

KANSAS COMMUNITY SERVICES BLOCK GRANT (CSBG) POLICY AND PROCEDURE MANUAL

A Collaborative Effort of the Community Action Network

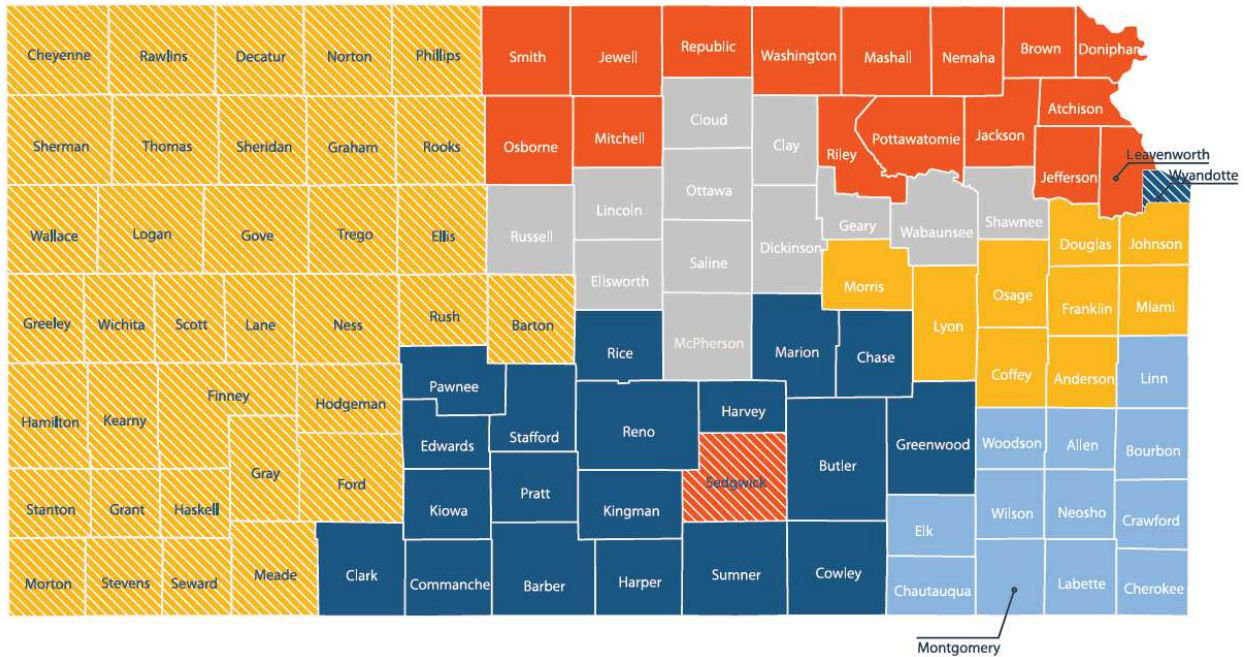
December 2019, August 4, 2021, January 24, 2022, July 31, 2023, January 22, 2025



WICHITA SEDGWICK COUNTY
Community Action Partnership



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■ East Central Kansas Economic Opportunity Corp.
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■ Mid-Kansas Community Action Program
(316) 775-3000 | mid-capinc.org

■ Community Action, Inc
(785) 836-4500 | wefightpoverty.org

■ Wichita Sedgwick County Community Action Partnership
(316) 462-3746 | wichita.gov/Housing/WSCCAP

■ Harvest America Corporation
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Table of Contents

Information Memoranda 4

SECTION 1: NONDISCRIMINATION 9

1000 NONDISCRIMINATION 9

SECTION 2: PROGRAM SCOPE 10

2000 SERVICES AND ACTIVITIES 10

SECTION 3: STATE PLAN, FUNDING AND PROGRAM CYCLES 13

3000 CSBG STATE PLAN 13

3100 FUNDING CYCLE 14

3200 ALLOCATION 14

3300 PROGRAM YEAR 15

SECTION 4: GRANT ADMINISTRATION 17

4000 TRAINING AND TECHNICAL ASSISTANCE 17

4101 MONITORING 17

4200 CSBG Organizational Standards 19

4300 CORRECTIVE ACTION 20

4400 DESIGNATION AS “HIGH RISK” 22

4500 DESIGNATION AND DE-DESIGNATION 24

4600 PROGRAM REPORTS 25

SECTION 5: GRANT APPLICATION AND PROCEDURES 28

5000 APPLICATIONS for CSBG Non-Discretionary and/or CSBG Discretionary Funds 28

5100 Application Review 30

5200 Grant or Financial Award 30

5300 Grant Revisions 31

5400 AWARD AMOUNTS 32

5500 CARRY-OVER FUNDS 32

SECTION 6 – GOVERNING BOARDS 34

6100 BOARD COMPOSITION 34

6200 BOARD ROLES AND RESPONSIBILITIES 37

6300 BYLAWS’ REQUIREMENTS 39

6400 ALLOWABLE COSTS 42

6500 GENERAL 42

6600 ADMINISTERING BOARDS 43

SECTION 7 – PLANNING	46
7000 COMMUNITY ASSESSMENT	46
7100 STRATEGIC PLAN	47
7200 CALENDAR OF PLANNING ACTIVITIES	48
SECTION 8 – SERVICE DELIVERY	49
8000 GENERAL	49
SECTION 9 – FISCAL POLICIES AND PROCEDURES	57
9000 GENERAL	57
9100 GRANT TRANSACTION REPORTING	58
9200 EXPENDITURES	60
9300 PROPERTY MANAGEMENT	62
9400 BONDING AND INSURANCE	63
9500 RETENTION OF RECORDS	63
9600 AUDITS	63
SECTION 10 – PERSONNEL POLICES AND PROCEURES	66
10000 GENERAL	66
10100 CODE OF ETHICS	69
10200 THE FEDERAL HATCH ACT	70
SECTION 11 – GENERAL	74
11000 CITIZEN ACCESS AND PRIVACY	74
11200 COORDINATION WITH Kansas LIEAP	74
11300 COORDINATION WITH OTHERS INCLUDING WORKFORCE SYSTEMS	75
11400 COMPLAINTS/APPEALS	76
SECTION 12 – DISCRETIONARY FUNDS	79
12000 GENERAL	79
12200 FUNDING GUIDANCE	80
12300 REPORTING REQUIREMENTS	80
12400 MONITORING	80
DEFINITIONS	81
Acronyms	84

[Information Memoranda](#)

The Office of Community Services, Division of Community Assistance, publishes [Information Memoranda \(IM\)](#) for distribution to CSBG program administrators. An Information Memoranda (IM) provides guidance to assist in implementing the CSBG legislation, program instruction and policy clarification, in addition to disseminating information and program practices to stakeholders.

