ARKANSAS REGISTER

Proposed Rule Cover Sheet

Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov

Name of Department Department of Human Services

Agency or Division Name Division of County Operations

Other Subdivision or Department, If Applicable N/A

Previous Agency Name, If Applicable N/A

Contact Person Mac Golden

Contact E-mail Mac.E.Golden@dhs.arkansas.gov

Contact Phone (501) 320.6383

Name of Rule To Amend the Community Services Block Grant Rule

Newspaper Name Arkansas Democrat Gazette

Date of Publishing July 11, 2025

Final Date for Public Comment August 9, 2025

Location and Time of Public Meeting N/A

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT Department of Human Services
BOARD/COMMISSION Division of County Operation
PERSON COMPLETING THIS STATEMENT Lisa Woodall
TELEPHONE NO. (501) 682-8376 **EMAIL** lisa.woodall@dhs.arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE To Amend the Community Services Block Grant Rule

1. Does this proposed, amended, or repealed rule have a financial impact?
   Yes ☐ No ☑

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
   Yes ☑ No ☐

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☑ No ☐

   If no, please explain:

   (a) how the additional benefits of the more costly rule justify its additional cost;

   (b) the reason for adoption of the more costly rule;

   (c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

   (d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:

   (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year		**Next Fiscal Year**	
General Revenue	$0.00	General Revenue	$0.00
Federal Funds	$0.00	Federal Funds	$0.00
Cash Funds	$0.00	Cash Funds	$0.00
Special Revenue	$0.00	Special Revenue	$0.00
Other (Identify)	$0.00	Other (Identify)	$0.00
Total	$ 0.00	Total	$ 0.00

(b) What is the additional cost of the state rule?

Current Fiscal Year		**Next Fiscal Year**	
General Revenue	$0.00	General Revenue	$0.00
Federal Funds	$0.00	Federal Funds	$0.00
Cash Funds	$0.00	Cash Funds	$0.00
Special Revenue	$0.00	Special Revenue	$0.00
Other (Identify)	$0.00	Other (Identify)	$0.00
Total	$ 0.00	Total	$ 0.00

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year	**Next Fiscal Year**
$ 0.00	$ 0.00

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year	**Next Fiscal Year**
$ 0.00	$ 0.00

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars ($100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☑

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

(1) a statement of the rule's basis and purpose;

(2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;

(3) a description of the factual evidence that:
(a) justifies the agency's need for the proposed rule; and
(b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;

(4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and

(7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
(a) the rule is achieving the statutory objectives;
(b) the benefits of the rule continue to justify its costs; and
(c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

To Amend the Community Services Block Grant Rule

Statement of Necessity

The Community Services Block Grant (CSBG) Act (42 U.S.C. § 9901 et seq.) was created, "[T]o provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient…" The CSBG Act mandates certain aspects of how state CSBG offices will operate in carrying out their defined roles as administrators of CSBG but leaves significant authority and flexibility in the hands of the states. Pursuant to the Act, the Governor designates an appropriate agency to act as the lead for the administration of the Community Services Block Grant.

In Arkansas, the Department of Human Services, Division of County Operations (DCO), Office of Program and Grant Management (OPGM), acts as lead agency. As part of its duties, it submits the CSBG state plan for renewal every two years. As part of the current renewal cycle, DCO updates the CSBG Rule for FY 2026 and FY 2027. The updates for this cycle reflect current processes, office names, and programs, and other technical corrections.

Summary:

The Community Services Block Grant rule is found in the Code of Arkansas Rules at 20 CAR pt. 505. DCO updates the Codification Note, Rule, and Appendix "A" to reflect current processes, offices, and programs, including removal of reference to the Emergency Solutions Grant Program and outdated language regarding administration of CSBG. References to specific fiscal years were removed to avoid promulgating updates to such every two years. The Appendix was updated to clarify current administration of CSBG by DCO. All other changes are typographic or stylistic in nature.

NOTICE OF RULEMAKING

The Department of Human Services (DHS) announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§20-76-201, 20-77-107, 20-80-301 to -312, and 25-10-129. This notice also serves for the public comment period of thirty (30) calendar days for the Community Services Block Grant (CSBG) State Plan renewal as required under 42 U.S.C. § 9901 et seq. The proposed effective date is October 1, 2025.

The Division of County Operations updates the CSBG rule in conjunction with the bi-annual submission of the CSBG State Plan to the United States Department of Health and Human Services. DHS administers and distributes CSBG funds to Community Action Agencies in the state to provide essential services assisting low-income citizens in becoming self-sufficient. The rule guides the agencies in providing services. The proposed rule amendment reflects current processes, offices, and programs, including removal of references to inactive programs and outdated language regarding CSBG administration. References to specific fiscal years is removed, and the Appendix was updated to clarify current administration of CSBG. Other changes are typographic or stylistic in nature. There is no fiscal impact.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Policy and Rules, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access and download the proposed rule at ar.gov/dhs-proposed-rules. This notice shall be posted at the local office of the Division of County Operations (DCO) of DHS in every county in the state.

Public comments can be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov. All public comments must be received by DHS no later than **August 9, 2025**. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

If you need this material in a different format, such as large print, contact the Office of Policy and Rules at 501-320-6428. The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed, and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color, or national origin. 4502276677

Mary Franklin, Director
Division of County Operations

Proposed Rulemaking

Title

Promulgated by:
Division of County Operations

Title 20. Public Health and Welfare
Chapter XIII. Division of County Operations, Department of Human Services
Subchapter A. Generally
Part 505. Community Services Block Grant Rule

DO NOT CODIFY. Uncodified language of 20 CAR pt. 505 is amended to read as follows:

"SECTION I – PROGRAM SCOPE OF THE STATE LEAD AGENCY
The Arkansas Department of Human Services (DHS) is a place where we tackle big social issues with compassion, courage, respect, integrity, and action. This is not always easy, but the work we do is so important — to our neighbors and people in every community in the state. It matters because we:
• Ensure childcare centers and nursing homes are safe for everyone regardless of income.
• Provide health care and support for eligible Arkansans of all ages and abilities. That means we infuse billions of dollars into communities when we pay local doctors, hospitals, therapists, nursing homes, and others who keep people healthy and thriving.
• Provide a safety net for our most vulnerable citizens and for families or individuals who are facing difficult times and need a little help to get back on their feet.
• Operate the only state-funded psychiatric nursing home for people with specialized long- term care needs, the only state-funded psychiatric hospital for people with acute

Do Not Codify

behavioral health needs, and five (5) facilities that provide 'round-the-clock support and care for residents with significant intellectual and developmental disabilities.

• Oversee the state's public mental health system, helping thousands of people access critical care each year.

• Serve, protect, empower, educate, and encourage children, at-risk youth, families, adults, aging adults and seniors, and people with disabilities so they move toward a better future, and so much more.

Whether our employees are processing applications, answering phones, conducting investigations, crunching numbers, working directly with clients, supporting other staff, or being part of a team to make big policy changes, we know that we could not accomplish our mission without each and every one of them.

We are not just a government agency. We are a tight-knit community of more than seven thousand (7,000) strong. We push each other to be better, to think outside the box to solve problems, and to never be OK with "good enough." Together we improve the quality of life of all Arkansans by protecting the vulnerable, fostering independence, and promoting better health.

We do all of this work through eight (8) divisions and seven (7) support offices headquartered in Little Rock and in eighty (80) offices across the state. There is at least one (1) office in every county.

We Care. We Act. We Change Lives.

The Division of County Operations (DCO) is here to make sure Arkansans who need food assistance, health care, and other services can access help. DCO processes applications for several public assistance programs, including: Health Care (Medicaid), the Supplemental Nutrition Assistance Program (SNAP), and the Transitional Employment Assistance (TEA) program. SNAP and TEA beneficiaries can access their

Do Not Codify

benefits through the Electronic Benefit Transfer (EBT) system. In addition, DCO oversees ~~the Emergency Solutions Grant program, which helps local communities address homelessness by providing resources for building repairs and support funds. DCO also oversees the~~ Community Services Block Grant program, which provides funding to support services to help low-income families become self-sufficient. Services are provided through the fifteen (15) Community Action Agencies in the state. ~~The Division also assists newly arrived eligible refugees assimilate to the American way of life by providing financial and medical services for those eligible for up to eight (8) months after arrival in the United States.~~ DCO also investigates potential Health Care (Medicaid), SNAP, and TEA beneficiary fraud.

DCO is divided into ~~four~~ three (3) focus areas:

• Program and ~~Planning~~ Grant Management– This unit oversees policy related to the programs that DCO administers as well as the training that they receive. In addition, this Unit overseas the Community Service Block Grant program and ensures that subgrantee comply with all state and federal regulations.

• Field Operations – This unit is responsible for the day-to-day management of all DHS county offices as well as the employees who process applications for assistance.

~~• Community Services – This unit oversees both the Community Services Block Grant and Emergency Solutions Grant programs and ensures that grantees comply with all state and federal regulations.~~

• Administrative Support – This unit oversees the unit that investigates beneficiary fraud, the client assistance unit, the quality assurance unit, and system support for the Division.

DHS has one or more offices in every county in the State. DCO oversees all eighty (80) of those offices as well as the Access Arkansas Processing Center in Batesville. You can find a list of county offices on our website.

Do Not Codify

You can apply for Health Care, SNAP, and TEA and manage your benefits by visiting www.Access.Arkansas.gov.

Community Grant Program

Overview

Community Services Block Grant (CSBG) is an anti-poverty block grant which provides the core funding to more than one thousand (1,000) Eligible Entities across the United States for services that reduce poverty, promote self-sufficiency, and revitalize low-income communities.

CSBG funding supports projects that:

- Lessen or eliminate poverty in communities and foster self-sufficiency.
- Address the needs of low-income individuals including the homeless, migrants, and the elderly.
- Provide services and activities addressing employment, education, better use of available income, housing, nutrition, emergency services, and health.

The CSBG is federally funded and administered by the state through the Arkansas Department of Human Services (DHS). The CSBG funds are distributed to a network of local organizations known as Eligible Entities or Community Action Agencies. There are fifteen (15) Community Action Agencies in Arkansas that assist low to moderate-income individuals in all seventy five (75) counties.

The Community Action Agencies are characterized by their tri-partite board of elected public officials, representatives from the low-income community and from the private sector, to maintain the network's focus on community representation and accountability. They have a designated geographic service area not served by another Community Action Agency.

Do Not Codify

We care. We act. We change lives."

"Severability

The provisions of these rules are severable, and if any provision is held unconstitutional or a violation of statute by any court of competent jurisdiction, or shall otherwise cease to be effective, all other provisions of these rules shall remain in effect."

Do Not Codify

Proposed Rulemaking

~~Title~~Fiscal Year 2026 and 2027 ~~To~~ To Amend the ~~Arkansas~~ Community Services Block Grant Rule ~~Manual~~

Promulgated by:
Division of County Operations

Title 20. Public Health and Welfare

Chapter XIII. Division of County Operations, Department of Human Services

Subchapter A. Generally

Part 505. Community Services Block Grant Rule

Subpart 1. Generally

20 CAR § 505-101. The state roles and responsibilities.

(a) The Office of Program Planning and Community Grants Services of the Division of County Operations is the agency designated by the Governor to administer and distribute Community Services Block Grant funds.

(b)(1) In its second role, the state lead agency is responsible for performance-based reporting of Community Services Block Grant funds.

(2) This entails the collection of data from each agency, then compiling the data and submitting reports to the federal agency that is responsible for the funds.

(3) In the case of Community Services Block Grant funds, the performance-based element is referred to as Results Oriented Management and Accountability (ROMA).

(c)(1) A third role or responsibility that the state lead agency has is that of providing training and technical assistance to the eligible entities':

(A) Executive directors;

(B) Board members; and

(C) Staff.

(2) Training and technical assistance covers a wide range of subjects including, but not limited to:

(A) Workshops on succession planning;

(B) ROMA;

(C) Case management;

(D) Financial management;

(E) Community Services Block Grant organizational standards;

(F) Reporting;

(G) Office of Management and Budget guidance;

(H) Monitoring; and

(I) Board governance.

(3)(A) Technical assistance is provided both as a response to requests and because of monitoring reviews that indicate weaknesses.

(B) The state lead agency strongly encourages all the eligible entities to request technical assistance if they encounter issues or situations in which they feel guidance is needed.

(d)(1)(A) The fourth role of the state lead agency is determining if funds are used in accordance with applicable federal and state laws, rules, regulations, or policies.

(B) The determination is made through monitoring reviews as well as audit reports.

(2)(A) In those instances where it is determined that the use of funds was not in compliance with applicable laws, rules, regulations, or policies, then corrective action must be determined.

(B) If the determination includes disallowed costs that must be repaid, then the subgrantee will be required to reimburse those funds to the state.

(e)(1) The state lead agency's fifth role with respect to eligible entities is that of partner.

(2)(A) The office works in partnership with not only the entities, but also with:

(i) Other funding sources;

(ii) State agencies; and

(iii) The Arkansas Community Action Agencies Association.

(B) The partnerships serve to provide the widest range possible of services to the low income in the most cost-effective and efficient manner.

(C) The state lead agency will work directly with each eligible entity and its board pertaining to contractual matters or the affairs of that entity.

20 CAR § 505-102. Revision of rules.

(a)(1) Periodically it will be necessary to revise this part.

(2) This may be in response to:

(A) New federal or state laws, rules, regulations, or policies;

(B) Changing circumstances among the low-income population; or

(C) Resources available to low-income persons.

(b)(1) Therefore, the state lead agency will review this part on a regular basis and issue any changes in the form of policy directives.

(2) The state lead agency will ensure that all eligible entities receive notice of changes via the policy directives and will make the appropriate revisions to this part as needed under the guidance of the Director of the Division of County Operations.

20 CAR § 505-103. Implementation.

Each eligible entity shall take all necessary steps, including but not limited to, the adoption of amendments to existing bylaws and policies, to comply with the requirements of this part and policy directives at their effective date.

20 CAR § 505-104. Citizen access and privacy.

(a) The following documents must be made available for public inspection:

(1) Funding applications submitted to the state lead agency;

(2) The eligible entity's most recent:

(A) Articles of incorporation;

(B) Bylaws;

(C) Board membership list;

(D) Needs assessment; and

(E) Strategic plan;

(3) All contracts, including funding, consulting, goods, and services, pertaining to Community Services Block Grant funds;

(4) All final reports, including audits, made to the state lead agency on projects funded with Community Services Block Grant funds;

(5) Minutes of the meetings of the board of directors; and

(6) Position titles, salary ranges, and job descriptions for all compensated positions.

(b) Custodians of records may only charge for the actual costs of reproducing public records, plus mailing expenses (see Arkansas Code § 25-19-105(d)(3) of the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.).

(c) In addition to the above, eligible entities must fully comply with the Freedom of Information Act of 1967.

(d) State and federal laws, rules, regulations, and policies shall apply for privacy of personal data held by the eligible entity relative to Community Services Block Grant-supported personnel, programs, and activities.

Subpart 2. State Plan and Appropriation of Funds

20 CAR § 505-201. State plan and appropriation requirements.

(a)(1) The state lead agency must develop a state plan to submit to the United States Department of Health and Human Services covering a period of no less than one (1) fiscal year and no more than two (2) fiscal years.

(2) This plan must be submitted no later than thirty (30) calendar days prior to the beginning of the fiscal year covered by the plan.

(b) The state lead agency is required to hold at least one (1) public hearing in the state giving enough time and notice of the hearing to provide the public with the opportunity to comment on the proposed use and distribution of funds prior to the

submission of the state plan to the United States Department of Health and Human Services (see 42 U.S.C. § 9908(a)(2)).

(c) To be eligible to receive Community Services Block Grant funding, the state shall conduct one (1) legislative hearing every three (3) years in conjunction with the development of the state plan (see 42 U.S.C. § 9908(a)(2)(B) and (a)(3)).

20 CAR § 505-202. Eligible entity allocation.

(a) **Ninety percent (90%) for eligible entities.**

(1)(A) Funds appropriated for the Community Services Block Grant shall be allocated annually to the eligible entities.

(B)(i) The funds will be allocated based on a historical allocation formula that was based on:

(a) Poverty;

(b) Population; and

(c) A "hold-harmless" indicator number.

(ii) The formula will stay in place for all~~the period of~~ fiscal years going forward. ~~2024~~ ~~2026~~ ~~and fiscal year 20252027.~~

(2)(A) Upon legislative approval of the Community Services Block Grant state plan and approval of appropriate spending authority, funding awards are released to the eligible entities for the fiscal year.

(B) Within thirty (30) calendar days of receipt of a notice of grant award from the United States Department of Health and Human Services, the state lead agency requests the necessary internal updates to purchase documents that will allow reimbursement payments to be generated to the eligible entities (see 42 U.S.C. § 9908(b)).

(b) **Five percent (5%) administrative.** 42 U.S.C. § 9907(b)(2) states, "No State may spend more than the greater of fifty-five thousand dollars ~~dollars~~ ($55,000) ~~dollars~~, or [five percent (5%)], of the grant received under section 675A [42 USCS § 9905] or State allotment received under Section 675B [42 USCS § 9906] for administrative expenses, including monitoring activities. Funds to be spent for such expenses shall be

taken from the portion of the grant under section 675A [42 USCS § 9905] or State allotment that remains after the State makes grants to eligible entities under subsection (a)".

(c) **Five percent (5%) discretionary.**

(1) The remaining funds will be allocated in accordance with Section 675B(1) (42 U.S.C. § 9906).

(2)(A) The remaining five percent (5%) of the funds can be used for a variety of Community Services Block Grant-related purposes.

(B) Examples of these purposes include awarding funds:

(i) To Community Services Block Grant network organizations to provide training and technical assistance to community action agencies; and

(ii) On a competitive basis to organizations conducting:

(a) Community economic development activities;

(b) Rural community development activities;

(c) Case management;

(d) Fatherhood initiatives;

(e) Disaster relief; and

(f) Neighborhood innovation projects.

(3) Arkansas will also use these funds to provide for the identification, adoption, purchase, and implementation of a state-wide data collection system for the eligible entities.

(d)(1) All Arkansas-eligible entities must operate their Community Services Block Grant-related programs on a reimbursement basis.

(2) Full documentation of expenses must accompany requests for reimbursement.

