notice of suspension, in good faith and in accordance with the grantee's approved work program, and not in anticipation of suspension or termination, shall not be

considered new expenditures. However, funds shall not be recognized as committed solely because the grantee has obligated them by contract or otherwise to a delegate agency.

(8) The responsible Department official may in his/her discretion modify the terms, condition and nature of the suspension or rescind the suspension action at any time on his/her own initiative or upon a showing satisfactory to him/her that the grantee has adequately corrected the deficiency which led to the suspension and that repetition is not threatened. A suspension partly or fully rescinded may, in the discretion of the responsible Department official, be reimposed with or without further proceeding. Provided, however, that the total time of suspension may not exceed 30 days unless termination proceedings are initiated in accordance with Department policies and procedures governing the termination of contracts or unless the responsible Department official and the grantee agree to a continuation of the suspension for an additional period of time. If termination proceedings are initiated, the suspension shall remain in full force and effect until such proceedings have been fully concluded.

(e) Notice and Pre-hearing Procedures.

(1) If the responsible DEO official believes a grantee's violation of the terms and conditions of its contract is sufficiently serious to warrant termination, whether or not the contract has been suspended, he/she shall state that there appears to be grounds which warrant termination and shall set forth the specific reasons therefor. If the reason(s) result in whole or substantial part from the activities of a delegate agency, the notice shall identify that delegate agency. The notice shall also advise the grantee that the matter has been set down for hearing at a stated time and place in accordance with paragraph (f) of this section. In the alternative, the notice shall advise the grantee of its right to request a hearing and shall fix a period of time which shall not be less than 10 days, in which the grantee may request such a hearing.

(2) Termination hearings shall be conducted in accordance with the provisions of paragraphs (g) and (h) of this section. They shall be scheduled for the earliest practicable date, but not later than 30 days after a grantee has requested such a hearing. Consideration shall be given to a request by a grantee to advance or postpone the date of a hearing scheduled by the Department. Any such hearing shall afford the grantee a full and fair opportunity to demonstrate that it is in compliance with all applicable laws, regulations, and other requirements. In any termination hearing, the Department shall have the burden of justifying the proposed termination. However, if the basis of the proposed termination is the failure of a grantee to take action required by law, regulation, or other requirement, the grantee shall have the burden of proving that such action was timely taken.

(3) If a grantee requests that the Department hold a hearing in accordance with subparagraph (e)(1) of this section, it shall send a copy of its request for such a hearing to all delegate agencies which would be financially affected by the termination and to each delegate agency identified in the notice pursuant to subparagraph (e)(1) of this section. This material shall be sent to these delegate agencies at the same time the grantee's request is made to the Department. The grantee shall promptly send the Department a list of the delegate agencies to which it has sent such material and the date on which it was sent.

(4) If the responsible Department official pursuant to subparagraph (e)(1) of this section informs a grantee that a proposed termination action has been set for hearing, the grantee shall, within 5 days of

its receipt of this notice, send a copy of it to all delegate agencies which would be financially affected by the termination action and to each delegate agency identified in the notice pursuant to subparagraph (e)(1) of this section. The grantee shall send the responsible Department official a list of all delegate agencies notified and the dates of notification.

(5) If the responsible Department official has initiated termination proceedings because of the activities of a delegate agency, that delegate agency may participate in the hearing as a matter of right. Any other delegate agency, person, agency or organization that wishes to participate in the hearing may, in accordance with paragraph (g) of this section, request permission to do so from the presiding officer of the hearing. Such participation shall not, without the consent of the Department and the grantee, alter the time limitations for the delivery of papers or other procedures set forth in this section.

(6) The results of the proceeding and any measure taken thereafter by the Department pursuant to this section shall be fully binding upon the grantee and all its delegate agencies whether or not they actually participated in the hearing.

(7) A grantee may waive a hearing and submit written information and argument for the record. Such material shall be submitted to the responsible Department official within a reasonable period of time to be fixed by him/her upon the request of the grantee. The failure of a grantee to request a hearing, or to appear at a hearing for which a date has been set, unless excused for good cause, shall be deemed a waiver of the right to a hearing and consent to the making of a decision on the basis of such information as is then in the possession of the Department.

(8) The responsible Department official may attempt, either personally or through a representative, to resolve the issues in dispute by informal means prior to the date of any applicable hearing.