The IM numbering system is chronological. The higher number reflects the most recently released IM. Only relevant IM's are posted on this web site, therefore the IM's posted may not be in sequential as outdated IM's have been removed.

2022

[IM No. 163 CSBG Mortgage Payment Assistance](#), August 9, 2022

2021

[IM No. 162 CSBG Terminology Changes FY 2021](#), August 10, 2021

2016

[IM No. 150 Use of the American Customer Satisfaction Index \(ACSI\) to Improve Network Effectiveness](#), August 22, 2016

[IM No. 149 Strengthening Outcomes Through Two-Generation Approaches](#), August 15, 2016

[IM No. 144 CSBG State and Federal Accountability Measures and Data Collection Modernization](#), October 2, 2016

2015

[IM No. 143 Use of CSBG Resources to Support Information and Referral for Affordable Care Act \(ACA\) Benefits and Services](#), September 14, 2015

[IM No. 139 Federal Matching Requirements AmeriCorps](#), March 19, 2015

[IM No. 138 State Establishment of Organizational Standards for CSBG Eligible Entities](#), January 26, 2015

2014

[IM No. 135 Federal Matching Requirements HUD McKinney-Vento](#), June 4, 2014

2013

[IM No. 129 Use of CSBG funds to support summer jobs for youth and related services](#), April 12, 2013

2012

[IM No. 126 Use of CSBG funds to support summer jobs for youth](#), April 25, 2012

2010

[IM No. 116 Corrective Action, Termination, or Reduction of Funding](#), April 2, 2010

2007

[IM No. 97 Guidance on the CSBG Requirement to Monitor Eligible Entities](#), October 10, 2006

2005

[IM No. 83 Partnership Initiative with the Centers for Medicare and Medicaid Services to Help Eligible Low-Income Individuals Reduce Their Prescription Drug Costs](#), January 7, 2005

[IM No. 82 Tripartite Boards](#), March 23, 2005

2004

[IM No. 81 Updated Guidance on Voter Registration Activities](#), December 14, 2004

2003

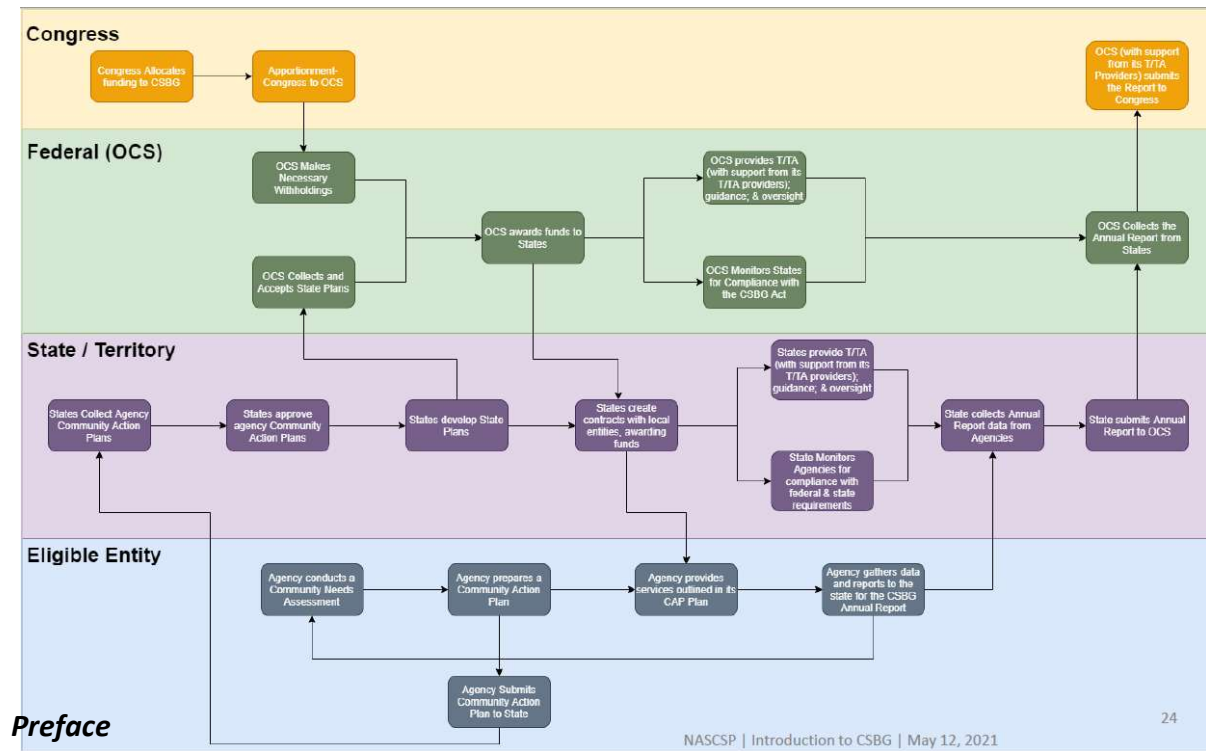
[IM No. 73 Partnership Initiative to Increase Financial Literacy and Asset Formation for Low-Wage Earning Households](#), August 19, 2003

2002

[IM No. 60 Duties and Interests with Respect to Property, Purchased, Constructed, or Improved by an Eligible Entity](#), February 6, 2002

2001

[IM No. 50 Policy Guidance on Serving Persons with Limited English Proficiency](#), April 5, 2001



The National Community Action Network Theory of Change

Community Action Goals

Goal 1: Individuals and families with low incomes are stable and achieve economic security.

Goal 2: Communities where people with low incomes live are healthy and offer economic opportunity.