Subpart 3. Governing Boards

20 CAR § 505-301. Legislative mandate.

(a)(1) The Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., as

amended in 1998, requires the state lead agency to provide an assurance that each community action agency or nonprofit organization administering the Community Services Block Grant program has a tripartite board which will be constituted as follows:

(A)(i) One-third (1/3) of the members of the board are elected public officials, currently holding office or their representatives, except if the number of elected officials reasonably available and willing to serve is less than one-third (1/3) of the membership of the board.

(ii) Membership on the board of appointed public officials may be counted in meeting such one-third (1/3) requirement;

(B) At least one-third (1/3) of the members are persons chosen in accordance with democratic selection policies adequate to ensure that they are representative of the low income in the area served; and

(C) The members remaining are comprised of representatives of business, industry, labor, religious, welfare, education, or other major groups and interests in the community.

(2) Strict adherence to these requirements is necessary in order for a member to be eligible for receipt of Community Services Block Grant funding and for continued designation as an eligible entity.

(b)(1) The bylaws of the organization must set forth the process for compliance with the federal and state statutory mandates for the composition of the board of directors.

(2) A copy of the bylaws must be on file with the Office of Program Planning and Community Grant Services of the Division of County Operations.

(3) The eligible entities are required to comply with the process set forth in its bylaws.

20 CAR § 505-302. Board composition.

(a) A community action agency board of directors shall have not less than fifteen (15) members and not more than fifty-one (51) members.

(b) The board composition shall be as follows in accordance with United States

Department of Health and Human Services, Administration for Children and Families, Office of Community Services Information Memorandum 82:

(1)(A) The federal Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., requires that the eligible entity select the members of the tripartite board.

(B) This means that the eligible entity tripartite board makes the final approval of board members that have been elected according to the eligible entity democratic selection process;

(2) Boards of community action agencies with Head Start programs are subject to the requirements of the Head Start Act, 42 U.S.C. § 9831 et seq., on:

(A) Composition;

(B) Responsibilities; and

(C) Conflicts of interest; and

(3) A board of a community action agency that operates a federally qualified community health center or intends to qualify as a Community Housing Development Organization must meet additional composition requirements (see hud.gov).

20 CAR § 505-303. Residency requirements.

Each member of the board selected to represent a specific geographic area within the community must reside in the area which they represent.

20 CAR § 505-304. Conflict of interest.

(a)(1) A person who serves on the board as an officer or an employee of an organization that wants to perform a component of the work program funded by the Community Services Block Grant must publicly disclose the intent to bid for the component.

(2) They must also recuse themselves from all discussion and any selection determinations regarding award of the component.

(b) Generally, public officials serving on the agency's boards will not be in conflict if the agency should contract with their jurisdiction to perform a component to the work program funded by a Community Services Block Grant.

(c)(1) A person may not serve on the board if an immediate family member is employed by the agency.

(2) An immediate family member is defined as anyone related by blood or marriage.

20 CAR § 505-305. Limitations on board service.

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

(b)(1) The bylaws of each eligible entity shall define the term of office and its board election process.

(2) The term of service may be up to five (5) years as defined in the eligible entity bylaws.

(c) The eligible entity may set the term lower than the state lead agency requirement but must hold an election at the end of each term of service.

(d)(1) Public officials elected to the eligible entity board may select a representative to serve in their stead during the term of board service.

(2) Public officials, or their representatives, serve only if the public official is currently holding office, and they are subject to the eligible entity selection process and term of service.

(e)(1) The state lifetime term limit of ten (10) years for the private and low-income sectors has been removed.

(2) However, each eligible entity must demonstrate that an election has been held at the end of each term of service for all three (3) sectors, public, private, and low-income.

20 CAR § 505-306. Governing power of the board of directors.

(a) The board members or governing board acting as one ~~(1)~~ have the legal powers and responsibilities granted under its state charter as the board of directors of a private, not-for-profit corporation.

(b) For example, the board must have the power to enter into legally binding agreements with any federal, state, or local agency or with any private funding organization for operating programs or providing services to low-income recipients.

20 CAR § 505-307. Bylaws requirements.

In accordance with United States Department of Health and Human Services, Administration for Children and Families, Office of Community Services Information Memorandum 82, the eligible entities' bylaws must address at least the following:

(1)(A) Composition of the board.

(B) The bylaws shall set the number of seats on the board and the allotment of seats to:

(i) Public officials;

(ii) Representatives of the low income; and

(iii) Representatives of the private sector;

(2)(A) Selection process.

(B) The bylaws shall include processes for selecting all sectors of the board;

(3)(A) Public officials.

(B) The bylaws of the board may authorize each public official serving on such board to appoint a representative who will then serve as the board member.

(C) These representatives need not be public officials themselves, but they shall have full authority to act on behalf of the public officials whom they represent at meetings of the board regarding the business of the board;

(4)(A) Low income.

(B) Representatives of the low-income population shall be selected/elected in accordance with a democratic selection process adequate to ensure representation of low-income persons residing in the area served.

(C) Representatives of the low-income population may be democratically selected either to represent a specific area or community served by the agency, or at large to represent the entire area served by the agency.

(D) The following democratic selection process may be used, either separately or in combination:

(i) Nominations and elections, either within the community, specific areas, or the entire area served by the agency;

(ii) Election at a meeting or conference of low-income persons where date, time, and place have been adequately publicized;

(iii) Selection or election of representatives of a community-wide board by members of a neighborhood organization who are themselves selected by a low-income neighborhood of area residents; and

(iv)*(a)* Democratic selection of representatives by existing organizations designated by the board whose membership is predominantly composed of low-income persons or their representatives.

(b) This is not meant to limit the variety of selection processes which may be used.

(c) Any democratic selection process which ensures adequate representation of the low income where date, time, and place have been adequately publicized in advance of the selection, is acceptable.

(E) The entity will have these processes documented in its bylaws or in a separate board-approved document that must accompany the bylaws.

(F) The defined boundaries for the democratic selection of representatives of the low-income population will be maintained in documented form in the entity's files for review by the state lead agency.

(G)(i) Low-income representatives must be truly representative of current residents of the geographic area to be served, including racial and ethnic composition, as determined by periodic selection or reselection by the community.

(ii) Being current should be based on the recent or annual demographics changes as documented in the community assessment.

(iii) This does not preclude extended service of low-income community representatives on boards but does suggest that continued board participation of longer-term members be revalidated from and kept current through

some form of democratic process and the assessment of community changes.

(H) Eligible entities must maintain documentation of the selection and election process;

(5)(A) Private sector.

(B) Private sector members shall be selected in such a manner as to ensure that the board will benefit from broad community involvement.

(C) Such representation shall come from members of business, social service agencies, industry, labor, religious, and educational institutions, or other major groups or constituencies of the low-income population concerned with specific problems of the community.

(D) Once an organization is selected, it shall nominate its own representative on the board in accordance with the bylaws.

(E) Each representative shall be empowered to speak and act on behalf of the organization which they represent regarding the business of the board;

(6)(A) Petition by other groups for adequate representation on the board.

(B) The community action agencies shall include in their bylaws the establishment of policies allowing community agencies and representative groups of the low income who feel themselves inadequately represented on the board to petition for adequate representation.

(C) The bylaws shall specify in these policies the:

(i) Channel of communication to be used;

(ii) Number of signatures required for a valid petition; and

(iii) Action required of the board in response to a petition for more adequate representation.

(D) The board bylaws shall include provisions for adjusting its composition in cases where a petition is granted to maintain the proper percentage of public officials and of representatives of the low income;

(7)(A) Removal of a board member.

(B) The bylaws must include a description of the grounds for removal of a board member and the policies to be followed for removing that member;

(8)(A) Alternates.

(B) The Arkansas Nonprofit Corporation Act of 1993, Arkansas Code § 4-33-101 et seq., does not address the use of alternates to represent board members in their absence, therefore, alternates are prohibited;

(9)(A) Vacancies.

(B) A vacancy on the board exists when:

(i) A member has been notified of their official removal by action of the board for cause;

(ii) A member notifies the board of their resignation;

(iii) A member dies; or

(iv) A public official leaves office.

(C) When the seat of a public official is vacant, the board shall ask the designating officials to select another public official to fill the seat.

(D) When the seat of a representative of a private sector is vacant, the board shall ask that organization to name another representative to finish out the term.

(E) When the seat of a representative of the low income is vacant, the board may include in its bylaws either of two (2) options:

(i) The board may repeat the democratic selection process; or

(ii) The board may allow the remaining representatives of the low-income population to select a person to finish out the term, with the condition that the person selected represents the same constituency as the original representative.

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

(10)(A) Quorum.

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

(11)(A) Calendar of meetings.

(B)(i) The board shall have not less than four (4) regular meetings per program year with a quorum.

(ii) The annual meeting may count as one (1) of these meetings.

(iii) The schedule shall be defined in the agency's bylaws.

(C) The board shall provide notice of the agenda in writing to all its members for any meeting as specified in its bylaws.

(D)(i) All board of directors' meetings shall be posted in places in the community frequented by the public to ensure the public is informed of the time and date of each meeting in accordance with the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

(ii) If a preliminary agenda is not available, the posted notice shall include a general description of the nature and purpose of the meeting.

(iii) Agencies should identify in the posted notices whether the meeting to be conducted is a full board or committee meeting;

(12)(A) Notice requirements (see Arkansas Code § 25-19-106 of the Freedom of Information Act of 1967):

(i) Regular meetings: time and place must be given to anyone who asks; and

(ii) Special/emergency meetings: time, place, and date must be given two (2) hours in advance to news media:

(a) In the county where the meeting is held; and

(b) Located elsewhere that cover the regular meetings and that have asked to be notified.

(B) All eligible entity board meeting notices must be in accordance with the current Freedom of Information Act of 1967;

(13)(A) Minutes.

(B)(i) The agency shall maintain a roster of attendance and written minutes for board and committee meetings including a record of votes on all motions.

(ii) The members making and seconding motions must be identified in the minutes.

(iii) If motions are not unanimous, there must be a record of each member's vote.

(iv) A record of attendance or sign-in sheet must be maintained along

with the minutes.

(C)(i) A signed copy of the minutes, roster of attendance, roster of those absent, and any written material distributed at the meeting must be submitted to the state lead agency within thirty (30) calendar days after the minutes have been approved by the board.

(ii) All minutes must be approved within ninety (90) calendar days of the meeting;

(14)(A) Committees.

(B) The board may establish any committee it considers necessary for conducting its business.

(C) The composition of these committees shall fully reflect the composition of the board.

(D) Public notices and quorums for committee meetings and full board meetings are required to be in accordance with the Freedom of Information Act of 1967 and a quorum is over fifty percent (50%) of the established membership of the committee;

(15)(A) Compensation.

(B) Regular compensation to members for their services on the board is not permitted.

(C) Travel reimbursement to all members of the board for expenses to attend the meetings is permitted.

(D) Reimbursement for a meal is allowed if no meal is provided during the board meeting;

(16)(A) Officials.

(B) Define the responsibilities of the officers of the board, meaning the:

(i) Chair;

(ii) Vice chair;

(iii) Secretary; and

(iv) Treasurer.

(C) There must be a description of duties in each member file;

(17)(A) Evaluation and oversight of the executive director.

(B) Define the responsibility and authority of the board regarding the hiring and firing of the executive director and the responsibility of the performance of the executive director.

(C) All timesheets and travel requests for the executive director must be approved and signed by the chair or his or her designee (board member);

(18)(A) Tripartite board updates.

(B) The state lead agency requires that eligible entities provide updates regarding the composition of the board, vacancies on the board, and the efforts to fill those vacancies as a part of the quarterly program report; and

(19)(A) Tripartite board verification.

(B) The state lead agency will:

(i) Attend board meetings;

(ii) Assess organizational standards;

(iii) Interview board members during the on-site monitoring review;

(iv) Review copies of board meeting minutes; and

(v) Track board vacancies and composition to verify validity of the eligible entity board.

Subpart 4. State Community Services Block Grant Implementation

20 CAR § 505-401. Service delivery system.

(a) The provision of Community Services Block Grant services to low-income individuals and families statewide is carried out primarily through Arkansas's network of eligible entities (community action agencies).

(b) These entities provide services with expectations of outcomes based on the national performance indicators in all seventy-five (75) counties in Arkansas.

20 CAR § 505-402. Linkages.

A programmatic element of the community action plans submitted by the eligible

entities will include the development of linkages and cooperative agreements at the local level.

20 CAR § 505-403. Coordination with other public and private resources.

(a) Other public and private funding resources are submitted with estimated amounts leveraged as part of each community action plan.

(b)(1) The state lead agency requires each local entity to submit coordination plans for the entity grant activity.

(2) The coordination plan describes how:

(A) Local entities have conferred with area service providers and established working relationships;

(B) Linkages have been developed to fill identified gaps in services;

(C) Funding will be coordinated with other public and private resources; and

(D) All the above will result in a multi-program impact on the client's progress toward self-sufficiency.

(c) As the state lead agency becomes aware of available grants, the information will be disseminated to the eligible entity network either directly or through the Arkansas Community Action Agencies Association.

20 CAR § 505-404. Innovative community and neighborhood-based initiatives.

The eligible entities can use Community Services Block Grant funds to support innovative community and neighborhood-based initiatives related to the purpose of the Community Services Block Grant, including fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging effective parenting.

20 CAR § 505-405. Community assessment.

(a) As a condition of funding, each subgrantee is required to submit every three (3) years a comprehensive community needs assessment for the community served.

(b)(1) The community needs assessment may be coordinated utilizing assessments conducted for other programs.

(2) However, a single funding source needs assessment may not be substituted for the required three ~~(3)~~ year Community Services Block Grant community needs assessment.

(c)(1) Each entity is responsible for conducting or securing its own needs assessment.

(2) The needs assessment of each entity shall describe how the assessment was conducted and provide aggregate results.

(3) The state lead agency realizes that eligible entities require flexibility in conducting a local needs assessment, as each area varies in the resources available and the services provided.

(d) 42 U.S.C. § 9908 § 676(b)(11) of the Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., requires "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 [CSBG] made under this subtitle [42 USCS § 9901 et seq.] 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[.]".

(e) The community needs assessment must be updated at least annually or when major changes occur within that agency's geographic service area, for example: loss of major employer, natural disaster, etc.

(f) The state lead agency will provide training and technical assistance, either directly by state staff or outsource, in conducting and creating a written agency-wide community needs assessment.

20 CAR § 505-406. Community action plan.

Prior approval for any changes to the scope or objectives of the community action plan must be obtained prior to the calendar quarter of the proposed change.

Subpart 5. Community Services Block Grant Allowable Activities, Costs, and Domains

20 CAR § 505-501. Allowable costs generally.

(a) Community Services Block Grant allowable costs are those that support services and activities which are targeted to the low-income population in order to alleviate poverty and to promote self-sufficiency for those individuals and families.

(b) Community Services Block Grant domains:

(1) Employment;

(2) Education and cognitive development;

(3) Income and asset building;

(4) Housing;

(5) Health and social and behavioral development;

(6) Civic engagement and community involvement; and

(7) Outcomes and services across multiple domains.

(c) For Community Services Block Grant program reporting requirements, the Office of Community Services of the United States Department of Health and Human Services defines "direct" program and "administrative" costs in accordance with three (3) criteria:

(1) Meeting Congressional intent for the program;

(2) Achieving consistency with United States Department of Health and Human Services audit and financial management standards; and

(3) Ensuring a common basis for relating expenditures to the Community Services Block Grant Results Oriented Management and Accountability System (ROMA) in its updated format that was Office of Management and Budget-approved in January 2017.

(d) All costs charged to the Community Services Block Grant must be in accordance with 2 C.F.R. pt. 200.

(e) Any program or activity supported by Community Services Block Grant funds

must be identified in the community action plan.

20 CAR § 505-502. Administrative costs.

(a)(1) Administrative costs include administering and managing central staff and centralized functions of the agency and prorated costs associated with the entities' audit.

(2) Administrative costs also include expenditures for support for members of the entities' governing body.

(b)(1) Administrative costs do not include costs for administration, management, or overhead expenses directly linked to a specific project operated by the eligible entity.

(2)(A) Such administrative costs should be included as part of the program.

(B) For example, administrative overhead and general support for an eligible entity’s community services projects, such as space, supplies, and program manager, should be reported under Programmatic Costs (United States Department of Health and Human Services, Administration for Children and Families, Office of Community Services Information Memorandum 37).

20 CAR § 505-503. Programmatic and case management costs.

(a) Programmatic and case management costs include services and activities geared toward:

(1) Attaining an adequate education;

(2) Securing meaningful employment;

(3) Acquiring adequate housing and living environments;

(4) Obtaining emergency assistance;

(5) Participating in community affairs;

(6) Addressing the needs of youth; and

(7) Removing obstacles to improve stability and self-sufficiency.

(b)(1) Community Services Block Grant-funded services may be provided to households with incomes up to one hundred twenty-five percent (125%) of the poverty income guidelines.

(2)(A) Office of Management and Budget poverty income guidelines apply to Community Services Block Grant-funded services and to services provided by Community Services Block Grant-funded staff.

(B) However, if Community Services Block Grant-funded staff provide services funded by other sources with income guidelines that differ from the Community Services Block Grant guidelines, the other funding sources' guidelines shall apply for those services.

(3) Household income eligibility documentation must be maintained on all clients served either directly or served by staff who are paid with Community Services Block Grant funds.

(c)(1) The state lead agency will not attach a specific percentage of Community Services Block Grant funding to case management-related activities. ~~for fiscal year 2024 2026 or fiscal year 20252027.~~

(2) However, each entity will be asked to identify funds which are used specifically for case managed clients.

(d)(1) The state lead agency will not assign a specific number of clients each eligible entity is expected to assist in transitioning out of poverty. ~~during fiscal year 2024 2026 and fiscal year 20272025.~~

(2)(A) However, it is expected as part of the annual community action plan that each eligible entity will set a goal that is at least two percent (2%) higher than the goal for the previous fiscal year.

(B) This requirement can also be met by showing that case managed services are being provided by entity partnerships with other entities.

(e) The eligible entities are expected to partner with local entities such as the local workforce development boards, the Department of Human Services, and other local poverty fighting agencies to provide the tools that will empower individuals and families to become self-sufficient (42 U.S.C. § 9901).