(f) Time and Place of Termination Hearings.

The termination hearing shall be held in Sacramento, CA, at a time and place fixed by the responsible Department official, unless he/she determines that the convenience of the Department or of the parties or their representatives requires that another place be selected.

(g) Termination Hearing Procedures.

(1) The termination hearing, the decision on termination and any review thereof shall be conducted in accordance with paragraph (g), (h) and (i) of this section.

(2) The presiding officer at the hearing shall be the responsible Department official. The presiding officer shall conduct a full and fair hearing, avoid delay, maintain order, and make a sufficient record for a full and true disclosure of the facts and issues. To accomplish these ends, the presiding officer shall have all powers authorized by law, and he/she may make all procedural and evidentiary rulings necessary for the conduct of the hearing. The hearing shall be open to the public unless the presiding officer, for good cause shown, determines otherwise.

(A) After the notice described in subparagraph (g)(6) of this section is filed with the presiding officer, he/she shall not consult any person or party on a fact in issue unless on notice and opportunity for all parties to participate. However, in performing his/her functions under this subparagraph the presiding officer may use the assistance and advise of an attorney designated by the General Counsel of the Department. The attorney designated to assist him/her however, must not have represented the Department or any other party or otherwise participated in a proceeding, recommendation, or decision in the particular matter.

(3) Both the Department and the grantee are entitled to present their cases by oral or documentary evidence, to submit rebuttal evidence and to conduct such examination and cross-examination as may be required for a full and true disclosure of the facts bearing on the issues. The issues shall be those

stated in the notice required to be filed by subparagraph (g)(6) of this section, those stipulated in a pre-hearing conference or those agreed to by the parties.

(4) In addition to the Department, the grantee, and any delegate agencies which have a right to appear, the presiding officer, in his/her discretion, may permit the participation in the proceedings of such persons or organizations as he/she deems necessary for a proper determination of the issues involved. Such participation may be limited to those issues or activities which the presiding officer believes will meet the needs of the proceeding, and may be limited to the filing of written material.

(A) Any person or organization that wishes to participate in a proceeding may apply for permission to do so from the presiding officer. This application, which shall be made as soon as possible after the notice of proposed termination has been received by the grantee, shall state the applicant's interest in the proceeding, the evidence or arguments the applicant intends to contribute, and the necessity for the introduction of such evidence or arguments.

(B) The presiding officer shall permit or deny such participation and shall give notice of his/her decision to the applicant, the grantee, and the Department and, in the case of denial, a brief statement of the reasons therefor. The presiding officer may, however, subsequently permit such participation if, in his/her opinion, it is warranted by subsequent circumstances. If participation is granted, the presiding officer shall notify all parties of that fact and may, in appropriate cases, include in the notification a brief statement of the issues as to which participation is permitted.

(C) Permission to participate to any extent is not a recognition that the participant has any interest which may be adversely affected or that the participant may be aggrieved by any decision, but is allowed solely for the aid and information of the presiding officer.

(5) All papers and documents which are required to be filed shall be filed with the presiding officer. Prior to filing, copies shall be sent to the other parties.

(6) The responsible Department official shall send the grantee and any other party a notice which states the time, place, and nature of the hearing, and the legal authority and jurisdiction under which the hearing is to be held. The notice shall also identify with reasonable specificity the facts relied on in justifying termination and the Department requirements which it is contended the grantee has violated. The notice shall be filed and served not later than 10 days prior to the hearing and a copy therefor shall be filed with the presiding officer.

(7) The grantee and any other party which has a right or permission to participate in the hearing shall give written confirmation to the Department of its intention to appear at the hearing 3 days before it is scheduled to occur. Failure to do so may, at the discretion of the presiding officer, be deemed a waiver of the right to a hearing.

(8) All papers and documents filed or sent to a party shall be signed in ink by the appropriate party or his/her authorized representative. The date on which papers are filed shall be the day on which the papers or documents are deposited, postage prepaid in the U.S. mail, or are delivered in person. The effective date of the notice specifying the grounds which warrant termination shall be the date of its delivery or attempted delivery at the grantee's last known address as reflected in the records of the Department.

(9) Prior to the commencement of a hearing the presiding officer may, subject to the provisions of subparagraph (g)(2)(A) of this section, require the parties to meet with him/her or correspond with him/her concerning the settlement of any matter which will expedite a quick and fair conclusion of the hearing.