Goal 3: People with low incomes are engaged and active in building opportunities in communities.

Services and Strategies

Employment

Education & Cognitive Development

Income, Infrastructure & Asset Building

Housing

Health/Social Behavioral Development

Civic Engagement & Community Involvement

Core Principles

- Recognize the complexity of the issues of poverty
- Build local solutions specific to local needs
- Support family stability as a foundation for economic security
- Advocate for systemic change
- Pursue positive individual, family, and community level change
- Maximize involvement of people with low incomes
- Engage local community partners and citizens in solutions
- Leverage state, federal, and community resources

Performance Management

How well does the network operate? ↔ What difference does the network make?

- Local Organizational Standards
- State and Federal Accountability Measures
- Results Oriented Management and Accountability System
- Individual and Family National Performance Indicators
- Community National Performance Indicators

A national network of over 1,000 high performing Community Action Agencies, State Associations, State offices, and Federal partners supported by the Community Services Block Grant (CSBG) to mobilize communities to fight poverty.

This publication was created by NASCSP in the performance of the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services, Grant Number 90ET0451.

The [Kansas Housing Resources Corporation \(KHRC\)](#) has been designated by the Governor as the lead agency for purposes of carrying out Kansas activities under the Community Services Block Grant (CSBG). Responsibility for the implementation of CSBG rests within KHRC's Community Solutions Division.

KHRC's administration of CSBG is governed by the [Coats Human Services Reauthorization Act of 1998 \(commonly referred to as the CSBG Reauthorization Act of 1998\)](#), 42 USC § 9901, et seq., as amended, Notices of Financial Award and Grant Agreements, this Kansas Community Services Block Grant Manual of Policies and Procedures and OMB Uniform Guidance. In the case of ambiguity or conflict, the following order of precedence must govern.

1. [CSBG Statute Community Services Block Grant](#), October 27, 1998; codified at [42 U.S.C. §9901 et seq.](#)
2. [CSBG Regulation 45 CFR 96 Block Grants](#), October 1, 2005
3. *Applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements; HHC Awards under [45 CFR Part 75](#). Only limited portions of the Federal regulations at 45 CFR Part 75 are applicable to CSBG:*
 - a. Subpart A, "Acronyms and Definitions," is applicable.
 - b. Subpart B, "General Provisions," is applicable.
 - c. Subpart C, "Pre-Award Requirements." Not applicable, except §75.202 is applicable to the Federal awarding agency.
 - d. Subpart D, "Post-Award Requirements." Not applicable, except §§75.351-.353 is applicable to this program.
 - e. Subpart E, "Cost Principles," is applicable to subrecipients of this program.
 - f. Subpart F, "Audit Requirements," is applicable.

Department of Health and Human Services (HHS) to Adopt 2 CFR Part 200 in Phases - Per Federal Register (FR), [89 FR 80055](#), HHS describes the [intended phases of formally adopting 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(UAR\) as modified by Office of Management and Budget \(OMB\), 89 FR 30136, April 22, 2024](#)).
4. [Kansas Form DA-146a](#)
5. Notice of Award (NoA) and [Grant Award Agreement Terms](#)
6. [Mandatory: Formula, Block and Entitlement Grants](#), July 26, 2021
 - ACF Standard Terms and Conditions
 - Administrative and National Policy Requirements
 - OCS CSBG Program Specific Supplemental Terms and Conditions
7. *Kansas Community Services Block Grant Policy and Procedure Manual*

Organizations granted CSBG funds must conform to the applicable laws, policies and procedures contained within these documents. Failure to do so jeopardizes CSBG funding.

KHRC is pleased to administer CSBG; we know that the work that CSBG supports changes people's lives, embodies the spirit of hope, improves communities, and makes Kansas a better place. We care about our great state and through many KHRC programs, including CSBG, share with our partners a dedication to helping people gain the skills, assets and supports that promote economic mobility and greater independence.

Sincerely,

Ryan Vincent, Executive Director
Kansas Housing Resources Corporation

SECTION 1: NONDISCRIMINATION

1000 NONDISCRIMINATION

1001. The [Federal Civil Rights Act of 1964 as amended](#) (42 USC § 2000d) and the [Kansas Act Against Discrimination](#) prohibit discrimination on the grounds of color, religion, sex, or national origin. No person may be discriminated against on these grounds in applying for or participating in Federal or State funded assistance or programs.
1002. Any program or activity supported by funds from KHRC must comply with these Acts as well as other Federal and State statutes relating to nondiscrimination, including but not limited to:
- A. [Title IX of the Education Amendments of 1972](#) which states that no person, on the basis of sex, shall be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
 - B. [Americans and Disabilities Act \(ADA\) as amended \(42 USC § 12101 et seq.\)](#) which requires that any person otherwise qualified with a disability shall not be excluded from participation in or denied the benefits of or otherwise subjected to discrimination in any program or activity receiving Federal assistance, by reason of that disability.
 - C. The [1975 Age Discrimination Act as amended \(42 USC § 6101 et seq.\)](#) provides that no person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age, under any program or activity receiving Federal funds.
 - D. Other Federal, State, or local nondiscrimination statutes may apply.

SECTION 2: PROGRAM SCOPE

2000 SERVICES AND ACTIVITIES

2001. The 1964 Economic Opportunity Act created the Community Action Program, which was administered through the Office of Economic Opportunity (OEO), along with other important programs, such as Head Start, Legal Services and Job Corps. OEO was renamed as the Community Services Administration in 1975.
2002. In 1981, Congress enacted the Omnibus Budget Reconciliation Act, which consolidated programs authorized under the Economic Opportunity Act under the Community Services Block Grant or CSBG.
2003. The Community Services Block Grant (CSBG) was authorized in 1998 through Title II of the Coats Human Services Reauthorization Act of 1998. The legislation's purpose is "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." This is to be accomplished 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 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 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.”

2004. The federal government allots block grants to states, which retain a small portion for oversight, monitoring, technical assistance, and statewide initiatives. The majority of funds – at least 90% of each state’s allotment – must be passed through to local agencies. Community Action Agencies receive and administer other resources in addition to these CSBG grants, which typically form a small component of their overall budgets.