20 CAR § 505-504. Eligible entity policies.

(a)(1) All agencies shall be required to develop and implement written standards of

operation to include program policies to govern the programs administered utilizing Community Services Block Grant funds.

(2) Uniform Administrative Requirement, Cost Principles, and Audit Requirement, 2 C.F.R. pt. 200, outlines the policies that each eligible entity is required to have in place.

(b) The cost principles are updated annually, so each entity is responsible for current policies in place.

(c) The below, at a minimum, are expected to be in place and updated in accordance with the Community Services Block Grant Organizational Standards and 2 C.F.R. pt. 200:

(1) Financial procedures manual:

(A) Travel policy; and

(B) Credit card policy;

(2) Human resources manual;

(3) Procurement procedures manual;

(4) Conflict of interest policy;

(5) Management information systems policy;

(6) Whistleblower protection policy;

(7) Records retention; and

(8) Security:

(A) Physical (files or sensitive information); and

(B) Data.

20 CAR § 505-505. Appeal procedure.

(a) Each eligible entity shall develop and implement an appeal procedure which outlines the method that the applicants should follow if they should decide to appeal any decision made regarding their eligibility determination or addressing claims of discrimination.

(b) The appeal procedure shall either be disseminated to each applicant prior to application or be posted in a conspicuous area within the agency in plain view of all

potential applicants.

20 CAR § 505-506. Federal Hatch Act.

While employees of private nonprofit organizations are not generally subject to the Federal Hatch Act, certain employees of private nonprofit community action agencies are because of the receipt of Community Services Block Grant funds.

20 CAR § 505-507. Codes of conduct.

(a) Eligible entities must maintain written standards of conduct governing the performance of its board members and employees engaged in the award and administration of contracts.

(b) No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved.

20 CAR § 505-508. Nondiscrimination.

The Community Services Block Grant subrecipient is prohibited from discrimination based on:

(1) Race;

(2) Color;

(3) Religion;

(4) Sex;

(5) Age;

(6) National origin; or

(7) Disability.

20 CAR § 505-509. Financial management.

(a) **Bonding and insurance.**

(1) Each entity is required to have a current fidelity bond providing coverage at a minimum ten percent (10%) of any funds received from the Office of Program

Planning and Community Grant Services of the Division of County Operations in which the agency is liable for the reimbursement of federal or state funds to the grantor.

(2) The United States Department of Health and Human Services reserves the right to require agencies to maintain adequate bonding and insurance if the current bonding or insurance is deemed inadequate to protect the interests of the federal government.

(3)(A) The eligible entity must, as a condition for the receipt of Community Services Block Grant funds, secure fidelity bond coverage for appropriate eligible entity officials.

(B) Coverage must be secured for each person authorized to sign or countersign checks or to transport, maintain custody of, or disburse sizable amounts of cash, such as for payrolls, in the minimum amount equal to ten percent (10%) of the total funds awarded to be disbursed.

(C)(i) Prior to its initial agreement with the state lead agency for funding, each eligible entity shall submit assurance that this condition has been met.

(ii) This assurance shall take the form of a letter from a bonding company or agent stating:

(a) The type of bond;

(b) Amount and period of coverage;

(c) Positions covered; and

(d) The annual cost of the bond that has been obtained.

(D) The state lead agency must be notified by the eligible entity within thirty (30) calendar days of any changes in bonding coverage.

(b) The Employee Retirement Income Security Act of 1974 (ERISA) is a federal law that sets minimum standards for most voluntarily established pension and health plans in private industry to provide protection for individuals in these plans.

(c) The state lead agency also requires each eligible entity provide proof of adequate coverage under a director's and officer's policy.

20 CAR § 505-510. Carryover funds.

(a) Eligible entities will be allowed to reprogram Community Services Block Grant funds from their annual Community Services Block Grant budget.

(b) Carryover funds must be obligated, expensed, and invoiced by the end date of the federal award to which the funds are attached.

20 CAR § 505-511. Agency annual audit.

(a) The Office of Program Planning and Community Grant Services of the Division of County Operations requires the eligible entities to follow the guidelines outlined in 2 C.F.R. pt. 200, subpt. F, Audit Requirements.

(b) In addition to the 2 C.F.R. pt. 200 requirements, the office requires the following:

(1) A copy of the signed audit engagement letter between the entity and the auditor;

(2) A copy of the payment (check copy/bank reconciliation showing proof of payment) to the auditor;

(3) A timeline with updates from the auditor on completion date of the audit; and

(4) A letter from the auditor showing the date that the audit will be presented to the board.

20 CAR § 505-512. Disallowed costs.

(a)(1) In those instances in which a subrecipient cannot document the allowability of certain cited questioned costs that will meet the applicable federal or state laws, rules, regulations, or policies, the state lead agency will have no recourse but to disallow these costs.

(2) Once this determination is made, the subrecipient will be officially notified by the state lead agency in writing of such a determination.

(b)(1) The subrecipient will be given thirty (30) calendar days from the date of the state lead agency's letter to remit the amount disallowed.

(2) The remittance must be paid from nonfederal funds (2 C.F.R. pt. 200).

20 CAR § 505-513. Debt collection.

(a)(1) The debt collection process begins with the state lead agency's letter to the affected subrecipient and establishes the debt owed to the state lead agency because of costs that were disallowed during the audit resolution process.

(2) The subrecipient must remit the disallowed costs to the state lead agency within thirty (30) calendar days from the date of the state lead agency's letter.

(b) Those subrecipients who do not remit disallowed costs or within this timeframe may be charged interest at the applicable prime rate on the debt starting the day after the due date of the remittance (2 C.F.R. pt. 200).

20 CAR § 505-514. Purchase or permanent improvement of real property.

The use of Community Services Block Grant funds is prohibited for the purchase or improvement of land, or the purchase, construction, or permanent improvement, other than low-cost residential weatherization or other energy-related home repairs, of any building or other facility except as defined in 42 U.S.C. § 9918 of the Community Services Block Grant Act, 42 U.S.C. § 9901 et seq.

20 CAR § 505-515. Termination of the agreement, reduction, or suspension of funding.

If the state lead agency elects to terminate, reduce, or suspend funding to the subrecipient, it shall do so in accordance with the provisions of United States Department of Health and Human Services, Administration for Children and Families, Office of Community Services Information Memorandum 116.

20 CAR § 505-516. Hearing on appeal.

(a) Prior to the suspension of funds or termination of the grant agreement for noncompliance with grant conditions, the subrecipient shall be granted a hearing by the state lead agency upon written request made by the subrecipient within ten (10) calendar days from the date of notification of intent to suspend or terminate the

Community Services Block Grant ~~grant~~ agreement.

(b) The hearing shall be conducted at the state lead agency's offices in Little Rock, Arkansas, or any other appropriate location at the state lead agency's discretion, with a written notification of the time, place, and subject matter by the state lead agency to the subrecipient.

Subpart 6. Client Eligibility

20 CAR § 505-601. Income eligibility.

(a) To be eligible for Community Services Block Grant services or benefits, clients must be at or below one hundred twenty-five percent (125%) of the federal poverty line as determined by the federal Office of Management and Budget based on the most recent federal United States Bureau of the Census data and as revised annually.

(b)(1) The federal Community Services Block Grant law does not require any particular process for determining client income eligibility, nor do United States Department of Health and Human Services regulations.

(2)(A) However, in order to ensure that Community Services Block Grant funds are being used for income-eligible clients, eligible entities should screen for income eligibility.

(B) The eligible entity may adopt its own written procedures for doing so.

(C) These procedures may, based on the eligible entity's community needs assessment, give priority to certain client populations within the applicable income limit, such as:

(i) People with disabilities;

(ii) People who are homeless;

(iii) The elderly;

(iv) People who are unemployed; or

(v) People with children under eighteen (18) years of age.

20 CAR § 505-602. Definition of family.

(a) Neither the United States Department of Health and Human Services poverty guidelines, the federal Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., nor applicable United States Department of Health and Human Services regulations define the term "family".

(b) Following are two (2) examples of how the term family might be defined (reasonable definitions are also acceptable):

> **Example 1:** The income of all members of each family unit must be included in determining the income eligibility. A family unit may be either: (1) related individuals; or (2) an unrelated individual.
>
> The term "related individuals" means two (2) or more persons related by birth, marriage, or adoption who reside together.
>
> The term "unrelated individual" means an individual who is not an inmate of an institution: (1) who resides alone; or (2) who resides with anyone who is not related to them by birth, marriage, or adoption. (Examples of unrelated individuals residing with others include: a lodger, a foster child, a ward, or an employee).
>
> If a household includes more than one (1) family unit, the poverty guidelines shall be applied separately to each family unit, and not to the household as a whole.
>
> **Example 2:** For purposes of determining income eligibility, the term "persons in family" in the United States Department of Health and Human Services poverty guidelines means persons in a household. A household includes any individual or group of individuals who are living together as one (1) economic unit. The income of each individual in the household who is eighteen (18) years of age or older must be included in determining income eligibility. In

determining whether an individual is part of a household, the eligible entity may consider factors such as whether the individual pays for their own food and occupancy.

20 CAR § 505-603. Income.

(a) Neither the United States Department of Health and Human Services poverty guidelines, the federal Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., nor applicable United States Department of Health and Human Services regulations define the term "income".

(b)(1) Following is an example of how the term "income" might be defined.

(2) Other reasonable definitions are also acceptable.

(3) Income includes total annual cash receipts before taxes.

Example: Income includes:

- Wages and salaries before any deductions;
- Net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses); Net receipts from farm self-employment (receipts from a farm, indicating which individual operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance (including Temporary Assistance for Needy Families, Supplemental Security Income, and nonfederally funded General Assistance or General Relief money payments);
- Training stipends;

- Alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household;
- Private pensions, government employee pensions, including military retirement pay, and regular insurance or annuity payments;
- College or university scholarships, grants, fellowships, and assistantships;
- Dividends, interest, net rental income, and net royalties;
- Periodic receipts from estates or trusts; and
- Net gambling or lottery winnings.

Income does not include:

- Tax refunds;
- Assets drawn down as withdrawals from a bank or the sale of property, such as a house or a car;
- Capital gains;
- Gifts, loans, lump-sum inheritances, one ~~(1)~~ time insurance payments, or compensation for injury;
- Employer-paid or union-paid portion of health insurance or other employee fringe benefits;
- Food or housing received in lieu of wages;
- Federal or state noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance; and
- Payments required under federal or state law to be excluded from the definition of income for calculating eligibility for federal or state public benefit programs, such as cost reimbursements under the federal Foster Grandparent Program (see 45 C.F.R. § 2552.47).

20 CAR § 505-604. Income determination period.

(a) Neither the United States Department of Health and Human Services poverty guidelines, the federal Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., nor applicable United States Department of Health and Human Services regulations specify the period to be used when determining a client's income.

(b) The following are examples of periods that could be used in determining a client's income:

> **Example 1:** The period for determining the annual income must not be more than twelve (12) months nor less than ninety (90) days preceding the request for assistance.
>
> **Example 2:** Total monthly or annualized gross household income should be used to determine eligibility. The monthly income should be calculated for the thirty ~~(30)~~ day period preceding and including the date of application.
>
> **Example 3:** There is no prescribed look-back period for income assessment. Depending on an individual client's circumstances and the documentation available, it may be reasonable to calculate client income based upon the household's gross income in the past thirty (30) days (multiplied by twelve (12)) or based upon a review of the past year. For example, if a client has become unemployed or was the victim of domestic violence and has left the abusive household within the past year, it may be inaccurate to use the data of the past year to assess income. The use of a shorter period of time, perhaps several months, may be a more appropriate and accurate assessment of the client's income. In addition, case-by-case circumstances such as seasonal employment or an isolated and temporary spike or decline in earnings may require an eligible entity to exercise reasonable discretion to determine on a case-by-case basis the most appropriate time period to review in order to most

appropriately and accurately assess income. It is recommended that no period shorter than the past thirty (30) days or longer than the past year should be used. However, in exercising this reasonable discretion, the eligible entity's goal in each case should be to most accurately determine a client's actual financial position at the time of assessment.

20 CAR § 505-605. Redetermination.

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

(b) An eligible entity retains the right to review a client's income level at any time while the client is receiving Community Services Block Grant-funded benefits or services for the purpose of determining continued program eligibility.

20 CAR § 505-606. Income documentation.

(a) Neither the Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., nor applicable United States Department of Health and Human Services regulations specify the type of income documentation that eligible entities should review in determining an applicant's income eligibility.

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

Example 1: Applicants must provide documentation of their household's ~~source or sources~~source(s) of income. Some examples of acceptable documentation include pay stubs; a current tax return; IRS Form W-2 or 1099; a letter from an employer; a Social Security check or benefits statement; retirement income statement; unemployment insurance benefit statement; child support payments documentation (copies of checks, history of payments, or court papers); or self-employed accounting records. Documentation of current

participation in public benefits programs with income eligibility standards at or below one hundred twenty-five percent (125%) of the United States Department of Health and Human Services federal poverty guidelines may also be used.

Applicants who claim no household income must sign a form attesting to that fact and to the accuracy of the information provided to the eligible entity. This form must also be signed by a staff member indicating that the staff member has, in good faith, attempted to verify this condition, and that the information on eligibility in the file is accurate to the best of the staff member's knowledge.

Example 2: Before an applicant is determined to be eligible based on family income, the applicant must submit information to the program concerning the family's income. Verification must include examination of documents such as individual income tax forms, W-2 forms, pay stubs, pay envelopes, or written statements from employers, if individual income tax forms, W-2 forms, pay stubs, or pay envelopes are not available.

20 CAR § 505-607. Third-party verification.

(a) When appropriate, in cases in which no documentation regarding the income eligibility of the applicant has been received by the eligible entity, or when it is either more efficient or reliable to do so rather than to search for eligibility documentation, eligible entities may:

(1) Seek information from third parties who have first-hand knowledge about the applicant's eligibility; and

(2) Document each such third party's:

(A) Name;

(B) Title;

(C) Organizational affiliation, if any; and

(D) Relationship to the applicant in the applicant's record.

(b) Eligible entities also may seek third-party information in cases where documents are not submitted to prove a claim that an applicant has no income.

(c)(1) If eligible entities plan to seek third-party verification from one (1) or more parties regarding an applicant's eligibility, staff must inform the applicant about each party that they intend to contact.

(2)(A) In addition, the applicant must sign a consent form permitting the eligible entity to contact specified third parties.

(B) This provides applicants the opportunity to withhold their consent for third-party verification from one (1) or more parties.

(C) An applicant must be given the opportunity to withhold consent that is related to each party that the eligible entity would like to contact.

(D) If applicants do not sign the consent form, the eligible entity may not contact that party and the applicant remains responsible for providing appropriate documentation.

20 CAR § 505-608. Documenting eligibility determination.

(a) At a minimum, an eligible entity should retain documentation that is sufficient to demonstrate that, where an individualized determination of income was required, a staff member has screened the applicants for income eligibility.

(b) The following are two (2) possible examples of the records that could be kept in order to document the fact that an eligible entity reviewed a client's income and determined the client to be eligible for Community Services Block Grant services or benefits:

> **Example 1:** An eligible entity maintains a statement that identifies which documents staff examined and states that the applicant is eligible for Community Services Block Grant services or benefits. The statement is signed by an employee who reviewed the documentation and determined the applicant to be eligible for Community Services Block Grant services or benefits.

Where an applicant claims no household income, the eligible entity maintains the form attesting to that and signed by the applicant and the staff member who attempted to verify the applicant's household income.

Example 2: An eligible entity keeps an eligibility determination record for each applicant for Community Services Block Grant services or benefits, which includes:

- Copies of all documents submitted by the applicant relating to the applicant's eligibility for services and any staff member's notes recording any other information related to eligibility received from any source;
- A signed and dated statement by the applicant certifying that the documents and information that the applicant provided concerning eligibility are accurate to the best of the applicant's knowledge;
- Documentation establishing that a staff member has sought to verify the accuracy of the information on eligibility provided to the eligible entity by:
    - Conducting an in-person interview with the applicant; and
    - Seeking information from third parties who have first-hand knowledge about the applicant's eligibility in cases in which no documentation regarding the income eligibility of the applicant has been received by the eligible entity, or when it is either more efficient or reliable to do so rather than to search for eligibility documentation. The record should include the names, titles, and affiliations of the third parties, and the applicant's signed consent form permitting the program to contact each third party; and
- A signed and dated statement by the staff person who made the eligibility determination certifying that the information on eligibility

in the file is accurate to the best of the person's knowledge and based on that information the person has determined the applicant to be eligible for services.

20 CAR § 505-609. Special eligibility determination circumstances.

(a) There are certain circumstances where individualized determination of income eligibility may not be required:

(1) **Services provided on a group basis.**

(A)(i) Services are provided on a group, rather than individual, basis and circumstances indicate that those benefiting are likely to meet the Community Services Block Grant income eligibility requirements.

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

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

(ii) For example:

(a) A community resource hotline that provides referrals to local health and human services providers;

(b) General information and referrals regarding benefits and services available to low-income people in the community; and

(c) Disaster response and relief, such as emergency shelters or provision of food and clothing during or immediately following a disaster.

(C)(i) Services are intended to increase community awareness of or involvement in poverty issues.

(ii) For example, an eligible entity:

(a) Sponsors a community forum on improving healthcare access

for low-income people;

(b) Convenes a meeting of organizations in the community serving homeless clients to discuss coordinating service delivery; or

(c) Holds an open house to publicize the availability of its programs to members of the low-income community;

(2) **Using Community Services Block Grant funds to support another program.**

(A) When Community Services Block Grant funds are used to support another program that does not have eligibility requirements, that has higher income eligibility requirements than the Community Services Block Grant program, or that does not limit services to the eligible entity's Community Services Block Grant service area, clients should be screened for Community Services Block Grant eligibility and identified as Community Services Block Grant-eligible or not Community Services Block Grant-eligible.

(B)(i) The eligible entity should have a reasonable, documented basis for allocating the program costs between the Community Services Block Grant and the other funding source or sources based on the relative benefit each funding source receives.

(ii) This can be done, for example, by demonstrating that either:

(a)(1) The proportion of program clients who are Community Services Block Grant-eligible is equal to or greater than the proportion of program costs paid with Community Services Block Grant funds.