(10) Technical rules of evidence shall not apply to hearings conducted pursuant to this section but the presiding officer shall apply rules or principles designed to assure production of relevant evidence and to subject testimony to such examination and cross-examination as may be required for a full and true

disclosure of the facts. The presiding officer may exclude irrelevant, immaterial, or unduly repetitious evidence. A transcript shall be made of the oral evidence and shall be made available to any participant upon payment of the prescribed costs. All documents and other evidence submitted shall be open to examination by the parties and opportunity shall be given to refute facts and arguments advanced by either side on the issues.

(11) If the presiding officer determines that the interests of justice would be served, he/she may authorize the taking of depositions provided that all parties are afforded an opportunity to participate in the taking of the depositions. The party who requested the deposition shall arrange for a transcript to be made of the proceedings and shall upon request, and at his/her expense, furnish all other parties with copies of the transcript.

(12) Official notice may be taken of a public document, or part thereof, such as a statute, official report, decision, opinion or published scientific data issued by any agency of the Federal Government or a State or local government and such document or data may be entered on the record without further proof of authenticity. Official notice may also be taken of such matters as may be judicially noticed in the courts of the United States, State of California, or any other matter of established fact within the general knowledge of the Department. If the decision of the presiding officer rests on official notice of a material fact not appearing in evidence, a party shall on timely request be afforded an opportunity to show the contrary.

(13) After the hearing has concluded, but before the presiding officer makes his/her decision, he/she shall afford each participant a reasonable opportunity to submit proposed findings of fact and conclusions. After considering each proposed finding or conclusion the presiding officer shall state in his/her decision whether he/she has accepted or rejected them in accordance with the provisions of paragraph(h) and (i) of this section.

(h) Decision.

(1) Each decision of a presiding officer shall set forth his/her findings of fact, and conclusions, and shall state whether he/she has accepted or rejected each proposed finding of fact and conclusion committed by the parties, pursuant to subparagraph (g)(13) of this section. Findings of fact shall be based only upon evidence submitted to the presiding officer and matters of which official notice has been taken. The decision shall also specify the requirement or requirements with which it is found that the grantee has failed to comply.

(2) The decision of the presiding officer may provide for continued suspension or termination of the contract in whole or in part, and may contain such terms, conditions, and other provisions as are consistent with and will effectuate the purposes of the Community Services Block Grant Act, as amended.

(3) If the hearing is held by an independent hearing examiner rather than by the responsible Department official, he/she shall make an initial decision, and a copy of this initial decision shall be mailed to all parties. Any party may, within 20 days of the mailing of such initial decision or such longer

period of time as the presiding officer specifies, file with the responsible Department official his/her exceptions to the initial decision and any supporting brief or statement. Upon the filing of such exceptions, the responsible Department official shall, within 20 days of the mailing of the exceptions, review the initial decision and issue his/her own decision thereon, including the reasons therefor. The decision of the responsible Department official may increase, modify, approve, vacate, remit, or mitigate any sanction imposed in the initial decision or may remand the matter to the presiding officer for further hearing or consideration.

(4) Whenever a hearing is waived, a decision shall be made by the responsible Department official and a written copy of the final decision of the reasonable Department official shall be given to the grantee.

(5) The grantee may request the Director to review a final decision made by the responsible Department official which provides for termination. Such a request must be made in writing within 15 days after the grantee has been notified of the decision in question and must state in detail the reasons for seeking the review. In the event the grantee requests such a review, the Director or his/her designee shall consider the reasons stated by the grantee for seeking the review and shall approve, modify, vacate or mitigate any sanction imposed by the responsible Department official or remand the matter to the responsible Department official for further hearing or consideration. The decision of the responsible Department official will be given great weight by the Director or his/her designee during the review. During the course of his/her review, the Director or his/her designee may, but is not required to, hold a hearing or allow the filing of briefs and arguments. Pending the decision of the Director or his/her designee, the grant shall remain suspended under the terms and the conditions specified by the responsible Department official unless the responsible Department official or the Director or his/her designee determines otherwise. Every reasonable effort shall be made to complete the review by the Director or his/her designee within 30 days of receipt of the grantee's request by the Director. The Director or his/her designee may, however, extend this period of time if he/she determines that additional time is necessary for an adequate review.