2005. CSBG provides uniquely flexible funds to support gap-filling activities that address unmet needs, innovative efforts to combat poverty and promote self-sufficiency and rapid responses to unforeseen crises. Community Action Agencies identify causes and conditions of poverty that may not be addressed by an existing program or for which existing resources are not adequate. CSBG funds are used alone and in combination with other resources to support and strengthen important anti-poverty initiatives that would not be possible otherwise.

2006. CSBG is the only federal program with the explicit and overarching goal of reducing poverty, regardless of its cause. CSBG pursues this goal by providing critical funding to the nationwide network of local Community Action Agencies and supporting their locally driven comprehensive approach to fighting poverty.

2007. CSBG activities are carried out by a national network of about 1,000 CSBG Eligible Entities, mostly Community Action Agencies, which provide a diverse array of services for, and advocacy on behalf of, low-income individuals and families. Eight such entities exist in Kansas.

- A. An eligible entity is one that carries a designation as a CSBG Eligible Entity (Community Action Agency) or was a qualifying organization serving migrant or seasonal farm workers as of the day before the enactment of the Coats Human Services Reauthorization Act of 1998, has retained that designation and has a [tripartite board](#) or one that, subsequent to and in accordance with statute, has been designated by the Governor.

2008. Three overarching community action goals from the [National Theory of Change](#) for Community Action guide the work of the CSBG network:

- A. Individuals and families with low incomes are stable and achieve economic security.

- B. Communities where people with low incomes live are healthy and offer economic security.
- C. People with low incomes are engaged and active in building opportunities in communities.

3000 CSBG STATE PLAN

3001. The CSBG legislation requires that states submit state plans to the [Office of Community Services \(OCS\)](#), [U.S. Department of Health and Human Services \(HHS\)](#). State plans are to describe the states' proposed use of CSBG funds and include assurances that CSBG will be used in accordance with legislative intent. State plans are due on or before September 1 preceding the start of the Federal fiscal year for which funds are granted from HHS to the states.
3002. KHRC, in consultation with the Kansas CSBG Network, will prepare a draft State Plan, by August 1 or as soon as possible after receiving instructions from OCS.
- A. The draft Kansas State Plan will be posted to the [KHRC website](#). KHRC will alert the Community Action Agencies and [Kansas Association of Community Action Programs \(KACAP\)](#) to the posting.
 - B. Prior to the submission of the Kansas State Plan to OCS, KHRC will identify a date, time, and location for two public hearings. The first public hearing will be held in conjunction with the KACAP Board of Directors meeting and will solicit input from the attendees on the draft of the state plan. The second public hearing will be held at KHRC or alternative location and/or virtually. During the final public hearing, KHRC will present the final state plan and receive comments. Both hearings will be open to the public.
 - C. Notice of the State Plan public hearings will be published in the [Kansas Register](#). The Community Action Agencies and KACAP will be provided written notice of the public hearing at least thirty (30) days in advance of the hearing.
 - D. Written comments will be accepted by KHRC up to the date of the final public hearing. Written comments received accordingly, and testimony provided at the public hearing will be reviewed by the CSBG Program Manager. Written comments and testimony received during the public hearings must be submitted to OCS with the State Plan and made available upon request.
 - E. Revisions to the Kansas State Plan may be made in response to written and verbal comments.

F. The Plan will cover a period of not less than one Federal fiscal year and not more than two Federal fiscal years.

3003. The State holds at least one [legislative hearing](#) every three years in conjunction with the development of the State Plan. These hearings usually take place in the first quarter of the calendar year. KHRC will present testimony on the uses and value of CSBG funds at the legislative hearing.

3004. Within three business days of receiving notification that the legislative hearing has been scheduled, KHRC will notify all Community Action Agencies and KACAP of the time and place of the hearing. Notice of the legislative hearing will be posted to the KHRC website. Interested parties may be invited to offer testimony. Testimony and legislator comments are considered in drafting the subsequent Kansas State Plan.

3100 FUNDING CYCLE

3101. States are required to pass through 90 percent of their CSBG allocation to Community Action Agencies. No more than 5 percent of the allocation may be used for the State's administrative expenses. The remaining CSBG funds may be used at the State's discretion to support activities consistent with the purposes of the CSBG legislation.

3102. The funding cycle for CSBG, Federal to State, is the Federal fiscal year. Though the Federal fiscal year starts on October 1, Federal budget dynamics often delay, by several months, the allocation of CSBG dollars to the states.

3103. Community Action Agencies may request funds prior to the start of the new program year. Advance payment requests must be submitted in writing to the CSBG Program Manager with an explanation of the need for the advance payment.

3200 ALLOCATION

3201. The CSBG allocation formula considers total population for whom poverty status is determined, low-income population (below poverty level) and territory (square mileage) and is re-calculated each year prior to submission of the State Plan. Using the current [America Community Survey 5-year estimates](#) (S1701), total population for whom poverty status is determined and low-income population is identified for each county. Counties are grouped by eligible entity. Each agency's percentage share of the State's total population and the percentage share of the State's low-income population is calculated.

Territory is determined by using square mileage as calculated for use with the most recent Census (<http://www.indexmundi.com/facts/united-states/quick->

[facts/kansas/land-area#table](#)). Counties are grouped by eligible entity. Each agency’s percentage share of the State’s total square mileage is calculated. Each element (total population, low-income population, and territory) is assigned a weight: total population at one percent; low-income population at ninety percent and territory at nine percent; these weighted values are summed to achieve the agency’s proportionate share.

For each agency, the total of the assigned values (total population value plus low-income population value plus territory value) is multiplied by the estimated pass-through amount (90% of current year Kansas CSBG allocation). The result is the agency’s FFY 20XX proportionate share in dollars.