(2) For example, if seventy percent (70%) of program costs are paid from Community Services Block Grant funds and thirty percent (30%) are paid from another source, at least seventy percent (70%) of the clients served must meet Community Services Block Grant eligibility requirements; or

(b)(1) The proportion of the program staff's time that is devoted to serving Community Services Block Grant-eligible clients is equal to or greater than the proportion of program costs paid with Community Services Block Grant funds.

(2) For example, if seventy percent (70%) of program costs

are paid from Community Services Block Grant funds and thirty percent (30%) are paid from another source, at least seventy percent (70%) of the staff's time must be allocated to serving Community Services Block Grant-eligible clients;

(3) **Residency requirement.**

(A) If residency in the Community Services Block Grant service area is an eligibility requirement of the eligible entity or state Community Services Block Grant statutes or rules, an eligible entity may require documentation indicating that the applicants for Community Services Block Grant services or benefits live in the eligible entity's Community Services Block Grant service area.

(B)(i) Applicants provide documentation of their current residential address.

(ii) Examples of acceptable documentation include:

(a) A copy of the utility bill;

(b) The lease or rental agreement;

(c) A receipt from the landlord showing that rent was received;

(d) A copy of the mortgage statement;

(e) A written statement from the landlord affirming residency; or

(f) A letter from a homeless shelter.

(C) Applicants who live with someone else and do not receive mail at that address may provide a signed, notarized letter from that person and documentation of that person's current residential address.

(D) Self-certification is permitted in the case of applicants who are homeless and have no current residential address;

(4) **Staff, board members, and members of their families.**

(A) There is no prohibition against an eligible entity providing Community Services Block Grant-funded services or benefits to members of its tripartite board and its staff or members of their families who apply for those services or benefits, provided that the:

(i) Applicant meets all applicable eligibility criteria for the services or benefits;

(ii) Applicant does not receive preferential treatment in receiving the services or benefits due to their connection with the eligible entity; and

(iii) Services or benefits are provided on terms similar to those provided to individuals who are not so connected to the entity.

(B) Neither the applicant nor a member of their family should make the determination of whether the applicant is eligible for the Community Services Block Grant-funded services or benefits;

(5) **Noncitizens.** The United States Department of Health and Human Services, Office of Community Services, Information Memorandum 30 (September 30, 1998) states that noncitizens should not be banned from Community Services Block Grant programs based solely on their alien status unless the exclusion is authorized by another statute;

(6) **Substance abusers.**

(A) There is no prohibition on the use of Community Services Block Grant funds to provide services or benefits to substance abusers.

(B) Eligible entities use Community Services Block Grant funds to provide substance abuse treatment or to provide additional services to clients in their substance abuse treatment programs;

(7) **Convicted felons.** Convicted felons are eligible for Community Services Block Grant services;

(8) **Ineligible clients.** Other than people who do not meet the Community Services Block Grant income eligibility requirements, no one is categorically ineligible for Community Services Block Grant services;

(9) **Referrals.**

(A) The Community Services Block Grant Act, 42 U.S.C. § 9901 et seq., requires states to include in their Community Services Block Grant state plans, "information provided by eligible entities in the State, containing … a description of how linkages will be developed to fill identified gaps in services, through the provision of information, referrals" (see 42 U.S.C. § 9908(b)(3)(B).

(B) Thus, it is clear that Community Services Block Grant funds may be

used to provide information and referrals, assuming that the services are targeted to those who are Community Services Block Grant-eligible; and

(10) **Intake and eligibility screening.**

(A) An eligible entity may use Community Services Block Grant funds for initial intake and eligibility screening for general eligible entity services.

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

(b)(1) As noted in the Appendix, eligible entities must conduct Community Services Block Grant eligibility determinations in a manner that does not discriminate against applicants on the basis of:

(A) Race;

(B) Color;

(C) National origin;

(D) Age; or

(E) Disability.

(2) In addition, eligible entities that are religious organizations are prohibited from discriminating against applicants on the basis of religion.

Appendix A. Reference Items in CSBG Act, Civil Rights and Uniform Guidance used to document and establish CSBG Eligibility Section 673(2) of the CSBG Act, 42 U.S.C. § 9902(2)

Link:

https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendice

s/168/20CARpt.505Appendix.pdf

Appendix

Reference Items in CSBG Act, Civil Rights and Uniform Guidance used to document and establish CSBG Eligibility Section 673(2) of the CSBG Act, 42 U.S.C. § 9902(2)

The term 'poverty line' means the official poverty line defined by the Office of Management and Budget based on the most recent data available from the Bureau of the Census. The Secretary shall revise annually (or at any shorter interval that the Secretary determines to be feasible and desirable) the poverty line, which shall be used as a criterion of eligibility in the community services block grant program established under this subtitle. The required revision shall be accomplished by multiplying the official poverty line by the percentage change in the Consumer Price Index for All Urban Consumers during the annual or other interval immediately preceding the time at which the revision is made. Whenever a State determines that it serves the objectives of the block grant program established under this subtitle, the State may revise the poverty line to not ~~to~~ exceed one hundred twenty-five percent (125%) of the official poverty line otherwise applicable under this paragraph.

Section 672 of the CSBG Act, 42 U.S.C. § 9901

CSBG funds distributed to eligible entities by states are to be used for the purposes of the CSBG Act specified in section 672 of the CSBG Act, 42 U.S.C. § 9901, which are: to provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low- income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient; and to accomplish the goals described in paragraph one (1), through:

- The strengthening of community capabilities for planning and coordinating the use of a broad range of Federal, State, local, and other assistance (including private resources) related to the elimination of poverty, so that this assistance can be used in a manner responsive to local needs and conditions;
- The organization of a range of services related to the needs of low-income families and individuals, so that these services may have a measurable and potentially major impact on the causes of poverty in the community and may help the families and individuals to achieve self-sufficiency;
- A greater use of innovative and effective community-based approaches to attacking the causes and effects of poverty and of community breakdown;
- The maximum participation of residents of the low-income communities and members of the groups served by programs assisted through the block grants made under this subtitle to empower such residents and members to respond to the unique problems and needs within their communities; and
- A broadening of the resource base of programs directed to the elimination of poverty so as to secure a more active role in the provision of services for: private, religious, charitable, and neighborhood-based organizations; and individual citizens, and business, labor, and professional groups, who are able to influence the quantity and quality of opportunities and services for the poor.

Section 676(b)(3)(B) of the CSBG Act, 42 U.S.C. § 9908(b)(3)(B)

Mark-Up

Section 676(b)(3)(B) of the CSBG Act, 42 U.S.C. § 9908(b)(3)(B), requires CSBG state plans to include, among other things: information provided by eligible entities in the State, containing

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

Section 678F(c)(1) of the CSBG Act, 42 U.S.C. § 9918(c)(1)

No person shall, on the basis of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under this subtitle. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) or with respect to an otherwise qualified individual with a disability as provided in section 504 of the Rehabilitation Act of 1973 (29 U.S.C.794), or title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) shall also apply to any such program or activity.

Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d

In addition, in their provision of CSBG services or benefits, eligible entities are subject to Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d, which specifies that: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

45 C.F.R. § 1050.3(e)

HHS regulations regarding Charitable Choice under the CSBG Act Programs, 45 C.F.R. § 1050.3(e), specify that: a religious organization that receives funds under an applicable program, shall not, in providing program services or benefits, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or a religious belief.

Child Support Enforcement:

According to the CSBG Act section 678G(b): During each fiscal year for which an eligible entity received a grant under section 675C, such entity shall (1) inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subtitle about the availability of child support services; and (2) refer eligible parents to the child support offices of State and local governments. Frontline ~~staffs~~ staff are to inform custodial parents in single- parent families that participate in programs, activities, or services carried out or provided under CSBG about the availability of child support services and are referring eligible parents to the child support offices of State and local governments.

Confidentiality of Client Information:

All employees shall be trained annually on client confidentiality, code of ethics and conduct, electronic communications, customer relations, and release of information. This information will be contained in an Employee Handbook, an Agency Policy Manual, or both.

Mark-Up

Conflict of Interest:

All Arkansas Community Action Agencies must have a conflict-of-interest statement signed by all Board of Directors.

Documentation and Record-Keeping Processes:

In accordance with the requirements set forth in 2 C.F.R. 200.334, all financial records, supporting documents, statistical records, and all other records pertinent to the award shall be retained by each sub-recipient organization for at least three years following the closure of their most recent audit report. Retention is required for purposes of Federal and State examination and audit. Records may be retained in an automated format. State or local governments may impose record retention and maintenance requirements in addition to those prescribed.

The three-year retention period starts from the date of the submission of the closure of the single audit report which covers the grant period. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year retention period then the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the three-year retention period, whichever is later.

Performance Reporting Requirements:

Each eligible entity must provide the State Lead Agency a quarterly program performance report thirty (30) days after the quarter ends and in the format specified by the State Lead Agency.

Each eligible entity must provide an Annual Performance Report in the format and by the date specified by the State Lead Agency.

Monitoring:

The CSBG Act of 1998 Section 678B(a)(1) of the CSBG Act requires that the State shall conduct a full onsite review of each CSBG recipient at least once every three (3) years. Monitoring is among the many block grant management responsibilities held by the State CSBG office. Monitoring can assist CSBG eligible entities, predominately CAAs, to continually improve outcomes as they strive to adopt high-impact strategies to end poverty. It is an important part of a strong partnership that should be forged between State CSBG offices and the CAAs to build capacity at the local level and to provide training and technical assistance to CAAs in working to eliminate poverty. State Associations are also an important part of the training and technical assistance needs that may arise from monitoring. Community Action leaders at the national, state, and local levels work together to ensure the Network is strong. Monitoring of CAAs is a state responsibility but strengthening the capacity of CAAs to develop a high-performing network is a shared responsibility among all members of the CAA Network.

Definition of Monitoring:

Monitoring is the review process used to determine a subrecipient's compliance with the requirements of a state or federal program, applicable laws, and regulations, and stated results and outcomes. Monitoring also includes the review of a subrecipient's internal controls to determine if the financial management and the accounting system are adequate to account for program funds in

Mark-Up

accordance with state and federal requirements. Monitoring should result in the identification of areas of non-compliance with the expectation that corrective action will be taken to ensure compliance.

Note: During times of a national emergency or pandemic, monitoring of the CSBG grantees may be conducted as a combination of virtual and desk reviews.

To increase accountability and achieve results, HHS/OCS launched several initiatives in 2012 that ultimately developed the current Performance Management Framework. The framework includes a set of organizational standards for CAAs, a new emphasis on analysis of data and achievement of results under ROMA, and the development of state and federal accountability measures. All elements of the framework are important for monitors to know and understand, the Organizational Standards which were released in January 2015. The Standards reflect many of the requirements of the CSBG Act, applicable Federal laws and regulations, good management practices, and the values of Community Action.

Information Memorandum 138 provides direction to States, the District of Columbia, U.S. Territories, and CAAs to establish and report on the Organizational Standards for CSBG eligible entities. Annually, the State CSBG office is responsible for assessing the status of standards among all CAAs and for reporting the results of the assessment in the CSBG Annual Report to HHS/OCS.

Audit Requirement:

Non-Federal entities that expend seven hundred and fifty thousand dollars ($750,000) or more in Federal funds (from all sources including pass-through subawards) in the organization's fiscal year (twelve (12) month turnaround reporting period) are required to arrange for a single organization-wide audit conducted in accordance with the provisions of Title 2 C.F.R. Subpart F (200.500 et seq.).

Entities that spend seven hundred and fifty thousand dollars ($750,000) or more of Federal funds are required to provide the DHS Office of Payment Integrity and Audit/Audit Unit Department with A Single Audit report not later than one hundred twenty (120) days from the end of the fiscal year. The State Lead Agency reviews the audit report for findings and questioned cost. The State Lead Agency follows up on the corrective actions being taken to remedy the finding through desk reviews or the on-site monitoring process.

The CSBG Act of 1998 Section 678B(a)(1) of the *CSBG Act* requires that the State shall conduct a full onsite review of each CSBG recipient at least once every three (3) years. Newly designated eligible entities will be monitored immediately after the completion of the first year in which the agency receives CSBG funds. Arkansas performs an on-site monitoring to each eligible entity annually except in times of national emergency or pandemic.

The State Lead Agency may monitor an agency more frequently if the agency has special issues or problems; has failed to meet goals, standards, or requirements established by the State; has experienced turnover in its executive director, program manager, or chief financial officer positions; or has had other federal, state, or local grants other than CSBG terminated for cause. In particular, the State Lead Agency is required to review the cause of termination for other federal grant programs to assure that comparable issues do not exist for CSBG funds.

Fiscal and programmatic review and monitoring are conducted throughout the year through a

Mark-Up

process of continuous improvement. The State CSBG office provides oversight and review of all aspects of the Performance Management Framework, the Organizational Standards, ROMA, and the State Accountability Measures, and incorporates them into the monitoring process. The State CSBG assesses the health of the entire CAA, not just program-by-program compliance. Such assessments include general oversight, desk reviews, and on-site reviews of the following: Community Action Plan or contract, needs assessments, service delivery systems, administration and management systems, strategic plans, board and governance systems, review of ROMA implementation, and financial systems. The assessment of Organizational Standards is completed annually through a desk review or incorporated as part of the monitoring process.

Emphasis in monitoring is placed on administration, efficiency, program design, financial management, and implementation, customer eligibility (including reviews of outcomes) and recordkeeping. The State Lead Agency staff has developed program policy to which agencies are evaluated. Monitoring staff will attempt to complete their program review in one (1) visit. CAAs are notified in writing of the findings of the review. If problems are identified, the CAA is asked to submit a corrective action plan to the state lead agency for approval. If the review indicates that the agency needs training or technical assistance, the state lead agency staff provides follow-up. A copy of the review report and any corrective action activity is maintained in the state lead agency files, DHS/OPPCGS will determine what additional steps are needed.

Fiscal Review:

All Arkansas-eligible entities must operate their Community Services Block Grant funded programs on a reimbursement basis. Full documentation of expenses must accompany requests for reimbursement.

Training, Technical Assistance, and Other Activities:

The State Lead Agency must offer training and technical assistance (as required by Section 678C (A) of the CSBG Act) if appropriate to help the agency correct deficiencies. If an agency fails to make progress on a Corrective Action Plan, the State Lead Agency will follow the process outlined in Section 678C of the CSBG Act and the guidelines provided in HHS/OCS Information Memorandum 116. As required, the State Lead Agency will communicate with HHS/OCS regarding the situation.

Termination and Reduction of Funding:

The State of Arkansas provides assurance that any community action agency which received funding in the previous fiscal year under this Act will not have its present or future funding terminated under this Act or reduced below the proportional share of funding it received in the previous fiscal year unless, after notice and opportunity for hearing on the record, the State determines that cause existed for such termination or such reduction subject to the procedures and review by the Secretary as provided in Section 676(b)(8).

For purposes of deciding with respect to a funding reduction, the term "cause" includes—

A statewide redistribution of funds provided through a Community Service Block Grant under this subtitle to respond to:

Mark-Up

- The results of the most recently available census or other appropriate data;
- The establishment of a new eligible entity;
- Severe economic dislocation; or
- The failure of an eligible entity to comply with the terms of its agreement to provide services under this subtitle. [678C(a)]

For purposes of deciding with respect to a termination, the term "cause" includes the material failure of an eligible entity to comply with the terms of its agreement and Community Action Plan to provide services under this subtitle.

The CAA shall be given notice if funding is to be terminated or if funding is to be reduced below its proportional share.

A written notice shall be sent to the CAA stating that the State Lead Agency intends to terminate its CSBG funding or reduce its funding level below its proportional share, not less than twenty (20) days from the date of the notice. The notice shall contain the cause of the termination and time, date, and place of a hearing on the matter to be held not less than ten (10) days from the date of the letter. Just cause for termination will consist of any breach of the CSBG contract by the agency.

Designation and Re-Designation:

The State shall give special consideration in the designation of local community action agencies to any community action agency which was receiving CSBG funds under any Federal anti-poverty program on the date of enactment of the CSBG Act. The State, before giving such special consideration, shall determine that each agency met the program and fiscal requirements established by the State. If no such agency exists during the year because of any change in the assistance furnished to programs for economically disadvantaged persons, the State shall give special consideration in the designation of community action agencies to any successor agency that is operated in substantially the same manner as the predecessor agency.

When a geographic area of the state is not being served by an eligible entity during the year, the Governor of the state may solicit applications from, and designate as an eligible entity:

- A private nonprofit organization (which may include an eligible entity) that is geographically located in the unserved area, that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency, and that meets the requirements of this subtitle;
- A private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area; or
- If no qualified organization in or near the area is identified or determined to be qualified to serve the unserved area as an eligible entity, then the Governor may designate an appropriate political subdivision of the state, with demonstrated effectiveness, to serve ~~as an eligible entity for the area. To serve as the eligible entity for that area, the political subdivision shall have a board or other mechanism as required in section 676B(a)(b).~~as an eligible entity for the area. To serve as the eligible entity for the area, the political subdivision shall have a board or other mechanism as required in section 678(a)(b).
- A description follows regarding the State's method of implementing section 676A of the

Mark-Up

CSBG Act. The state has given special consideration and designated fifteen (15) community action agencies to administer local CSBG programs as required by the CSBG Act. The State Lead Agency has determined that each of the agencies designated to receive CSBG funds has met the necessary program and fiscal requirements of the State.

Mark-Up

A description follows regarding the State's method of implementing section 676A of the CSBG Act. The state has given special consideration and designated fifteen (15) community action agencies to administer local CSBG programs as required by the CSBG Act. The State Lead Agency has determined that each of the agencies designated to receive CSBG funds has met the necessary program and fiscal requirements of the State.

Mark-Up

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-301

§ 20-80-301. Citation

Currentness

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

Credits
Acts of 1985, Act 345, § 1.

Formerly A.S.A. 1947, § 83-1107.

A.C.A. § 20-80-301, AR ST § 20-80-301
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-302

§ 20-80-302. Purpose

Currentness

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

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

Credits
Acts of 1985, Act 345, § 1; Acts of 2019, Act 910, § 3209, eff. July 1, 2019.

Formerly A.S.A. 1947, § 83-1107.