(6) The responsible Department official or the presiding officer of a termination hearing may alter, eliminate or modify any of the provisions of this section with the consent of the grantee and, in the case of a termination hearing, with the consent of all delegate agencies that have a right to participate in the hearing pursuant the subparagraph (e)(5) of this section. Such consent must be in writing or be recorded in the hearing transcript.

(7) The procedures established by this section shall not preclude the Department from pursuing other remedies authorized by law.

(i) Right to Counsel; Travel Expenses.

(1) The Department and the grantee shall have the right to be represented by counsel or other authorized representatives in all proceedings under this section. Any grantee or delegate agency if authorized by resolution of their Board of Directors, may transfer sufficient funds from their current

operating grants to pay for fees, travel and per diem expenses of such attorney. The fees for such attorneys shall be the reasonable and customary fees for an attorney practicing in the locality of the attorney. However, such fees shall not exceed \$100 per day, exclusive of travel costs and per diem, without the prior written approval of the Department.

(2) The Board of Directors of the grantee or any delegate agency which has a right to participate in an informal meeting pursuant to subparagraph (e)(8) of this section will also be authorized to designate two persons in addition to an attorney whose travel and per diem expenses to attend the meeting or hearing may be paid from the organization's current operating grant. Such travel and per diem expenses shall conform to the policies set forth in Office of Management and Budget (OMB) Circular A-110, dated 7/30/76, and OMB Circular A-102, dated 9/12/77, and other applicable federal laws or regulations which may supercede these policies.

(j) Denial of Refunding.

(1) No grantee shall be denied refunding by the Department without the Department first complying with paragraphs (e), (f), (g), (h) and (i) of this section.

(2) In addition to the general requirements of subsection (a), the Department shall obtain authority to terminate the contract of community action agency grantees or migrant and seasonal farmworker organization grantees from the Secretary of the U.S. Department of Health and Human Services pursuant to Section 676 A of the Community Services Block Grant Act, (42 U.S.C. 9905A), prior to a denial of refunding.

(k) Disposition of Unexpended Funds.

Upon termination, the disposition of unexpended CSBG funds and of property purchased with program funds shall be in accordance with the provisions of Section 100740 of Article 3 of these regulations, entitled Grant Closeouts for Terminated Grantees. Termination shall not affect expenditures or legally binding commitments made prior to the grantees receipt of notice of the termination provided such expenditures were made in good faith and are otherwise allowable.

Note: Authority cited: Section 12781(d)(1) and (e), Government Code. Reference: Section 12781(d)(1), Government Code

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GOVERNOR

CSD PROGRAM NOTICE - CSBG

CPN-C-16-01

ISSUE DATE May 19, 2016

EXPIRATION DATE Until Rescinded or Revoked

FROM: 
Linne Stout, Director

SUBJECT Eligibility for Households Receiving CalWORKs Benefits

PURPOSE The purpose of this Notice is to provide local agencies with guidance on client eligibility for Community Services Block Grant (CSBG)-funded services, when receiving benefits under the Temporary Assistance to Needy Families (TANF) program, known as California Work Opportunity and Responsibility to Kids (CalWORKs) program in California (hereinafter TANF/CalWORKs).

SCOPE This Notice applies to all CSBG eligible entities and organizations designated to receive CSBG funds.

REFERENCE CSBG Act, 42 USC §§9901(1), 9902(2)
CA Gov. Code §12730(h)
45 CFR §98.30 (a)

EFFECTIVE DATE Upon Issuance

GENERAL

Background Agencies have requested guidance on the issue of eligibility for applicants/households that apply for CSBG-funded services and receive TANF/CalWORKs assistance, but have a monthly income exceeding 100% of the Federal Poverty Level (FPL). Federal law states that individuals/households must not exceed 100% of the FPL to be eligible for CSBG services. According to State law, however, TANF/CalWORKs participants are automatically eligible to receive CSBG-funded services,

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despite the potential to exceed the income eligibility criteria. This Program Notice resolves the conflict between Federal and State law and ensures both purposes are not overlooked.

TANF/CalWORKs is a program that provides cash aid and education, employment, and training programs to California families with low or very low incomes who are either under-employed, unemployed, or about to become unemployed to move toward self-sufficiency. One of the CSBG Act's key purposes [42 USC §9901(1)] is to support activities that help remove obstacles to self-sufficiency, particularly for families "attempting to transition off" of TANF, also known as CalWORKs in California.