CSBG Eligible Entity		2025 Allocation 4/1/25 to 9/30/26	2024 Allocation 4/1/24 to 9/30/25	2023 Allocation 4/1/23 to 9/30/24	2021 Allocation 4/1/22 to 9/30/23	2020 Allocation 4/1/21 to 9/30/22
1	WSCCAP	19.48%	18.88%	18.88%	17.93%	18.70%
2	SEK-CAP	8.55%	8.72%	8.72%	8.73%	8.83%
3	EOF	7.70%	7.64%	7.64%	9.32%	8.70%
4	ECKAN	18.25%	19.01%	19.01%	18.59%	18.02%
5	NEK-CAP	10.83%	9.92%	9.92%	11.24%	10.51%
6	Mid-KS	10.37%	11.36%	11.36%	11.68%	11.21%
7	CAI	13.28%	13.05%	13.05%	10.61%	11.66%
8	HAC	11.53%	11.42%	11.42%	11.89%	12.37%
		100.00%	100.00%	100.00%	99.99%	100.00%

3300 PROGRAM YEAR

3301. The financial program year for Kansas CSBG is April 1 through March 31. To mitigate typical delays within the Federal budget process, KHRC issues pass-through CSBG grants to Community Action Agencies six months after the start of the Federal fiscal year; continuation grants coincide with the Kansas CSBG program year. Accordingly, Community Action Agencies must build their budgets and structure their use of the annual awards on the twelve-month (April through March) program year. Community Action Agencies are, however, provided a grant period of eighteen months (April through September) to disburse/expend their CSBG awards.

3302. At the request of an agency, due to need, advance payments can be made on a case-by-case basis any time after the CSBG allocation has been made to the state.

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SECTION 4: GRANT ADMINISTRATION

4000 TRAINING AND TECHNICAL ASSISTANCE

4001. KHRC, as the lead state agency, has the responsibility for providing entities receiving CSBG funds with a range of technical assistance and training to establish and maintain sound grants management and program practices. KHRC works in collaboration with KACAP to determine the training and technical assistance needs of the CSBG network. Technical assistance may be provided by KHRC, KACAP or through a contract with a third party.

4002. As part of the application and budget process, KHRC staff will be available to assist with the development of Community Action Plans and budgets that meet application standards. Technical assistance will be responsive to individual need.

4101 MONITORING

4101. Monitoring is an on-going process and is not limited to the periodic “on-site monitoring visit.” The on-going process includes review of Community Action Plans (CAPs), mid-year, and year-end (annual) reports, monthly Grant Transaction Reports (GTRs), Organizational Standards, Risk Analysis, independent or single audit reports, governing board meeting agendas and minutes and the review of monitoring reports from other oversight and funding entities.

4102. To the extent feasible, KHRC incorporates the CSBG Monitoring Standards, as published by the National Association for State Community Services Programs [NASCS \(September 2017\)](#), in the KHRC monitoring process.

- A. KHRC will follow the three monitoring principles described in the NASCS’s CSBG Monitoring Standards guidance.
 - I. Mutual Respect – State CSBG offices value and recognize the unique knowledge, ability, and independence of each person. State CSBG offices are committed to treating all persons fairly and maintaining credibility by matching actions with words.
 - II. Open Communication – Effective communication is key in facilitating good working relationships with partners, and State CSBG offices are committed to keeping lines of communication open. The purpose of communication is to assist in developing solutions to problems, to share program improvement ideas, and provide information on new developments in the anti-poverty field. State CSBG offices communicate frequently through tools and media. State CSBG offices

should be open to contact and are committed to listening to suggestions/concerns. This aids the State CSBG office in gaining an understanding of local operations and assisting Community Action Agencies in pursuing priorities.

- III. Joint Problem Solving - State CSBG offices operate under the basic belief that a team approach to problem solving is in the best interest of all parties involved. State CSBG offices believe that collectively the State CSBG office and the Community Action Agency can arrive at the best solution to any situation. Through a team approach to problem solving, State CSBG offices think outside traditional methods and produce the best strategies for program development, conflict resolution, or compliance issues. State CSBG offices want to promote an environment in which the State CSBG office and all Community Action partners will be open to change and can work together in exploring options and developing mutually agreeable solutions. The goal is to have agencies function independently— with State CSBG office support—to meet the needs of local communities within the parameters set by legislation.

4103. On-site, CSBG monitoring may occur at any time and without notice. Typically, however, written notice of the monitoring visit will be provided, at a minimum, one week in advance of the visit.

4104. Community Action Agencies can anticipate an on-site review by KHRC staff for the purposes of monitoring every other year if in good standing or more frequently as necessary. KHRC will conduct an on-site of each newly designated eligible entity immediately after the completion of the first year in which such entity receives CSBG funds.

A typical visit can be expected to take two to five days. The monitor(s) will:

- A. Offer both an entrance and exit interview.
- B. Provide a written summary of the visit no more than 60 days following the visit. This summary will be distributed to the entity's Executive Director/CEO and to the chairperson of the governing board and/or one other designated staff as appointed by the Executive Director/CEO. The written summary will clearly identify deficiencies, if any, compliance issues and/or findings and may include a discussion of best practice, concerns, and opportunities.

4105. Monitoring may include, but is not limited to a review of:

- A. Program policies and procedures.
- B. Income guidelines and verification procedures.

- C. Intake forms and procedures.
- D. Program work plans and activities.
- E. CSBG administrative files.
- F. Personnel policies, files, and job descriptions.
- G. Inventory and procurement procedures.
- H. Cooperative agreements and contracts, including consultant contracts.
- I. Organizational structure and lines of authority.
- J. Board member files, bylaws, and meeting documentation.
- K. Adherence to Federal and State guidelines and requirements.
- L. Fiscal policies and practices.
- M. Service activity reports, data tracking and reporting systems and supporting documentation.
- N. Prior assessments of CSBG Organizational Standards.
- O. Data security.

4106. Monitoring may also include:

- A. Interviews with program staff regarding program operations and job functions.
- B. Interviews with administrative and fiscal staff.
- C. Interviews with members of the governing/administering board.
- D. Anyone else identified by KHRC or agency.

4200 CSBG Organizational Standards

4201. [Information Memorandum 138](#) describes the States authority and responsibility to establish and assess organizational standards. Section 678B of the CSBG Act requires States to establish “performance goals, administrative standards, financial management requirements, and other requirements that ensure an appropriate level of accountability and quality among the states Community Action Agencies.
4202. Kansas utilizes the Center of Excellence’s [CSBG Organizational Standards](#) to measure the accountability and quality of the Community Action Agencies. The COE developed organizational standards are organized in three thematic groups containing nine categories and 58 standards for private entities and 50 standards for public.