A.C.A. § 20-80-302, AR ST § 20-80-302
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-303

§ 20-80-303. Conflict with other provisions

Currentness

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

Credits
Acts of 1985, Act 345, § 2.

Formerly A.S.A. 1947, § 83-1108.

A.C.A. § 20-80-303, AR ST § 20-80-303
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-304

§ 20-80-304. Community action organizations recognized

Currentness

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

Credits
Acts of 1985, Act 345, § 1.

Formerly A.S.A. 1947, § 83-1107.

A.C.A. § 20-80-304, AR ST § 20-80-304
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-305

§ 20-80-305. Individual agencies recognized

Currentness

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

(1) Arkansas River Valley Area Council, consisting of Franklin, Scott, Yell, Johnson, Pope, Conway, Perry, Logan, and Polk counties;

(2) Black River Area Development Corporation, consisting of Randolph, Clay, and Lawrence counties;

(3) Central Arkansas Development Council, consisting of Saline, Hot Spring, Clark, Pike, and Montgomery counties;

(4) Community Action Program for Central Arkansas, consisting of White, Faulkner, and Cleburne counties;

(5) Crowley's Ridge Development Council, Inc., consisting of Craighead, Greene, Jackson, and Poinsett counties;

(6) Crawford-Sebastian Community Development Council, Inc., consisting of Crawford and Sebastian counties;

(7) Community Services Office, Inc., consisting of Garland County;

(8) East Central Arkansas Economic Opportunity Corporation, consisting of Cross, St. Francis, Woodruff, Crittenden, and Lee counties;

(9) Economic Opportunity Agency of Pulaski County, consisting of Pulaski and Lonoke counties;

(10) Economic Opportunity Agency of Washington County, consisting of Washington County;

(11) Arkansas Economic Opportunity Commission, Inc., consisting of Mississippi County;

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(12) Mid-Delta Community Services, Inc., consisting of Phillips, Monroe, and Prairie counties;

(13) Northcentral Arkansas Development Council, consisting of Fulton, Izard, Sharp, Stone, and Independence counties;

(14) Office of Human Concern, consisting of Benton, Carroll, and Madison counties;

(15) Ozark Opportunities, Inc., consisting of Van Buren, Searcy, Boone, Marion, Baxter, and Newton counties;

(16) Pine Bluff Jefferson County Economic Opportunity Commission, Inc., consisting of Jefferson, Grant, Arkansas, Lincoln, and Cleveland counties;

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

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

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

Credits
Acts of 1985, Act 345, § 2.

Formerly A.S.A. 1947, § 83-1108.

A.C.A. § 20-80-305, AR ST § 20-80-305
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-306

§ 20-80-306. Agency boundaries and number

Currentness

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

Credits
Acts of 1985, Act 345, § 2.

Formerly A.S.A. 1947, § 83-1108.

A.C.A. § 20-80-306, AR ST § 20-80-306
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-307

§ 20-80-307. Qualifying for recognition, etc.

Currentness

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

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

(c) In order to qualify for recognition and further benefits under this subchapter, a community action agency shall have been organized and constituted under the provisions of the Community Service Block Grant Act of 1981 [1] and shall have a governing board whose numbers are elected and are representatives of specific community interests in accordance with the Community Service Block Grant Act of 1981.

Credits
Acts of 1985, Act 345, § 3.

Formerly A.S.A. 1947, § 83-1109.

Footnotes

1 42 U.S.C.A. § 9901 et seq.

A.C.A. § 20-80-307, AR ST § 20-80-307
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

KeyCite Red Flag - Severe Negative Treatment
KeyCite Red Flag Negative Treatment § 20-80-308. Repealed by Acts of 2003, Act 1473, § 47, eff. July 1, 2003

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-308

§ 20-80-308. Repealed by Acts of 2003, Act 1473, § 47, eff. July 1, 2003

Currentness

Credits
Acts of 2003, Act 1473, § 47, eff. July 1, 2003.

Formerly A.S.A. 1947, § 83-1110; Acts of 1985, Act 345, § 4; Acts of 1997, Act 250, § 209.

A.C.A. § 20-80-308, AR ST § 20-80-308
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-309

§ 20-80-309. Payment to agencies

Currentness

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

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

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

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

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

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

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

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

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

Credits
Acts of 1985, Act 345, § 5.

Formerly A.S.A. 1947, § 83-1111.

A.C.A. § 20-80-309, AR ST § 20-80-309
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-310

§ 20-80-310. Appropriations and notification

Currentness

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

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

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

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

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

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

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

Credits
Acts of 1985, Act 345, § 6.

Formerly A.S.A. 1947, § 83-1112.

A.C.A. § 20-80-310, AR ST § 20-80-310

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-311

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

Currentness

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

Credits
Acts of 1985, Act 345, § 7; Acts of 2019, Act 315, § 2308, eff. July 24, 2019.

Formerly A.S.A. 1947, § 83-1113.

A.C.A. § 20-80-311, AR ST § 20-80-311
The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

West's Arkansas Code Annotated
Title 20. Public Health and Welfare (Refs & Annos)
Subtitle 5. Social Services (Chapters 75 to 86)
Chapter 80. Community Services
Subchapter 3. Community Service and Community Action Program Act of 1985

A.C.A. § 20-80-312

§ 20-80-312. Funds transfer to Weatherization Assistance Program

Currentness

The Department of Human Services shall transfer annually to the Division of Environmental Quality a minimum of fifteen percent (15%) and up to a maximum of twenty-five percent (25%), as allowed by federal law or regulation, of the annual allocation for the Low Income Home Energy Assistance Program to be used by the Weatherization Assistance Program of the Arkansas Energy Office of the Division of Environmental Quality.

Credits

Acts of 2019, Act 790, § 3, eff. July 24, 2019.

A.C.A. § 20-80-312, AR ST § 20-80-312

The constitution and statutes are current through acts effective April 14, 2025, of the 2025 Regular Session of the 95th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through April 23, 2025.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program

42 U.S.C.A. Ch. 106, Refs & Annos
Currentness

42 U.S.C.A. Ch. 106, Refs & Annos, 42 USCA Ch. 106, Refs & Annos
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9901

§ 9901. Purposes and goals

Currentness

The purposes of this chapter are--

(1) to provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient (particularly families who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)); and

(2) to accomplish the goals described in paragraph (1) through--

(A) the strengthening of community capabilities for planning and coordinating the use of a broad range of Federal, State, local, and other assistance (including private resources) related to the elimination of poverty, so that this assistance can be used in a manner responsive to local needs and conditions;

(B) the organization of a range of services related to the needs of low-income families and individuals, so that these services may have a measurable and potentially major impact on the causes of poverty in the community and may help the families and individuals to achieve self-sufficiency;

(C) the greater use of innovative and effective community-based approaches to attacking the causes and effects of poverty and of community breakdown;

(D) the maximum participation of residents of the low-income communities and members of the groups served by programs assisted through the block grants made under this chapter to empower such residents and members to respond to the unique problems and needs within their communities; and

(E) the broadening of the resource base of programs directed to the elimination of poverty so as to secure a more active role in the provision of services for--

(i) private, religious, charitable, and neighborhood-based organizations; and

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(ii) individual citizens, and business, labor, and professional groups, who are able to influence the quantity and quality of opportunities and services for the poor.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 672, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2728.)

EXECUTIVE ORDERS

EXECUTIVE ORDER NO. 13969

<December 28, 2020, 86 F.R. 219>

Expanding Educational Opportunity Through School Choice

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to ensure the education, health, safety, and well-being of America's children, our most essential resource upon which the future of our great Nation depends, it is hereby ordered as follows:

Section 1. Purpose. As part of their efforts to address the public health challenges and uncertainties posed by the COVID-19 pandemic, State and local officials shut down in-person learning for the vast majority of our more than 56 million elementary and secondary school students beginning in late February and early March of this year. Since then, however, our Nation has identified effective measures to facilitate the safe resumption of in-person learning, and the Federal Government has provided more than $13 billion to States and school districts to implement those measures.

The prolonged deprivation of in-person learning opportunities has produced undeniably dire consequences for the children of this country. The Centers for Disease Control and Prevention has stated that school attendance is negatively correlated with a child's risk of depression and various types of abuse. States have seen substantial declines in reports of child maltreatment while school buildings have been closed, indicating that allegations are going unreported. These reductions are driven in part by social isolation from the schoolteachers and support staff with whom students typically interact and who have an obligation to report suspected child maltreatment. The American Academy of Pediatrics (AAP) has also found that school closures have a "substantial impact on food security and physical activity for children and families." Additionally, a recent survey of educators found student absences from school, including virtual learning, have nearly doubled during the pandemic, and as AAP has noted, chronic absenteeism is associated with alcohol and drug use, teenage pregnancy, juvenile delinquency, and suicide attempts.

School closures are especially difficult for families with children with special needs. Schools provide not only academic supports for students with special needs, but they also provide much-needed in-person therapies and services, including physical and occupational therapies. A recent survey found that 80 percent of children with special needs are not receiving the services and supports to which they are entitled and that approximately 40 percent of children with special needs are receiving no services or supports. Moreover, the survey found that virtual learning may not be fully accessible to these students, as children with special needs are twice as likely to receive little or no remote learning and to be dissatisfied with the remote learning received.

Low-income and minority children are also disproportionately affected by school closures. In low-income zip codes, students' math progress decreased by nearly 50 percent while school buildings were closed in the spring, and the math progress of students in middle-income zip codes fell by almost a third during the same period. A recent analysis projected that, if in-person classes do not fully resume until January 2021, Hispanic, Black, and low-income students will lose 9.2, 10.3, and 12.4 months of learning, respectively.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

A failure to quickly resume in-person learning options is likely to have long-term economic effects on children and their families. According to a recent study, if in-person classes do not fully resume until January 2021, the average student could lose $61,000 to $82,000 in lifetime earnings, or the equivalent of a year of full-time work. Additionally, in 2019, more than 90 percent of children under the age of 18 had at least one employed parent. Many employed parents do not have the option of engaging in remote work that allows them the flexibility to supervise their children during the day when in-person learning options are not available. Without the resumption of in-person learning opportunities, the economic and social harms resulting from such lost employment opportunities will continue to compound.

To help mitigate these harms, the Department of Health and Human Services recently announced additional relief for low-income parents by allowing States to use funds available through the Child Care and Development Fund to subsidize child care services and services that supplement academic instruction for children under the age of 13 who are participating in virtual instruction. Nevertheless, virtual instruction is an inadequate substitute for in-person learning opportunities and this aid is insufficient to meet current needs.

While some families, especially those with financial means, have been able to mitigate school disruptions through in-person options such as homeschooling, private schools, charter schools, and innovative models like microschools and "learning pods," for many families, their children's residentially assigned public school remains their only financially available option. Unfortunately, more than 50 percent of all public-school students in the United States began school remotely this fall. These children, including those with special needs, are being underserved due to the public education system's failure to provide in-person learning options.

Students whose families pay tuition for their education are also facing significant hardships due to the economic disruptions caused by the pandemic. Scores of private schools, including approximately 100 Catholic schools, have permanently closed since the onset of COVID-19, and more than half of our Nation's private schools are believed to have lost enrollment due to the pandemic. These closures and declining enrollments are harmful to students, bad for communities, and likely to impose increased strain on public school systems.

I am committed to ensuring that all children of our great Nation have access to the educational resources they need to obtain a high-quality education and to improving students' safety and well-being, including by empowering families with emergency learning scholarships.

Sec. 2. Providing Emergency Learning Scholarships for Students. The Secretary of Health and Human Services shall take steps, consistent with law, to allow funds available through the Community Services Block Grant program to be used by grantees and eligible entities to provide emergency learning scholarships to disadvantaged families for use by any child without access to in-person learning. These scholarships may be used for:

(i) tuition and fees for a private or parochial school;

(ii) homeschool, microschool, or learning-pod costs;

(iii) special education and related services, including therapies; or

(iv) tutoring or remedial education.

Sec. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

42 U.S.C.A. § 9901, 42 USCA § 9901
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9902

§ 9902. Definitions

Currentness

In this chapter:

(1) Eligible entity; family literacy services

(A) Eligible entity

The term "eligible entity" means an entity--

(i) that is an eligible entity described in paragraph (1) (as in effect on the day before October 27, 1998) as of the day before October 27, 1998, or is designated by the process described in section 9909 of this title (including an organization serving migrant or seasonal farmworkers that is so described or designated); and

(ii) that has a tripartite board or other mechanism described in subsection (a) or (b), as appropriate, of section 9910 of this title.

(B) Family literacy services

The term "family literacy services" has the meaning given the term in section 9832 of this title.

(2) Poverty line

The term "poverty line" means the official poverty line defined by the Office of Management and Budget based on the most recent data available from the Bureau of the Census. The Secretary shall revise annually (or at any shorter interval the Secretary determines to be feasible and desirable) the poverty line, which shall be used as a criterion of eligibility in the community services block grant program established under this chapter. The required revision shall be accomplished by multiplying the official poverty line by the percentage change in the Consumer Price Index for All Urban Consumers during the annual or other interval immediately preceding the time at which the revision is made. Whenever a State determines that it serves the objectives of the block grant program established under this chapter, the State may revise the poverty line to not to exceed 125 percent of the official poverty line otherwise applicable under this paragraph.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(3) Private, nonprofit organization

The term "private, nonprofit organization" includes a religious organization, to which the provisions of section 9920 of this title shall apply.

(4) Secretary

The term "Secretary" means the Secretary of Health and Human Services.

(5) State

The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 673, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2729.)

42 U.S.C.A. § 9902, 42 USCA § 9902
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9903

§ 9903. Authorization of appropriations

Currentness

(a) In general

There are authorized to be appropriated such sums as may be necessary for each of fiscal years 1999 through 2003 to carry out the provisions of this chapter (other than sections 9922 and 9923 of this title).

(b) Reservations

Of the amounts appropriated under subsection (a) for each fiscal year, the Secretary shall reserve--

(1) ½ of 1 percent for carrying out section 9905 of this title (relating to payments for territories);

(2) 1 ½ percent for activities authorized in sections 9913 through 9918 of this title, of which--

(A) not less than ½ of the amount reserved by the Secretary under this paragraph shall be distributed directly to eligible entities, organizations, or associations described in section 9913(c)(2) of this title for the purpose of carrying out activities described in section 9913(c) of this title; and

(B) ½ of the remainder of the amount reserved by the Secretary under this paragraph shall be used by the Secretary to carry out evaluation and to assist States in carrying out corrective action activities and monitoring (to correct programmatic deficiencies of eligible entities), as described in sections 9914(c) and 9913 of this title; and

(3) 9 percent for carrying out section 9921 of this title (relating to discretionary activities) and section 9917(b)(2) of this title.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 674, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2730.)

42 U.S.C.A. § 9903, 42 USCA § 9903
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9904

§ 9904. Establishment of block grant program

Currentness

The Secretary is authorized to establish a community services block grant program and make grants through the program to States to ameliorate the causes of poverty in communities within the States.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 675, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2730.)

42 U.S.C.A. § 9904, 42 USCA § 9904
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9905

§ 9905. Distribution to territories

Currentness

(a) Apportionment

The Secretary shall apportion the amount reserved under section 9903(b)(1) of this title for each fiscal year on the basis of need among Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) Application

Each jurisdiction to which subsection (a) applies may receive a grant under this section for the amount apportioned under subsection (a) on submitting to the Secretary, and obtaining approval of, an application, containing provisions that describe the programs for which assistance is sought under this section, that is prepared in accordance with, and contains the information described in, section 9908 of this title.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 675A, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2730.)

42 U.S.C.A. § 9905, 42 USCA § 9905
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9905a

§ 9905a. Omitted

Currentness

42 U.S.C.A. § 9905a, 42 USCA § 9905a
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9906

§ 9906. Allotments and payments to States

Currentness

(a) Allotments in general

The Secretary shall, from the amount appropriated under section 9903(a) of this title for each fiscal year that remains after the Secretary makes the reservations required in section 9903(b) of this title, allot to each State (subject to section 9911 of this title) an amount that bears the same ratio to such remaining amount as the amount received by the State for fiscal year 1981 under section 2808 of this title bore to the total amount received by all States for fiscal year 1981 under such section, except--

(1) that no State shall receive less than ¼ of 1 percent of the amount appropriated under section 9903(a) of this title for such fiscal year; and

(2) as provided in subsection (b).

(b) Allotments in years with greater available funds

(1) Minimum allotments

Subject to paragraphs (2) and (3), if the amount appropriated under section 9903(a) of this title for a fiscal year that remains after the Secretary makes the reservations required in section 9903(b) of this title exceeds $345,000,000, the Secretary shall allot to each State not less than ½ of 1 percent of the amount appropriated under section 9903(a) of this title for such fiscal year.

(2) Maintenance of fiscal year 1990 levels

Paragraph (1) shall not apply with respect to a fiscal year if the amount allotted under subsection (a) to any State for that year is less than the amount allotted under section 9903(a)(1) of this title (as in effect on September 30, 1989) to such State for fiscal year 1990.

(3) Maximum allotments

The amount allotted under paragraph (1) to a State for a fiscal year shall be reduced, if necessary, so that the aggregate amount allotted to such State under such paragraph and subsection (a) does not exceed 140 percent of the aggregate amount allotted to such State under the corresponding provisions of this chapter for the preceding fiscal year.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(c) Payments

The Secretary shall make grants to eligible States for the allotments described in subsections (a) and (b). The Secretary shall make payments for the grants in accordance with section 6503(a) of Title 31.

(d) Definition

In this section, the term "State" does not include Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 675B, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2730.)

42 U.S.C.A. § 9906, 42 USCA § 9906
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9907

§ 9907. Uses of funds

Currentness

(a) Grants to eligible entities and other organizations

(1) In general

Not less than 90 percent of the funds made available to a State under section 9905 or 9906 of this title shall be used by the State to make grants for the purposes described in section 9901 of this title to eligible entities.

(2) Obligational authority

Funds distributed to eligible entities through grants made in accordance with paragraph (1) for a fiscal year shall be available for obligation during that fiscal year and the succeeding fiscal year, subject to paragraph (3).

(3) Recapture and redistribution of unobligated funds

(A) Amount

Beginning on October 1, 2000, a State may recapture and redistribute funds distributed to an eligible entity through a grant made under paragraph (1) that are unobligated at the end of a fiscal year if such unobligated funds exceed 20 percent of the amount so distributed to such eligible entity for such fiscal year.