Analysis

Federal Law states that the poverty line (100 percent of the FPL) "shall be used as criterion of eligibility in the community services block grant program." (42 USC §9902 (2)). The Federal law does provide some flexibility to states when determining the eligibility levels for CSBG-funded programs. "Whenever a State determines that it serves the objectives of the block grant program... the State may revise the poverty line to not to exceed 125 percent of the official poverty line otherwise applicable under this paragraph." (42 USC §9902 (2)).

State CSBG law considers (without using the terminology 'categorical eligibility') CalWORKs recipients as automatically eligible for CSBG-funded services:

(h) "Eligible beneficiaries" means all of the following:

- (1) All individuals living in households with incomes not to exceed the official poverty line according to the poverty guidelines updated periodically in the Federal Register by the United States Department of Health and Human Services, as defined in Section 9902 of Title 42 of the United States Code, as amended.
- (2) All individuals eligible to receive Temporary Assistance for Needy Families under the state's plan approved under Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and (Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code) or assistance under Part A of Title IV of the Social Security Act (42 U.S.C. Sec. 601 et seq.).
- (3) Residents of a target area or members of a target group having a measurably high incidence of poverty and that is the specific focus of a project financed under this chapter.

[Cal. Gov. Code §12730(h)]

For the purpose of determining CSBG household eligibility, "household" is defined in accordance with the United States Department of Health

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and Human Services poverty guidelines. The poverty guidelines provide the official poverty measure for persons in families/households of 1 or more persons. Using this measure, the CSBG household is defined as 1 or more persons.

This language creates a potential conflict between Federal and State CSBG laws, as Federal law does not provide categorical eligibility for CSBG-funded services to TANF/CalWORKs participants, who may exceed 100 percent of the FPL, as provided in California's CSBG law. Federal statute, however, does grant authority to increase the eligibility level for CSBG-funded programs to 125 percent of the FPL (42 U.S.C. § 9902(2)).

To resolve potential conflicts between state and federal laws, CSD must take legal and policy implications into account when creating guidelines. If there is a conflict between federal and state law, CSD is required to adhere to federal law, as it is considered the "supreme law of the land" and supersedes state law. Therefore, the foundational rule in this case must be that CSBG applicants' income shall not exceed 100% of the FPL. While this initial rule resolves potential federal challenges, it does not fully capture State law, TANF/CalWORKs and CSBG programs' mission: to reduce poverty and assist applicants gain self-sufficiency.

Both the Federal and State CSBG statutes make an explicit connection between CSBG and TANF or CalWORKs and the purpose of self-sufficiency by providing resources to those individuals moving away from poverty. This purpose seems to be defeated if a family that receives CalWORKs is unable to receive CSBG-funded services, some of which provide opportunities for CalWORKs recipients to fulfill/comply with the program's work participation requirements. CSD has the authority to allow CalWORKs participants to participate in CSBG-funded programs if the household income does not exceed 125 percent of the FPL, in accordance with the Federal statute's flexibility to states.

Conclusion

To accomplish the purpose of the CSBG and CalWORKs programs, and to comply with both state and federal law, agencies administering CSBG shall consider an applicant/household who does not receive CalWORKs and does not exceed 100% of the FPL eligible for CSBG-funded programs. An applicant/household who receives CalWORKs and exceeds 100% of the federal poverty level, but does not exceed 125% of the FPL is also eligible for CSBG services.

The increase in income eligibility for CSBG applicants is limited to participants of the CalWORKs program. Participants in other federally or state funded programs such as SSI, CalFresh, or Head Start, must qualify at the 100% FPL to be eligible for CSBG-funded programs.

Attachment 8: Glossary of Terms

ACSI: American Customer Satisfaction Index

CAA: Community Action Agencies

CAC: CSBG Advisory Committee

CalCAPA: California Community Action Partnership Association

Cal EITC: California Earned Income Tax Credit

CAP: Community Action Plan

CSD: Community Services and Development

CSBG: Community Services Block Grant

EITC: Earned Income Tax Credit

FPL: Federal Poverty Level

LPA: Limited Purpose Agency

NAI: Native American Indian

MSFW: Migrant & Seasonal Farmworker Program

OCS: Office of Community Services

ROMA: Results Oriented Management Accountability

SIT: State Interagency Team

T&TA: Training and Technical Assistance