4203. KHRC is responsible for assessing each Community Action Agencies' compliance with the organizational standards annually and for reporting the aggregate results of the reviews to OCS in the applicable sections of the CSBG Annual Report, Module 1.

4204. KHRC describes the State's approach for assessing the Organizational Standards in the CSBG State Plan.

4205. Community Action Agencies will use the system selected and/or approved by KHRC for tracking and reporting their compliance with the CSBG Organizational Standards.

- A. Community Action Agencies will submit or make available documentation sufficient for review to demonstrate compliance with the standards on or before March 31 of each calendar year. All reviews will be completed, and the year closes on September 30 of each calendar year.

4300 CORRECTIVE ACTION

4301. Compliance Matter(s)/Finding(s) identified through the CSBG on-site monitoring or the assessment of the CSBG Organizational Standards and included in the monitoring report require an entity response. At KHRC's discretion, the response must take the form of a written Technical Assistance Plan (TAP) and/or a Quality Improvement Plan (QIP) and must specify the steps the entity will take to correct the Compliance Matter(s)/Finding(s) and the timeframe, as proposed by the agency and approved by KHRC, for completing the plan. A TAP is a Technical Assistance Plan that targets training and technical assistance resources and outlines a time frame for an eligible entity to meet a specific standard or set of standards. CSBG IM 138 reports that a state is expected to develop a TAP in circumstances where eligible entities are not meeting the CSBG Organizational Standards. A QIP is a plan by an eligible entity to correct a deficiency identified by the state, consistent with the requirements outlined in Section 678C of the CSBG Act. This section focuses on corrective action, termination, and reduction of funding. Prior to terminating or reducing funding to an eligible entity, the CSBG Act requires that, at the discretion of the state (considering the seriousness of the deficiency and the time reasonably required to correct the deficiency), allow the entity, within 60 days after being informed of the deficiency, to develop and implement, a quality improvement plan to correct such deficiency within a reasonable period of time, as determined by the state. Alternately, the entity may provide documentation that will allow the need for the TAP and/or a QIP for the issue in question to be waived.

- A. The provision of documentation allowing waiver of a TAP and/or a QIP must occur within fifteen (15) days following the issuance of the monitoring report/summary or a mutually agreed upon deadline.

- 1. KHRC will respond within ten (10) days.

- B. The TAP and/or QIP is due to KHRC within 30 days following the issuance of the monitoring report. The due date will be communicated at the time the monitoring report is issued.
 - 1. Upon request, assistance in the development of a TAP and/or a QIP will be provided.
 - 2. A TAP will be required for minor compliance issues. A QIP will be required for serious compliance issues or compliance issues that are repeated or of long duration.
 - 3. KHRC will notify the entity whether a TAP or a QIP is required at the time the monitoring report is issued.
 - 4. KHRC may make available training and technical assistance, if appropriate, to help the eligible entity correct identified deficiencies or failures in meeting State and/or Federal requirements.
- C. KHRC staff will review and respond to the TAP and/or QIP within 30 days of its receipt.
 - 1. The Federal Office of Community Services (OCS) will be advised of KHRC's acceptance of the QIP within 30 calendar days of KHRC's acceptance of the plan.
- D. Entity implementation of a Technical Assistance Plan and/or Quality Improvement Plan must occur within 30 days following KHRC's acceptance of the TAP or QIP.
- E. KHRC staff will monitor progress toward the completion of the TAP or QIP.
 - 1. Entities must provide reports detailing progress in completing the Technical Assistance Plan and/or Quality Improvement Plan as prescribed within KHRC's notification of the plan's acceptance.
 - a. At a minimum, KHRC must prescribe a quarterly report detailing progress in completing the Technical Assistance Plan and/or Quality Improvement Plan. The due dates of the reports will be determined by KHRC and communicated when the TAP or QIP is accepted.
 - 2. KHRC personnel will review reports on submission and will issue a closure notice when satisfied that any compliance matter/finding has been resolved. Agencies must continue to provide progress reports until KHRC provides notification that all Compliance Matters are resolved.

3. Once all Compliance Matters/Findings addressed within a Quality Improvement Plan have been resolved, KHRC staff will advise OCS within 30 days of the closure of the plan.

4302. Uncorrected Compliance Matters/Findings may cause the State, in accordance with [42 CFR § 9915](#) and [IM 116](#), to remove the entity's designation as a CSBG Eligible Entity. (Item 4501)

4400 DESIGNATION AS "HIGH RISK"

4401. In December, each CSBG Eligible Entity will conduct an agency Pre-Award Self-Assessment. The Self-Assessment will be submitted to KHRC on or before December 31.

4402. Kansas Housing Resources Corporation (KHRC) will use the Agency Self-Assessment to conduct a CSBG Pre-Award Risk Assessment on each CSBG Eligible Entity in January prior to processing CSBG grant applications. Pre-Award Risk Assessments are a federal requirement for states in accordance with 45 CFR 75.352(b).

4403. The CSBG Pre-Award Risk Assessment Tool was designed to be in alignment with the federal CSBG requirements and the national ROMA principles. There are 7 categories in which an Eligible Entity will be assessed:

1. Subrecipient's fiscal and programmatic performance
2. The results of previous audits including; whether or not the subrecipients receive a Single Audit.
3. Governance
4. Whether the subrecipient has new personnel or substantially changed system.
5. The extent and results of Federal awarding agency monitoring.
6. Amount of subaward
7. Establishment and Maintenance of a Fixed Asset Listing (2 CFR Part 200.313(d)(1)-(5)).

4404. KHRC may designate an eligible entity to be "high risk" if KHRC determines that it has a history of unsatisfactory performance, is not financially stable, has a management system which does not meet management standards, has not conformed to terms and conditions of previous awards or is not otherwise responsible. Examples of indicators that may lead to a designation of "high risk" include:

- A. Uncorrected Compliance Issues/Findings.
- B. Entity is unresponsive to and/or noncompliant with KHRC requests and requirements.
- C. Management systems do not contain data driven Strategic Plans and Community Action Plans.