(B) Redistribution

In redistributing funds recaptured in accordance with this paragraph, States shall redistribute such funds to an eligible entity, or require the original recipient of the funds to redistribute the funds to a private, nonprofit organization, located within the community served by the original recipient of the funds, for activities consistent with the purposes of this chapter.

(b) Statewide activities

(1) Use of remainder

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

If a State uses less than 100 percent of the grant or allotment received under section 9905 or 9906 of this title to make grants under subsection (a), the State shall use the remainder of the grant or allotment under section 9905 or 9906 of this title (subject to paragraph (2)) for activities that may include--

(A) providing training and technical assistance to those entities in need of such training and assistance;

(B) coordinating State-operated programs and services, and at the option of the State, locally-operated programs and services, targeted to low-income children and families with services provided by eligible entities and other organizations funded under this chapter, including detailing appropriate employees of State or local agencies to entities funded under this chapter, to ensure increased access to services provided by such State or local agencies;

(C) supporting statewide coordination and communication among eligible entities;

(D) analyzing the distribution of funds made available under this chapter within the State to determine if such funds have been targeted to the areas of greatest need;

(E) supporting asset-building programs for low-income individuals, such as programs supporting individual development accounts;

(F) supporting innovative programs and activities conducted by community action agencies or other neighborhood-based organizations to eliminate poverty, promote self-sufficiency, and promote community revitalization;

(G) supporting State charity tax credits as described in subsection (c); and

(H) supporting other activities, consistent with the purposes of this chapter.

(2) Administrative cap

No State may spend more than the greater of $55,000, or 5 percent, of the grant received under section 9905 of this title or State allotment received under section 9906 of this title for administrative expenses, including monitoring activities. Funds to be spent for such expenses shall be taken from the portion of the grant under section 9905 of this title or State allotment that remains after the State makes grants to eligible entities under subsection (a). The cost of activities conducted under paragraph (1)(A) shall not be considered to be administrative expenses. The startup cost and cost of administrative activities conducted under subsection (c) shall be considered to be administrative expenses.

(c) Charity tax credit

(1) In general

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

Subject to paragraph (2), if there is in effect under State law a charity tax credit, the State may use for any purpose the amount of the allotment that is available for expenditure under subsection (b).

(2) Limit

The aggregate amount a State may use under paragraph (1) during a fiscal year shall not exceed 100 percent of the revenue loss of the State during the fiscal year that is attributable to the charity tax credit, as determined by the Secretary of the Treasury without regard to any such revenue loss occurring before January 1, 1999.

(3) Definitions and rules

In this subsection:

(A) Charity tax credit

The term "charity tax credit" means a nonrefundable credit against State income tax (or, in the case of a State that does not impose an income tax, a comparable benefit) that is allowable for contributions, in cash or in kind, to qualified charities.

(B) Qualified charity

(i) In general

The term "qualified charity" means any organization--

(I) that is--

(aa) described in section 501(c)(3) of Title 26 and exempt from tax under section 501(a) of such title;

(bb) an eligible entity; or

(cc) a public housing agency as defined in section 1437a(b)(6) of this title;

(II) that is certified by the appropriate State authority as meeting the requirements of clauses (iii) and (iv); and

(III) if such organization is otherwise required to file a return under section 6033 of such title, that elects to treat the information required to be furnished by clause (v) as being specified in section 6033(b) of such title.

(ii) Certain contributions to collection organizations treated as contributions to qualified charity

(I) In general

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

A contribution to a collection organization shall be treated as a contribution to a qualified charity if the donor designates in writing that the contribution is for the qualified charity.

(II) Collection organization

The term "collection organization" means an organization described in section 501(c)(3) of such title and exempt from tax under section 501(a) of such title--

(aa) that solicits and collects gifts and grants that, by agreement, are distributed to qualified charities;

(bb) that distributes to qualified charities at least 90 percent of the gifts and grants the organization receives that are designated for such qualified charities; and

(cc) that meets the requirements of clause (vi).

(iii) Charity must primarily assist poor individuals

(I) In general

An organization meets the requirements of this clause only if the appropriate State authority reasonably expects that the predominant activity of such organization will be the provision of direct services within the United States to individuals and families whose annual incomes generally do not exceed 185 percent of the poverty line in order to prevent or alleviate poverty among such individuals and families.

(II) No recordkeeping in certain cases

An organization shall not be required to establish or maintain records with respect to the incomes of individuals and families for purposes of subclause (I) if such individuals or families are members of groups that are generally recognized as including substantially only individuals and families described in subclause (I).

(III) Food aid and homeless shelters

Except as otherwise provided by the appropriate State authority, for purposes of subclause (I), services to individuals in the form of--

(aa) donations of food or meals; or

(bb) temporary shelter to homeless individuals;

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

shall be treated as provided to individuals described in subclause (I) if the location and provision of such services are such that the service provider may reasonably conclude that the beneficiaries of such services are predominantly individuals described in subclause (I).

(iv) Minimum expense requirement

(I) In general

An organization meets the requirements of this clause only if the appropriate State authority reasonably expects that the annual poverty program expenses of such organization will not be less than 75 percent of the annual aggregate expenses of such organization.

(II) Poverty program expense

For purposes of subclause (I)--

(aa) In general

The term "poverty program expense" means any expense in providing direct services referred to in clause (iii).

(bb) Exceptions

Such term shall not include any management or general expense, any expense for the purpose of influencing legislation (as defined in section 4911(d) of Title 26), any expense for the purpose of fundraising, any expense for a legal service provided on behalf of any individual referred to in clause (iii), any expense for providing tuition assistance relating to compulsory school attendance, and any expense that consists of a payment to an affiliate of the organization.

(v) Reporting requirement

The information required to be furnished under this clause about an organization is--

(I) the percentages determined by dividing the following categories of the organization's expenses for the year by the total expenses of the organization for the year: expenses for direct services, management expenses, general expenses, fundraising expenses, and payments to affiliates; and

(II) the category or categories (including food, shelter, education, substance abuse prevention or treatment, job training, or other) of services that constitute predominant activities of the organization.

(vi) Additional requirements for collection organizations

The requirements of this clause are met if the organization--

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(I) maintains separate accounting for revenues and expenses; and

(II) makes available to the public information on the administrative and fundraising costs of the organization, and information as to the organizations receiving funds from the organization and the amount of such funds.

(vii) Special rule for States requiring tax uniformity

In the case of a State--

(I) that has a constitutional requirement of tax uniformity; and

(II) that, as of December 31, 1997, imposed a tax on personal income with--

(aa) a single flat rate applicable to all earned and unearned income (except insofar as any amount is not taxed pursuant to tax forgiveness provisions); and

(bb) no generally available exemptions or deductions to individuals;

the requirement of paragraph (2) shall be treated as met if the amount of the credit described in paragraph (2) is limited to a uniform percentage (but not greater than 25 percent) of State personal income tax liability (determined without regard to credits).

(4) Limitation on use of funds for startup and administrative activities

Except to the extent provided in subsection (b)(2), no part of the aggregate amount a State uses under paragraph (1) may be used to pay for the cost of the startup and administrative activities conducted under this subsection.

(5) Prohibition on use of funds for legal services or tuition assistance

No part of the aggregate amount a State uses under paragraph (1) may be used to provide legal services or to provide tuition assistance related to compulsory education requirements (not including tuition assistance for tutoring, camps, skills development, or other supplemental services or training).

(6) Prohibition on supplanting funds

No part of the aggregate amount a State uses under paragraph (1) may be used to supplant non-Federal funds that would be available, in the absence of Federal funds, to offset a revenue loss of the State attributable to a charity tax credit.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 675C, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2731.)

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

42 U.S.C.A. § 9907, 42 USCA § 9907
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9908

§ 9908. Application and plan

Currentness

(a) Designation of lead agency

(1) Designation

The chief executive officer of a State desiring to receive a grant or allotment under section 9905 or 9906 of this title shall designate, in an application submitted to the Secretary under subsection (b), an appropriate State agency that complies with the requirements of paragraph (2) to act as a lead agency for purposes of carrying out State activities under this chapter.

(2) Duties

The lead agency shall--

(A) develop the State plan to be submitted to the Secretary under subsection (b);

(B) in conjunction with the development of the State plan as required under subsection (b), hold at least one hearing in the State with sufficient time and statewide distribution of notice of such hearing, to provide to the public an opportunity to comment on the proposed use and distribution of funds to be provided through the grant or allotment under section 9905 or 9906 of this title for the period covered by the State plan; and

(C) conduct reviews of eligible entities under section 9914 of this title.

(3) Legislative hearing

In order to be eligible to receive a grant or allotment under section 9905 or 9906 of this title, the State shall hold at least one legislative hearing every 3 years in conjunction with the development of the State plan.

(b) State application and plan

Beginning with fiscal year 2000, to be eligible to receive a grant or allotment under section 9905 or 9906 of this title, a State shall prepare and submit to the Secretary an application and State plan covering a period of not less than 1 fiscal year and not more than 2 fiscal years. The plan shall be submitted not later than 30 days prior to the beginning of the first fiscal year covered by the plan, and shall contain such information as the Secretary shall require, including--

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

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

(A) to support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), homeless families and individuals, migrant or seasonal 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 (including self-sufficiency for families and individuals who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act);

(ii) to secure and retain meaningful employment;

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

(iv) to make better use of available income;

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

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

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

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

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

(B) to address the needs of youth in low-income communities through youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime, such as--

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

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

(ii) after-school child care programs; and

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

(2) a description of how the State intends to use discretionary funds made available from the remainder of the grant or allotment described in section 9907(b) of this title in accordance with this chapter, including a description of how the State will support innovative community and neighborhood-based initiatives related to the purposes of this chapter;

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

(A) a description of the service delivery system, for services provided or coordinated with funds made available through grants made under section 9907(a) of this title, targeted to low-income individuals and families in communities within the State;

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

(C) a description of how funds made available through grants made under section 9907(a) of this title will be coordinated with other public and private resources; and

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

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

(5) an assurance that the State and the eligible entities in the State will coordinate, and establish linkages between, governmental and other social services programs to assure the effective delivery of such services to low-income individuals and to avoid duplication of such services, and a description of how the State and the eligible entities will coordinate the provision of employment and training activities, as defined in section 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;

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(6) an assurance that the State will ensure coordination between antipoverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention programs under title XXVI (relating to low-income home energy assistance) are conducted in such community;

(7) an assurance that the State will permit and cooperate with Federal investigations undertaken in accordance with section 9916 of this title;

(8) an assurance that any eligible entity in the State that received funding in the previous fiscal year through a community services block grant made under this chapter will not have its funding terminated under this chapter, 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 9915(b) of this title;

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

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

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

(12) an assurance that the State and all eligible entities in the State will, not later than fiscal year 2001, participate in the Results Oriented Management and Accountability System, another performance measure system for which the Secretary facilitated development pursuant to section 9917(b) of this title, or an alternative system for measuring performance and results that meets the requirements of that section, and a description of outcome measures to be used to measure eligible entity performance in promoting self-sufficiency, family stability, and community revitalization; and

(13) information describing how the State will carry out the assurances described in this subsection.

(c) Funding termination or reductions

For purposes of making a determination in accordance with subsection (b)(8) with respect to--

(1) a funding reduction, the term “cause” includes--

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(A) a statewide redistribution of funds provided through a community services block grant under this chapter to respond to--

(i) the results of the most recently available census or other appropriate data;

(ii) the designation of a new eligible entity; or

(iii) severe economic dislocation; or

(B) the failure of an eligible entity to comply with the terms of an agreement or a State plan, or to meet a State requirement, as described in section 9915(a) of this title; and

(2) a termination, the term "cause" includes the failure of an eligible entity to comply with the terms of an agreement or a State plan, or to meet a State requirement, as described in section 9915(a) of this title.

(d) Procedures and information

The Secretary may prescribe procedures for the purpose of assessing the effectiveness of eligible entities in carrying out the purposes of this chapter.

(e) Revisions and inspection

(1) Revisions

The chief executive officer of each State may revise any plan prepared under this section and shall submit the revised plan to the Secretary.

(2) Public inspection

Each plan or revised plan prepared under this section shall be made available for public inspection within the State in such a manner as will facilitate review of, and comment on, the plan.

(f) Transition

For fiscal year 2000, to be eligible to receive a grant or allotment under section 9905 or 9906 of this title, a State shall prepare and submit to the Secretary an application and State plan in accordance with the provisions of this chapter (as in effect on the day before October 27, 1998), rather than the provisions of subsections (a) through (c) relating to applications and plans.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 676, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2735; amended Pub.L. 113-128, Title V, § 512(f), July 22, 2014, 128 Stat. 1707.)

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

42 U.S.C.A. § 9908, 42 USCA § 9908
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9909

§ 9909. Designation and redesignation of eligible entities in unserved areas

Currentness

(a) Qualified organization in or near area

(1) In general

If any geographic area of a State is not, or ceases to be, served by an eligible entity under this chapter, and if the chief executive officer of the State decides to serve such area, the chief executive officer may solicit applications from, and designate as an eligible entity--

(A) a private nonprofit organization (which may include an eligible entity) that is geographically located in the unserved area, that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency, and that meets the requirements of this chapter; and

(B) a private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area.

(2) Requirement

In order to serve as the eligible entity for the area, an entity described in paragraph (1)(B) shall agree to add additional members to the board of the entity to ensure adequate representation--

(A) in each of the three required categories described in subparagraphs (A), (B), and (C) of section 9910(a)(2) of this title, by members that reside in the community comprised by the unserved area; and

(B) in the category described in section 9910(a)(2)(B) of this title, by members that reside in the neighborhood to be served.

(b) Special consideration

In designating an eligible entity under subsection (a), the chief executive officer shall grant the designation to an organization of demonstrated effectiveness in meeting the goals and purposes of this chapter and may give priority, in granting the designation, to eligible entities that are providing related services in the unserved area, consistent with the needs identified by a community-needs assessment.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(c) No qualified organization in or near area

If no private, nonprofit organization is identified or determined to be qualified under subsection (a) to serve the unserved area as an eligible entity the chief executive officer may designate an appropriate political subdivision of the State to serve as an eligible entity for the area. In order to serve as the eligible entity for that area, the political subdivision shall have a board or other mechanism as required in section 9910(b) of this title.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 676A, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2739.)

42 U.S.C.A. § 9909, 42 USCA § 9909
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9910

§ 9910. Tripartite boards

Currentness

(a) Private nonprofit entities

(1) Board

In order for a private, nonprofit entity to be considered to be an eligible entity for purposes of section 9902(1) of this title, the entity shall administer the community services block grant program through a tripartite board described in paragraph (2) that fully participates in the development, planning, implementation, and evaluation of the program to serve low-income communities.

(2) Selection and composition of board

The members of the board referred to in paragraph (1) shall be selected by the entity and the board shall be composed so as to assure that--

(A) ⅓ of the members of the board are elected public officials, holding office on the date of selection, or their representatives, except that if the number of such elected officials reasonably available and willing to serve on the board is less than ⅓ of the membership of the board, membership on the board of appointive public officials or their representatives may be counted in meeting such ⅓ requirement;

(B)(i) not fewer than ⅓ of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the neighborhood served; and

(ii) each representative of low-income individuals and families selected to represent a specific neighborhood within a community under clause (i) resides in the neighborhood represented by the member; and

(C) the remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served.

(b) Public organizations

In order for a public organization to be considered to be an eligible entity for purposes of section 9902(1) of this title, the entity shall administer the community services block grant program through--

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(1) a tripartite board, which shall have members selected by the organization and shall be composed so as to assure that not fewer than ⅓ of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members--

(A) are representative of low-income individuals and families in the neighborhood served;

(B) reside in the neighborhood served; and

(C) are able to participate actively in the development, planning, implementation, and evaluation of programs funded under this chapter; or

(2) another mechanism specified by the State to assure decisionmaking and participation by low-income individuals in the development, planning, implementation, and evaluation of programs funded under this chapter.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 676B, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2740.)

42 U.S.C.A. § 9910, 42 USCA § 9910
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9910a

§ 9910a. Omitted

Currentness

42 U.S.C.A. § 9910a, 42 USCA § 9910a
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document © 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9910b

§ 9910b. Transferred § 9925

Currentness

42 U.S.C.A. § 9910b, 42 USCA § 9910b
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document © 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9910c

§ 9910c. Omitted

Currentness

42 U.S.C.A. § 9910c, 42 USCA § 9910c
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9910d

§ 9910d. Transferred § 9926

Currentness

42 U.S.C.A. § 9910d, 42 USCA § 9910d
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document © 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9911

§ 9911. Payments to Indian tribes

Currentness

(a) Reservation

If, with respect to any State, the Secretary--

(1) receives a request from the governing body of an Indian tribe or tribal organization within the State that assistance under this chapter be made directly to such tribe or organization; and

(2) determines that the members of such tribe or tribal organization would be better served by means of grants made directly to provide benefits under this chapter,

the Secretary shall reserve from amounts that would otherwise be allotted to such State under section 9906 of this title for the fiscal year the amount determined under subsection (b).

(b) Determination of reserved amount

The Secretary shall reserve for the purpose of subsection (a) from amounts that would otherwise be allotted to such State, not less than 100 percent of an amount that bears the same ratio to the State allotment for the fiscal year involved as the population of all eligible Indians for whom a determination has been made under subsection (a) bears to the population of all individuals eligible for assistance through a community services block grant made under this chapter in such State.

(c) Awards

The sums reserved by the Secretary on the basis of a determination made under subsection (a) shall be made available by grant to the Indian tribe or tribal organization serving the individuals for whom such a determination has been made.

(d) Plan

In order for an Indian tribe or tribal organization to be eligible for a grant award for a fiscal year under this section, the tribe or organization shall submit to the Secretary a plan for such fiscal year that meets such criteria as the Secretary may prescribe by regulation.

(e) Definitions

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

In this section:

(1) Indian tribe; tribal organization

The terms “Indian tribe” and “tribal organization” mean a tribe, band, or other organized group recognized in the State in which the tribe, band, or group resides, or considered by the Secretary of the Interior, to be an Indian tribe or an Indian organization for any purpose.

(2) Indian

The term “Indian” means a member of an Indian tribe or of a tribal organization.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 677, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2741.)

42 U.S.C.A. § 9911, 42 USCA § 9911
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9912

§ 9912. Office of Community Services

Currentness

(a) Office

The Secretary shall carry out the functions of this chapter through an Office of Community Services, which shall be established in the Department of Health and Human Services. The Office shall be headed by a Director.

(b) Grants, contracts, and cooperative agreements

The Secretary shall carry out functions of this chapter through grants, contracts, or cooperative agreements.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2742.)

42 U.S.C.A. § 9912, 42 USCA § 9912
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9913

§ 9913. Training, technical assistance, and other activities

Currentness

(a) Activities

(1) In general

The Secretary shall use amounts reserved in section 9903(b)(2) of this title--

(A) for training, technical assistance, planning, evaluation, and performance measurement, to assist States in carrying out corrective action activities and monitoring (to correct programmatic deficiencies of eligible entities), and for reporting and data collection activities, related to programs carried out under this chapter; and

(B) to distribute amounts in accordance with subsection (c).

(2) Grants, contracts, and cooperative agreements

The activities described in paragraph (1)(A) may be carried out by the Secretary through grants, contracts, or cooperative agreements with appropriate entities.

(b) Terms and technical assistance process

The process for determining the training and technical assistance to be carried out under this section shall--

(1) ensure that the needs of eligible entities and programs relating to improving program quality (including quality of financial management practices) are addressed to the maximum extent feasible; and

(2) incorporate mechanisms to ensure responsiveness to local needs, including an ongoing procedure for obtaining input from the national and State networks of eligible entities.

(c) Distribution requirement

(1) In general

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

The amounts reserved under section 9903(b)(2)(A) of this title for activities to be carried out under this subsection shall be distributed directly to eligible entities, organizations, or associations described in paragraph (2) for the purpose of improving program quality (including quality of financial management practices), management information and reporting systems, and measurement of program results, and for the purpose of ensuring responsiveness to identified local needs.

(2) Eligible entities, organizations, or associations

Eligible entities, organizations, or associations described in this paragraph shall be eligible entities, or statewide or local organizations or associations, with demonstrated expertise in providing training to individuals and organizations on methods of effectively addressing the needs of low-income families and communities.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678A, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2742.)

42 U.S.C.A. § 9913, 42 USCA § 9913
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9914

§ 9914. Monitoring of eligible entities

Currentness

(a) In general

In order to determine whether eligible entities meet the performance goals, administrative standards, financial management requirements, and other requirements of a State, the State shall conduct the following reviews of eligible entities:

(1) A full onsite review of each such entity at least once during each 3-year period.

(2) An onsite review of each newly designated entity immediately after the completion of the first year in which such entity receives funds through the community services block grant program.

(3) Followup reviews including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State.

(4) Other reviews as appropriate, including reviews of entities with programs that have had other Federal, State, or local grants (other than assistance provided under this chapter) terminated for cause.

(b) Requests

The State may request training and technical assistance from the Secretary as needed to comply with the requirements of this section.

(c) Evaluations by the Secretary

The Secretary shall conduct in several States in each fiscal year evaluations (including investigations) of the use of funds received by the States under this chapter in order to evaluate compliance with the provisions of this chapter, and especially with respect to compliance with section 9908(b) of this title. The Secretary shall submit, to each State evaluated, a report containing the results of such evaluations, and recommendations of improvements designed to enhance the benefit and impact of the activities carried out with such funds for people in need. On receiving the report, the State shall submit to the Secretary a plan of action in response to the recommendations contained in the report. The results of the evaluations shall be submitted annually to the Chairperson of the Committee on Education and the Workforce of the House of Representatives and the Chairperson of the Committee on Labor and Human Resources of the Senate as part of the report submitted by the Secretary in accordance with section 9917(b)(2) of this title.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678B, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2743.)

42 U.S.C.A. § 9914, 42 USCA § 9914
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9915

§ 9915. Corrective action; termination and reduction of funding

Currentness

(a) Determination

If the State determines, on the basis of a final decision in a review pursuant to section 9914 of this title, that an eligible entity fails to comply with the terms of an agreement, or the State plan, to provide services under this chapter or to meet appropriate standards, goals, and other requirements established by the State (including performance objectives), the State shall--

(1) inform the entity of the deficiency to be corrected;

(2) require the entity to correct the deficiency;

(3)(A) offer training and technical assistance, if appropriate, to help correct the deficiency, and prepare and submit to the Secretary a report describing the training and technical assistance offered; or

(B) if the State determines that such training and technical assistance are not appropriate, prepare and submit to the Secretary a report stating the reasons for the determination;

(4)(A) at the discretion of the State (taking into account the seriousness of the deficiency and the time reasonably required to correct the deficiency), allow the entity to develop and implement, within 60 days after being informed of the deficiency, a quality improvement plan to correct such deficiency within a reasonable period of time, as determined by the State; and

(B) not later than 30 days after receiving from an eligible entity a proposed quality improvement plan pursuant to subparagraph (A), either approve such proposed plan or specify the reasons why the proposed plan cannot be approved; and

(5) after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of or reduce the funding under this chapter of the eligible entity unless the entity corrects the deficiency.

(b) Review

A determination to terminate the designation or reduce the funding of an eligible entity is reviewable by the Secretary. The Secretary shall, upon request, review such a determination. The review shall be completed not later than 90 days after the Secretary receives from the State all necessary documentation relating to the determination to terminate the designation or

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

reduce the funding. If the review is not completed within 90 days, the determination of the State shall become final at the end of the 90th day.

(c) Direct assistance

Whenever a State violates the assurances contained in section 9908(b)(8) of this title and terminates or reduces the funding of an eligible entity prior to the completion of the State hearing described in that section and the Secretary's review as required in subsection (b), the Secretary is authorized to provide financial assistance under this chapter to the eligible entity affected until the violation is corrected. In such a case, the grant or allotment for the State under section 9905 or 9906 of this title for the earliest appropriate fiscal year shall be reduced by an amount equal to the funds provided under this subsection to such eligible entity.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678C, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2743.)

Notes of Decisions (1)

42 U.S.C.A. § 9915, 42 USCA § 9915
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9916

§ 9916. Fiscal controls, audits, and withholding

Currentness

(a) Fiscal controls, procedures, audits, and inspections

(1) In general

A State that receives funds under this chapter shall--

(A) establish fiscal control and fund accounting procedures necessary to assure the proper disbursal of and accounting for Federal funds paid to the State under this chapter, including procedures for monitoring the funds provided under this chapter;

(B) ensure that cost and accounting standards of the Office of Management and Budget apply to a recipient of the funds under this chapter;

(C) subject to paragraph (2), prepare, at least every year, an audit of the expenditures of the State of amounts received under this chapter and amounts transferred to carry out the purposes of this chapter; and

(D) make appropriate books, documents, papers, and records available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for examination, copying, or mechanical reproduction on or off the premises of the appropriate entity upon a reasonable request for the items.

(2) Audits

(A) In general

Subject to subparagraph (B), each audit required by subsection (a)(1)(C) shall be conducted by an entity independent of any agency administering activities or services carried out under this chapter and shall be conducted in accordance with generally accepted accounting principles.

(B) Single audit requirements

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

Audits shall be conducted under this paragraph in the manner and to the extent provided in chapter 75 of title 31 (commonly known as the "Single Audit Act Amendments of 1996").

(C) Submission of copies

Within 30 days after the completion of each such audit in a State, the chief executive officer of the State shall submit a copy of such audit to any eligible entity that was the subject of the audit at no charge, to the legislature of the State, and to the Secretary.

(3) Repayments

The State shall repay to the United States amounts found not to have been expended in accordance with this chapter or the Secretary may offset such amounts against any other amount to which the State is or may become entitled under this chapter.

(b) Withholding

(1) In general

The Secretary shall, after providing adequate notice and an opportunity for a hearing conducted within the affected State, withhold funds from any State that does not utilize the grant or allotment under section 9905 or 9906 of this title in accordance with the provisions of this chapter, including the assurances such State provided under section 9908 of this title.

(2) Response to complaints

The Secretary shall respond in an expeditious and speedy manner to complaints of a substantial or serious nature that a State has failed to use funds in accordance with the provisions of this chapter, including the assurances provided by the State under section 9908 of this title. For purposes of this paragraph, a complaint of a failure to meet any one of the assurances provided under section 9908 of this title that constitutes disregarding that assurance shall be considered to be a complaint of a serious nature.

(3) Investigations

Whenever the Secretary determines that there is a pattern of complaints of failures described in paragraph (2) from any State in any fiscal year, the Secretary shall conduct an investigation of the use of funds received under this chapter by such State in order to ensure compliance with the provisions of this chapter.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678D, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2744.)

42 U.S.C.A. § 9916, 42 USCA § 9916
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9917

§ 9917. Accountability and reporting requirements

Currentness

(a) State accountability and reporting requirements

(1) Performance measurement

(A) In general

By October 1, 2001, each State that receives funds under this chapter shall participate, and shall ensure that all eligible entities in the State participate, in a performance measurement system, which may be a performance measurement system for which the Secretary facilitated development pursuant to subsection (b), or an alternative system that the Secretary is satisfied meets the requirements of subsection (b).

(B) Local agencies

The State may elect to have local agencies that are subcontractors of the eligible entities under this chapter participate in the performance measurement system. If the State makes that election, references in this section to eligible entities shall be considered to include the local agencies.

(2) Annual report

Each State shall annually prepare and submit to the Secretary a report on the measured performance of the State and the eligible entities in the State. Prior to the participation of the State in the performance measurement system, the State shall include in the report any information collected by the State relating to such performance. Each State shall also include in the report an accounting of the expenditure of funds received by the State through the community services block grant program, including an accounting of funds spent on administrative costs by the State and the eligible entities, and funds spent by eligible entities on the direct delivery of local services, and shall include information on the number of and characteristics of clients served under this chapter in the State, based on data collected from the eligible entities. The State shall also include in the report a summary describing the training and technical assistance offered by the State under section 9915(a)(3) of this title during the year covered by the report.

(b) Secretary's accountability and reporting requirements

(1) Performance measurement

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

The Secretary, in collaboration with the States and with eligible entities throughout the Nation, shall facilitate the development of one or more model performance measurement systems, which may be used by the States and by eligible entities to measure their performance in carrying out the requirements of this chapter and in achieving the goals of their community action plans. The Secretary shall provide technical assistance, including support for the enhancement of electronic data systems, to States and to eligible entities to enhance their capability to collect and report data for such a system and to aid in their participation in such a system.

(2) Reporting requirements

At the end of each fiscal year beginning after September 30, 1999, the Secretary shall, directly or by grant or contract, prepare a report containing--

(A) a summary of the planned use of funds by each State, and the eligible entities in the State, under the community services block grant program, as contained in each State plan submitted pursuant to section 9908 of this title;

(B) a description of how funds were actually spent by the State and eligible entities in the State, including a breakdown of funds spent on administrative costs and on the direct delivery of local services by eligible entities;

(C) information on the number of entities eligible for funds under this chapter, the number of low-income persons served under this chapter, and such demographic data on the low-income populations served by eligible entities as is determined by the Secretary to be feasible;

(D) a comparison of the planned uses of funds for each State and the actual uses of the funds;

(E) a summary of each State's performance results, and the results for the eligible entities, as collected and submitted by the States in accordance with subsection (a)(2); and

(F) any additional information that the Secretary considers to be appropriate to carry out this chapter, if the Secretary informs the States of the need for such additional information and allows a reasonable period of time for the States to collect and provide the information.

(3) Submission

The Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate the report described in paragraph (2), and any comments the Secretary may have with respect to such report. The report shall include definitions of direct and administrative costs used by the Department of Health and Human Services for programs funded under this chapter.

(4) Costs

Of the funds reserved under section 9903(b)(3) of this title, not more than $350,000 shall be available to carry out the reporting requirements contained in paragraph (2).

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678E, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2746.)

42 U.S.C.A. § 9917, 42 USCA § 9917
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9918

§ 9918. Limitations on use of funds

Currentness

(a) Construction of facilities

(1) Limitations

Except as provided in paragraph (2), grants made under this chapter (other than amounts reserved under section 9903(b)(3) of this title) may not be used by the State, or by any other person with which the State makes arrangements to carry out the purposes of this chapter, for the purchase or improvement of land, or the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility.

(2) Waiver

The Secretary may waive the limitation contained in paragraph (1) upon a State request for such a waiver, if the Secretary finds that the request describes extraordinary circumstances to justify the purchase of land or the construction of facilities (or the making of permanent improvements) and that permitting the waiver will contribute to the ability of the State to carry out the purposes of this chapter.

(b) Political activities

(1) Treatment as a State or local agency

For purposes of chapter 15 of Title 5, any entity that assumes responsibility for planning, developing, and coordinating activities under this chapter and receives assistance under this chapter shall be deemed to be a State or local agency. For purposes of paragraphs (1) and (2) of section 1502(a) of such title, any entity receiving assistance under this chapter shall be deemed to be a State or local agency.

(2) Prohibitions

Programs assisted under this chapter shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel, in a manner supporting or resulting in the identification of such programs with--

(A) any partisan or nonpartisan political activity or any political activity associated with a candidate, or contending faction or group, in an election for public or party office;

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(B) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or

(C) any voter registration activity.

(3) Rules and regulations

The Secretary, after consultation with the Office of Personnel Management, shall issue rules and regulations to provide for the enforcement of this subsection, which shall include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.

(c) Nondiscrimination

(1) In general

No person shall, on the basis of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under this chapter. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) or with respect to an otherwise qualified individual with a disability as provided in section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) shall also apply to any such program or activity.

(2) Action of Secretary

Whenever the Secretary determines that a State that has received a payment under this chapter has failed to comply with paragraph (1) or an applicable regulation, the Secretary shall notify the chief executive officer of the State and shall request that the officer secure compliance. If within a reasonable period of time, not to exceed 60 days, the chief executive officer fails or refuses to secure compliance, the Secretary is authorized to--

(A) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted;

(B) exercise the powers and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.), as may be applicable; or

(C) take such other action as may be provided by law.

(3) Action of Attorney General

When a matter is referred to the Attorney General pursuant to paragraph (2), or whenever the Attorney General has reason to believe that the State is engaged in a pattern or practice of discrimination in violation of the provisions of this subsection, the

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

Attorney General may bring a civil action in any appropriate United States district court for such relief as may be appropriate, including injunctive relief.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678F, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2747.)

42 U.S.C.A. § 9918, 42 USCA § 9918
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9919

§ 9919. Drug and child support services and referrals

Currentness

(a) Drug testing and rehabilitation

(1) In general

Nothing in this chapter shall be construed to prohibit a State from testing participants in programs, activities, or services carried out or provided under this chapter for controlled substances. A State that conducts such testing shall inform the participants who test positive for any of such substances about the availability of treatment or rehabilitation services and refer such participants for appropriate treatment or rehabilitation services.

(2) Administrative expenses

Any funds provided under this chapter expended for such testing shall be considered to be expended for administrative expenses and shall be subject to the limitation specified in section 9907(b)(2) of this title.

(3) Definition

In this subsection, the term "controlled substance" has the meaning given the term in section 802 of Title 21.

(b) Child support services and referrals

During each fiscal year for which an eligible entity receives a grant under section 9907 of this title, such entity shall--

(1) inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this chapter about the availability of child support services; and

(2) refer eligible parents to the child support offices of State and local governments.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 678G, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2749.)

42 U.S.C.A. § 9919, 42 USCA § 9919

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9920

§ 9920. Operational rule

Currentness

(a) Religious organizations included as nongovernmental providers

For any program carried out by the Federal Government, or by a State or local government under this chapter, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under this chapter shall discriminate against an organization that provides assistance under, or applies to provide assistance under, this chapter, on the basis that the organization has a religious character.

(b) Religious character and independence

(1) In general

A religious organization that provides assistance under a program described in subsection (a) shall retain its religious character and control over the definition, development, practice, and expression of its religious beliefs.

(2) Additional safeguards

Neither the Federal Government nor a State or local government shall require a religious organization--

(A) to alter its form of internal governance, except (for purposes of administration of the community services block grant program) as provided in section 9910 of this title; or

(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (a).

(3) Employment practices

A religious organization's exemption provided under section 2000e-1 of this title regarding employment practices shall not be affected by its participation in, or receipt of funds from, programs described in subsection (a).

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(c) Limitations on use of funds for certain purposes

No funds provided directly to a religious organization to provide assistance under any program described in subsection (a) shall be expended for sectarian worship, instruction, or proselytization.

(d) Fiscal accountability

(1) In general

Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (a) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

(2) Limited audit

Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.

(e) Treatment of eligible entities and other intermediate organizations

If an eligible entity or other organization (referred to in this subsection as an "intermediate organization"), acting under a contract, or grant or other agreement, with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (a), the intermediate organization shall have the same duties under this section as the government.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 679, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2749.)

42 U.S.C.A. § 9920, 42 USCA § 9920
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9921

§ 9921. Discretionary authority of Secretary

Currentness

(a) Grants, contracts, arrangements, loans, and guarantees

(1) In general

The Secretary shall, from funds reserved under section 9903(b)(3) of this title, make grants, loans, or guarantees to States and public agencies and private, nonprofit organizations, or enter into contracts or jointly financed cooperative arrangements with States and public agencies and private, nonprofit organizations (and for-profit organizations, to the extent specified in paragraph (2)(E)) for each of the objectives described in paragraphs (2) through (4).

(2) Community economic development

(A) Economic development activities

The Secretary shall make grants described in paragraph (1) on a competitive basis to private, nonprofit organizations that are community development corporations to provide technical and financial assistance for economic development activities designed to address the economic needs of low-income individuals and families by creating employment and business development opportunities.

(B) Consultation

The Secretary shall exercise the authority provided under subparagraph (A) after consultation with other relevant Federal officials.

(C) Governing boards

For a community development corporation to receive funds to carry out this paragraph, the corporation shall be governed by a board that shall consist of residents of the community and business and civic leaders and shall have as a principal purpose planning, developing, or managing low-income housing or community development projects.

(D) Geographic distribution

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

In making grants to carry out this paragraph, the Secretary shall take into consideration the geographic distribution of funding among States and the relative proportion of funding among rural and urban areas.