- D. Entity consistently fails to meet deadlines.
 - E. The Entity's adherence to its approved operating documents (including Bylaws, Personnel Policy, and Fiscal Policy) is significantly inconsistent.
 - F. Record keeping related to board and committee activity is not systematic. The corporate record is, as a result, incomplete.
 - G. Abrupt departure of the Executive Director/CEO and/or the Fiscal Officer.
 - H. The audit conducted in accordance with the applicable OMB requirements contains one or more significant findings relevant to the entity's capacity to successfully administer its programs.
 - I. Failure without cause to meet multiple performance targets defined within the entity's approved Community Action Plan.
 - J. CSBG percent of revenue exceeds one half of the entity's total revenue. *Diversification of funding sources aids in the financial stability of an organization.*
 - K. Entity lacks connection and a demonstrated commitment to the broader community action network.
4402. Entities designated as "high risk" will be notified in writing as to the specific findings or deficiencies and must be required to remedy the situation within a specific timeline or to develop and implement a Quality Improvement Plan.
4403. Special sanctions may apply to entities assigned high risk status and may include, among other sanctions:
- A. Payment of grant funds on a reimbursement basis.
 - B. A requirement to provide additional and/or more detailed financial reports.
 - C. The establishment of a need to gain additional prior approvals as determined by KHRC.
 - D. Additional monitoring.
 - E. A requirement to obtain technical and/or management assistance and, as a result, demonstrate improvement.
 - F. The consideration of CSBG discretionary grant proposals only for projects convincingly designed to alleviate the condition that resulted in the designation of high risk.

4404. The Office of Community Services, HHS, will be notified of any eligible entity that is designated high risk within 30 days.
4405. Entities emerging from a KHRC designation of high risk will be notified in writing. A copy of this notification will be submitted to the Office of Community Services, HHS within 30 days.
4406. Failure to emerge from high-risk status in accordance with established timelines may result in the cessation of CSBG funding and designation as a CSBG-Eligible Entity (Item 4501).

4500 DESIGNATION AND DE-DESIGNATION

4501. [Information Memorandum 116](#) provides a step-by step description outlining necessary actions and considerations for terminating or reducing funds to a CSBG Eligible Entity for cause and revisions thereto will guide the designation and de-designation of Community Action Agencies.

A. The steps outlined in IM 116 are repeated below:

Step 1: State conducts monitoring review pursuant to section 676B.

Step 2: State determines, on the basis of a final decision in a monitoring review that the eligible entity fails to comply with the terms of an agreement, or the State plan, to provide services under this subtitle or to meet appropriate standards, goals, and other requirements established by the State (including performance objectives).

Step 3: State informs the entity of the deficiency to be corrected.

Step 4: State requires the entity to correct the deficiency.

Step 5: State determines whether training or technical assistance are appropriate.

Step 6: (if appropriate): State offers training and technical assistance, if appropriate, to help correct the deficiency.

Step 7: State either (A) prepares and submits 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, prepares and submits to the Secretary a report stating the reasons for the determination.

Step 8: At the discretion of the State, the State allows 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.

Step 9: State provides adequate notice and an opportunity for a hearing.

Step 10: State initiates proceedings to terminate the designation of or reduce the funding under this subtitle of the eligible entity unless the entity corrects the deficiency.

4502. In the event the State terminates the designation of an organization as an eligible entity, any resulting funding may be awarded only to an organization that is an eligible entity for CSBG funds. In accordance with the CSBG Act, a State may solicit applications and designate as an eligible entity an organization that demonstrates effectiveness in meeting the goals of the CSBG Act and may give priority to an eligible entity in a contiguous area that is already providing related services in the un-served area.

4600 PROGRAM REPORTS

4601. Each recipient of CSBG funds must submit reports on activities supported by CSBG funds. Where CSBG funds are used to support the entity infrastructure, CSBG is considered to impact all programs and services. Community Action Agencies are, therefore, guided to provide information reflective of the total entity impact on the causes and effects of poverty.

4602. KHRC recognizes the three national goals, the goal indicators and sub-indicators as established by the National Community Action Partnership network. Each entity is guided to report on all performance indicators identified within its Community Action Plan and is encouraged to report on any secondary activity.

4603. Period 1, 2, and 3 (CSBG Annual) reports are to be submitted through the CSG Software System unless otherwise indicated within the grant agreement. Entities must maintain documentation that can authenticate report data. Entities must use the reporting system and/or forms identified by KHRC.

- Period 1 – Community Action Plan (CAP)
- Period 2 – Mid-Year Report
- Period 3 – Year-End Report (CSBG Annual Report)

4604. In the event that an entity fails to submit reports in compliance with provisions set forth in this section, the following steps may be taken:

- A. KHRC staff will communicate with the entity director to inform him or her of the issue.

- B. A letter documenting the initial communication may follow.
- C. The chairperson of the board of directors may be notified of the failure to submit reports if the failure is significant and/or a recurring issue.
- D. Grant funds may be withheld until the issue is corrected.

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SECTION 5: GRANT APPLICATION AND PROCEDURES

5000 Applications for CSBG Non-Discretionary and/or CSBG Discretionary Funds

5001. To be eligible for a proportionate share of the 90 percent pass-through funding, an applicant must meet and have retained the eligibility requirements specified in 42 USC Ch. 106, as amended.
5002. In order to receive funding for a given program year, Community Action Agencies are required to submit an annual Community Action Plan (CAP) to KHRC through the CSG Software System.
- A. Prior to the start of the program year, KHRC will provide Community Action Agencies with instructions and information.
1. To allow sufficient time for entities to prepare the Community Action Plan (CAP) and to receive board approval of the CAP, the release of instructions, including the announcement of the due date, will be targeted sixty days prior to the due date. Entities can anticipate a due date of February 28th.
5003. The CAP must include the following required elements within the CSG software system:
- A. Organizational Information update, including:
- General Information of agency and service area
 - Contacts of agency and departments
 - Sub-Grantees if any
 - Community Assessment Report & Strategic Plan (CARSP) - **Enter the top needs identified through the agency's most recent community and internal assessment process as well as the strategic plan goal(s) to address each need.** The statements entered will link the agency's identified needs and strategic goals to the Programs and Initiatives reported annually in the Community Action Plan (CAP). Where a Program/Initiative reported in the CAP helps achieve a strategic goal to meet an identified need, the agency will select the applicable statement from those entered below.
- B. Community Action Plan (CA) for each Program / Domain including:
- a. Program Manager
 - b. Program Description
 - c. Goal Statement
 - d. Budget
 - e. Outcome Domain