(E) Reservation

Of the amounts made available to carry out this paragraph, the Secretary may reserve not more than 1 percent for each fiscal year to make grants to private, nonprofit organizations or to enter into contracts with private, nonprofit or for-profit organizations to provide technical assistance to aid community development corporations in developing or implementing activities funded to carry out this paragraph and to evaluate activities funded to carry out this paragraph.

(3) Rural community development activities

The Secretary shall provide the assistance described in paragraph (1) for rural community development activities, which shall include providing--

(A) grants to private, nonprofit corporations to enable the corporations to provide assistance concerning home repair to rural low-income families and concerning planning and developing low-income rural rental housing units; and

(B) grants to multistate, regional, private, nonprofit organizations to enable the organizations to provide training and technical assistance to small, rural communities concerning meeting their community facility needs.

(4) Neighborhood innovation projects

The Secretary shall provide the assistance described in paragraph (1) for neighborhood innovation projects, which shall include providing grants to neighborhood-based private, nonprofit organizations to test or assist in the development of new approaches or methods that will aid in overcoming special problems identified by communities or neighborhoods or otherwise assist in furthering the purposes of this chapter, and which may include providing assistance for projects that are designed to serve low-income individuals and families who are not being effectively served by other programs.

(b) Evaluation

The Secretary shall require all activities receiving assistance under this section to be evaluated for their effectiveness. Funding for such evaluations shall be provided as a stated percentage of the assistance or through a separate grant awarded by the Secretary specifically for the purpose of evaluation of a particular activity or group of activities.

(c) Annual report

The Secretary shall compile an annual report containing a summary of the evaluations required in subsection (b) and a listing of all activities assisted under this section. The Secretary shall annually submit the report to the Chairperson of the Committee on Education and the Workforce of the House of Representatives and the Chairperson of the Committee on Labor and Human Resources of the Senate.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 680, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2750.)

42 U.S.C.A. § 9921, 42 USCA § 9921
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9922

§ 9922. Community food and nutrition programs

Currentness

(a) Grants

The Secretary may, through grants to public and private, nonprofit agencies, provide for community-based, local, statewide, and national programs--

(1) to coordinate private and public food assistance resources, wherever the grant recipient involved determines such coordination to be inadequate, to better serve low-income populations;

(2) to assist low-income communities to identify potential sponsors of child nutrition programs and to initiate such programs in underserved or unserved areas; and

(3) to develop innovative approaches at the State and local level to meet the nutrition needs of low-income individuals.

(b) Allotments and distribution of funds

(1) Not to exceed $6,000,000 in appropriations

Of the amount appropriated for a fiscal year to carry out this section (but not to exceed $6,000,000), the Secretary shall distribute funds for grants under subsection (a) as follows:

(A) Allotments

From a portion equal to 60 percent of such amount (but not to exceed $3,600,000), the Secretary shall allot for grants to eligible agencies for statewide programs in each State the amount that bears the same ratio to such portion as the low-income and unemployed population of such State bears to the low-income and unemployed population of all the States.

(B) Competitive grants

From a portion equal to 40 percent of such amount (but not to exceed $2,400,000), the Secretary shall make grants on a competitive basis to eligible agencies for local and statewide programs.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(2) Greater available appropriations

Any amounts appropriated for a fiscal year to carry out this section in excess of $6,000,000 shall be allotted as follows:

(A) Allotments

The Secretary shall use 40 percent of such excess to allot for grants under subsection (a) to eligible agencies for statewide programs in each State an amount that bears the same ratio to 40 percent of such excess as the low-income and unemployed population of such State bears to the low-income and unemployed population of all the States.

(B) Competitive grants for local and statewide programs

The Secretary shall use 40 percent of such excess to make grants under subsection (a) on a competitive basis to eligible agencies for local and statewide programs.

(C) Competitive grants for nationwide programs

The Secretary shall use the remaining 20 percent of such excess to make grants under subsection (a) on a competitive basis to eligible agencies for nationwide programs, including programs benefiting Indians, as defined in section 9911 of this title, and migrant or seasonal farmworkers.

(3) Eligibility for allotments for statewide programs

To be eligible to receive an allotment under paragraph (1)(A) or (2)(A), an eligible agency shall demonstrate that the proposed program is statewide in scope and represents a comprehensive and coordinated effort to alleviate hunger within the State.

(4) Minimum allotments for statewide programs

(A) In general

From the amounts allotted under paragraphs (1)(A) and (2)(A), the minimum total allotment for each State for each fiscal year shall be--

(i) $15,000 if the total amount appropriated to carry out this section is not less than $7,000,000 but less than $10,000,000;

(ii) $20,000 if the total amount appropriated to carry out this section is not less than $10,000,000 but less than $15,000,000; or

(iii) $30,000 if the total amount appropriated to carry out this section is not less than $15,000,000.

(B) Definition

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

In this paragraph, the term "State" does not include Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(5) Maximum grants

From funds made available under paragraphs (1)(B) and (2)(B) for any fiscal year, the Secretary may not make grants under subsection (a) to an eligible agency in an aggregate amount exceeding $50,000. From funds made available under paragraph (2)(C) for any fiscal year, the Secretary may not make grants under subsection (a) to an eligible agency in an aggregate amount exceeding $300,000.

(c) Report

For each fiscal year, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report concerning the grants made under this section. Such report shall include--

(1) a list of grant recipients;

(2) information on the amount of funding awarded to each grant recipient; and

(3) a summary of the activities performed by the grant recipients with funding awarded under this section and a description of the manner in which such activities meet the objectives described in subsection (a).

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 1999 through 2003.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 681, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2752.)

42 U.S.C.A. § 9922, 42 USCA § 9922
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9923

§ 9923. National or regional programs designed to provide instructional activities for low-income youth

Currentness

(a) General authority

The Secretary is authorized to make a grant to an eligible service provider to administer national or regional programs to provide instructional activities for low-income youth. In making such a grant, the Secretary shall give priority to eligible service providers that have a demonstrated ability to operate such a program.

(b) Program requirements

Any instructional activity carried out by an eligible service provider receiving a grant under this section shall be carried out on the campus of an institution of higher education (as defined in section 1141(a) of Title 20) and shall include--

(1) access to the facilities and resources of such an institution;

(2) an initial medical examination and follow-up referral or treatment, without charge, for youth during their participation in such activity;

(3) at least one nutritious meal daily, without charge, for participating youth during each day of participation;

(4) high quality instruction in a variety of sports (that shall include swimming and that may include dance and any other high quality recreational activity) provided by coaches and teachers from institutions of higher education and from elementary and secondary schools (as defined in section 7801 of Title 20); and

(5) enrichment instruction and information on matters relating to the well-being of youth, to include educational opportunities and information on study practices, education for the prevention of drug and alcohol abuse, and information on health and nutrition, career opportunities, and family and job responsibilities.

(c) Advisory committee; partnerships

The eligible service provider shall, in each community in which a program is funded under this section--

(1) ensure that--

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(A) a community-based advisory committee is established, with representatives from local youth, family, and social service organizations, schools, entities providing park and recreation services, and other community-based organizations serving high-risk youth; or

(B) an existing community-based advisory board, commission, or committee with similar membership is utilized to serve as the committee described in subparagraph (A); and

(2) enter into formal partnerships with youth-serving organizations or other appropriate social service entities in order to link program participants with year-round services in their home communities that support and continue the objectives of this chapter.

(d) Eligible providers

A service provider that is a national private, nonprofit organization, a coalition of such organizations, or a private, nonprofit organization applying jointly with a business concern shall be eligible to apply for a grant under this section if--

(1) the applicant has demonstrated experience in operating a program providing instruction to low-income youth;

(2) the applicant agrees to contribute an amount (in cash or in kind, fairly evaluated) of not less than 25 percent of the amount requested, for the program funded through the grant;

(3) the applicant agrees to use no funds from a grant authorized under this section for administrative expenses; and

(4) the applicant agrees to comply with the regulations or program guidelines promulgated by the Secretary for use of funds made available through the grant.

(e) Application process

To be eligible to receive a grant under this section, a service provider shall submit to the Secretary, for approval, an application at such time, in such manner, and containing such information as the Secretary may require.

(f) Promulgation of regulations or program guidelines

The Secretary shall promulgate regulations or program guidelines to ensure funds made available through a grant made under this section are used in accordance with the objectives of this chapter.

(g) Authorization of appropriations

There are authorized to be appropriated $15,000,000 for each of fiscal years 1999 through 2003 for grants to carry out this section.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 682, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2753; Pub.L. 107-110, Title X, § 1076(ee), Jan. 8, 2002, 115 Stat. 2093; Pub.L. 114-95, Title IX, § 9215(t), Dec. 10, 2015, 129 Stat. 2171.)

42 U.S.C.A. § 9923, 42 USCA § 9923
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9924

§ 9924. References

Currentness

Any reference in any provision of law to the poverty line set forth in section 624 or 625 of the Economic Opportunity Act of 1964 shall be construed to be a reference to the poverty line defined in section 9902 of this title. Except as otherwise provided, any reference in any provision of law to any community action agency designated under title II of the Economic Opportunity Act of 1964 shall be construed to be a reference to an entity eligible to receive funds under the community services block grant program.

CREDIT(S)

(Pub.L. 97-35, Title VI, § 683, as added Pub.L. 105-285, Title II, § 201, Oct. 27, 1998, 112 Stat. 2755.)

42 U.S.C.A. § 9924, 42 USCA § 9924
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9925

§ 9925. Demonstration partnership agreements addressing needs of poor

Currentness

(a) General authority

(1) In order to stimulate the development of new approaches to provide for greater self-sufficiency of the poor, to test and evaluate such new approaches, to disseminate project results and evaluation findings so that such approaches can be replicated, and to strengthen the integration, coordination, and redirection of activities to promote maximum self-sufficiency among the poor, the Secretary may make grants from funds appropriated under subsection (e) to eligible entities for the development and implementation of new and innovative approaches to deal with particularly critical needs or problems of the poor which are common to a number of communities. Grants may be made only with respect to applications which--

(A) involve activities which can be incorporated into or be closely coordinated with eligible entities' ongoing programs;

(B) involve significant new combinations of resources or new and innovative approaches involving partnership agreements;

(C) are structured in a way that will, within the limits of the type of assistance or activities contemplated, most fully and effectively promote the purposes of the Community Services Block Grant Act; and

(D) contain an assurance that the applicant for such grants will obtain an independent, methodologically sound evaluation of the effectiveness of the activities carried out with such grant and will submit such evaluation to the Secretary.

(2) No grant may be made under this section unless an application is submitted to the Secretary at such time, in such manner, and containing or accompanied by such information, as the Secretary may require.

(3) Initial and subsequent grant awards may fully fund projects for periods of up to 3 years.

(b) Federal share; limitations

(1)(A) Subject to subparagraph (B), grants awarded pursuant to this section shall be used for programs and shall not exceed 50 per centum of the cost of such programs.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(B) After the first funding period for which an eligible entity receives a grant under this section to carry out a program, the amount of a subsequent grant made under this section to such entity to carry out such program may not exceed 80 percent of the amount of the grant previously received by such entity under this section to carry out such program.

(2) Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, or services.

(3) Not more than one grant in each fiscal year may be made to any eligible entity, and no grant may exceed $350,000. Not more than 2 grants may be made under this section to an eligible entity to carry out a particular program.

(4) No application may be approved for assistance under this section unless the Secretary is satisfied that--

(A) the activities to be carried out under the application will be in addition to, and not in substitution for, activities previously carried on without Federal assistance; and

(B) funds or other resources devoted to programs designed to meet the needs of the poor within the community, area, or State will not be diminished in order to provide the matching contributions required under this section.

(c) Programs directed to special populations

(1) In addition to the grant programs described in subsection (a), the Secretary may make grants to community action agencies for the purpose of enabling such agencies to demonstrate new approaches to dealing with the problems caused by entrenched, chronic unemployment and lack of economic opportunities for urban youth. Demonstrations shall include such activities as peer counseling, mentoring, development of job skills, assistance with social skills, community services, family literacy, parenting skills, opportunities for employment or entrepreneurship, and other services designed to assist such at-risk youth to continue their education, to secure meaningful employment, to perform community service, or to pursue other productive alternatives within the community.

(2) Such grants may be made only with respect to applications that--

(A) identify and describe the population to be served, the problems to be addressed, the overall approach and methods of outreach and recruitment to be used, and the services to be provided;

(B) describe how the approach to be used differs from other approaches used for the population to be served by the project;

(C) describe the objectives of the project and contain a plan for measuring progress toward meeting those objectives; and

(D) contain assurances that the grantee will report on the progress and results of the demonstration at such times and in such manner as the Secretary shall require.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(3) Notwithstanding subsection (b), such grants shall not exceed 80 percent of the cost of such programs.

(4) Such grants made under this subsection on a competitive basis shall be based on an annual competition determined by the Secretary. Grants made under this subsection shall not exceed $500,000.

(d) Dissemination of results

As soon as practicable, but not later than 180 days after the end of the fiscal year in which a recipient of a grant under this section completes the expenditure of such grant, the Secretary shall prepare and make available to each State and each eligible entity a description of the program carried out with such grant, any relevant information developed and results achieved, and a summary of the evaluation of such program received under subsection (a)(1)(D) so as to provide a model of innovative programs for other eligible entities.

(e) Replication of programs

(1) The Secretary shall annually identify programs that receive grants under this section that demonstrate a significant potential for dealing with particularly critical needs or problems of the poor that exist in a number of communities.

(2) Not less than 10 percent, and not more than 25 percent, of the funds appropriated for each fiscal year to carry out this section shall be available to make grants under this section to replicate in additional geographic areas programs identified under paragraph (1).

[(f) Omitted]

(g) Definitions

As used in this section--

(1) the term "eligible entity" has the same meaning given such term by section 673(1) of the Community Services Block Grant Act (42 U.S.C. 9902(1)), except that such term includes an organization that serves migrant and seasonal farm workers and that receives a grant under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) in the fiscal year preceding the fiscal year for which such organization requests a grant under this section; and

(2) the term "Secretary" means the Secretary of Health and Human Services.

(h) Authorization of appropriations

(1) There are authorized to be appropriated $30,000,000 for fiscal year 1995, and such sums as may be necessary for fiscal years 1996, 1997, and 1998, to carry out this section.

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(2) Of the amounts appropriated for this section, not less than 30 percent and not more than 40 percent shall be used to carry out the programs authorized under subsection (c).

(3) In addition to sums which are required to carry out the evaluation, reporting, and dissemination of results under subsections (a), (c), (d), and (f), [1] the Secretary is authorized to reserve up to 2 percent of the amounts appropriated pursuant to subparagraphs (1) and (2) for administration of the program as well as for planning and technical assistance.

CREDIT(S)

(Pub.L. 99-425, Title IV, § 408, Sept. 30, 1986, 100 Stat. 972; Pub.L. 101-204, Title VII, § 705, Dec. 7, 1989, 103 Stat. 1821; Pub.L. 101-501, Title VI, §§ 601, 602, Nov. 3, 1990, 104 Stat. 1257, 1258; Pub.L. 103-252, Title II, § 207, May 18, 1994, 108 Stat. 656.)

Footnotes

1 So in original. Probably should be subsection "(e)(1)".

42 U.S.C.A. § 9925, 42 USCA § 9925
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

United States Code Annotated
Title 42. The Public Health and Welfare
Chapter 106. Community Services Block Grant Program (Refs & Annos)

42 U.S.C.A. § 9926

§ 9926. Projects to expand the number of job opportunities available to certain low-income individuals

Currentness

(a) In general

The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall enter into agreements with nonprofit organizations (including community development corporations) submitting applications under this section for the purpose of conducting projects in accordance with subsection (b) to create employment opportunities for certain low-income individuals.

(b) Nature of project

(1) Each nonprofit organization conducting a project under this section shall provide technical and financial assistance to private employers in the community to assist them in creating employment and business opportunities for those individuals eligible to participate in the projects as described in this subsection.

(2) For purposes of this section, a nonprofit organization is any organization (including a community development corporation) exempt from taxation under section 501(a) of Title 26 by reason of paragraph (3) or (4) of section 501(c) of such title.

(3) A low-income individual eligible to participate in a project conducted under this section is any individual eligible to receive assistance under the program funded [1] part A of title IV of the Social Security Act of the State in which the individual resides and any other individual whose income level does not exceed 100 percent of the official poverty line as defined by the Office of Management and Budget and revised in accordance with section 9902(2) of this title.

(c) Content of applications; selection priority

(1) Each nonprofit organization submitting an application under this section shall, as part of such application, describe--

(A) the technical and financial assistance that will be made available under the project conducted under this section;

(B) the geographic area to be served by the project;

 © 2025 Thomson Reuters. No claim to original U.S. Government Works.

(C) the percentage of low-income individuals (as described in subsection (b)) and individuals receiving assistance under a State program funded under part A of title IV of the Social Security Act in the area to be served by the project; and

(D) unemployment rates in the geographic areas to be served and (to the extent practicable) the jobs available and skills necessary to fill those vacancies in such areas.

(2) In approving applications under this section, the Secretary shall give priority to applications proposing to serve those areas containing the highest percentage of individuals receiving assistance under a State program funded under part A of title IV of the Social Security Act.

(d) Administration

Each nonprofit organization participating in a project conducted under this section shall provide assurances in its agreement with the Secretary that it has or will have a cooperative relationship with the agency responsible for administering the the[2] State program funded under part A of title IV of the Social Security Act in the area served by the project.

(e) Authorization of appropriations

For the purpose of conducting projects under this section, there is authorized to be appropriated an amount not to exceed $25,000,000 for any fiscal year.

CREDIT(S)

(Pub.L. 100-485, Title V, § 505, Oct. 13, 1988, 102 Stat. 2404; Pub.L. 101-508, Title V, § 5063, Nov. 5, 1990, 104 Stat. 1388-232; Pub.L. 103-432, Title II, § 261(a), Oct. 31, 1994, 108 Stat. 4467; Pub.L. 104-193, Title I, § 112, Aug. 22, 1996, 110 Stat. 2176; Pub.L. 105-33, Title V, § 5515, Aug. 5, 1997, 111 Stat. 620.)

Footnotes

1 So in original. Probably should be “under part”.

2 So in original.

42 U.S.C.A. § 9926, 42 USCA § 9926
Current through P.L. 119-5. Some statute sections may be more current, see credits for details.

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.