- f. National Performance Indicators (NPIs)
 - g. Participants Served Target
 - h. Outcome Achieved Target
 - i. Service Domain
 - j. Service Area
 - k. Service Name
- C. A detailed CSBG budget using KHRC's CSBG budget workbook.
- D. Updated or Current Authorized Signatures form.
- E. Documentation as to how the organization allocates shared costs through an indirect cost rate approved by the Federal cognizant agency, a De minimis Indirect cost rate, or through a current written cost allocation plan.
- F. CSBG inventory per applicable ACF/HHS and OMB guidance.
The OMB approved property reporting is the following:
- a. Real Property Reports (SF-429s). The SF-429 Real Property forms may be applicable to this program. Only with an approved waiver, per 42 U.S.C. §9918 and 45 CFR 96.15, is a purchase, construction, and major renovation an allowable activity or expenditure under this grant.
 - b. Tangible Property Report (SF-428s). The SF-428 Tangible Property forms may be applicable to this program. Recipients are required to submit the forms on behalf of subrecipients. The SF-428 Tangible Personal Property forms must be submitted as described in the General Terms and Conditions.
- G. Certifications and assurances as prescribed by HHS.
- H. Additional information may be required.
- I. Bylaws, personnel policies, fiscal policies, standards of operations for programs operated in whole or part with CSBG funds are reviewed separately as part of the Organizational Standards.

5004. The complete CSBG CAP and budget, including all elements as submitted to KHRC, must be approved by the full board preferably prior to submission.

- A. If meeting schedules and the timeline for submission of the annual application do not allow consideration and/or approval of the CAP by the full board, the applicant may submit an executive summary and complete budget to its governing board for comments prior to the submission of the application. The highest-ranking officer of the

board, through his or her signature on the summary, attests to the consideration and/or approval at the next possible full board meeting.

- B. The CSBG application and budget, including all elements and as submitted to KHRC, must be approved by the full board (rather than a committee) prior to the acceptance of the grant award. The highest-ranking officer of the board present at that meeting must attest, through his or her signature, to board approval of the complete CSBG CAP.

5100 Application Review

5101. Upon receipt, KHRC staff will review the CAP to ensure that all required elements have been supplied. Entities submitting incomplete CAPs will be notified and required to submit the missing element(s). A Notice of Award will not be issued when required information is identified as absent. KHRC must accept the CAP or Period 1 within the CSG software.

5200 Grant or Financial Award

5201. All grant awards will be administered in accordance with applicable Federal and State rules and regulations.

5202. Upon acceptance of the CAP (also known as grant application), KHRC will issue a notice of financial award and grant agreement which will include contractual provisions, notification of special grant conditions (if applicable) and other documentation which, from time to time, may be applicable. The accepted application is considered part of the binding agreement.

5203. Financial award documents are issued based on the information submitted within the entity's CAP and subsequent modifications accepted by KHRC.

5204. Financial award documents will specify the amount of funds that the eligible entity is to receive and will stipulate the beginning and ending date of the grant period.

5205. Financial award documents are not complete until all authorizing signatures have been added. These include the signatures of:

- A. Cognizant KHRC official(s),
- B. The chair or, in the case of incapacity, the vice-chair of the entity's governing board and
- C. The entity's Executive Director/CEO or designee as authorized by the agency.

5206. Financial payments cannot be made in the absence of fully signed, complete grant award documents. However, under certain circumstances and at KHRC's discretion, advances may be paid.

5207. The financial award documents are legally binding and set forth the manner in which the entity must, in accordance with the Order of Precedence, administer its CSBG award.

5300 Grant Revisions

5301. Prior approval for any change to the scope or objectives of the approved project must be obtained. No deviations are authorized without a signed financial award revision, with the exception of budget line-item variances in accordance with allowable percentages as stipulated in item 5302.

5302. An entity is bound by the budget accepted by KHRC. However, the transfer of funds between personnel, non-personnel and administration is allowable, up to 20 percent of the greater of a populated line item, not to exceed 5 percent of the total approved budget, except when such a transfer results in a change to the scope or objectives enumerated in the application. Community Action Agencies must notify KHRC in writing in advance of the budget line adjustments.

5303. Any adjustment of budget line items above the allowed percentage requires a written request and written acceptance by KHRC prior to the adjustment. Unauthorized changes in the budget may be disallowed.

5304. Requests to revise a budget and/or change scope must be submitted to KHRC in writing. The request must include:

- A. Detailed information addressing the need for the proposed change,
- B. Description of the impact that the change will have on services to low-income people,
- C. Updated budget sheets and budget narrative, as applicable,
- D. Updated community action plan and performance targets, if applicable, and
- E. Evidence that the board of directors/administering board has reviewed and approved the amendment/revision.

1. If meeting schedules and the timeline for the submission of the amendment/revision do not allow consideration of the amendment/revision by the full board, the applicant may secure approval for the amendment/revision from a duly authorized committee of the Board as defined within the entity's bylaws.

5305. Revisions may be requested any time prior to the final 60 days of the grant period. Revision requests submitted within this time frame which require correction must be corrected and received by KHRC in an acceptable form no later than 30 days prior to the end of the grant period. Only under special conditions, and with a written KHRC waiver, will a revision request be accepted during the last 60 days of the grant period.

5306. Grants with effective periods of four months or less may not be modified unless a waiver is granted by KHRC.

5307. KHRC will respond in writing to revision requests within 30 days of receipt of the request.

5400 AWARD AMOUNTS

5401. The amount of each eligible entity's grant funded by the 90 percent pass-through will be based upon a funding formula determined by KHRC. The funding formula will include among its variables the number of low-income people in the eligible entity's service area. Each eligible entity's proportionate share may change in response to changes in the low-income population or additions to or deletions from the number of Community Action Agencies within the State.

5402. Payment of grant funds must be in accordance with applicable Federal regulations and KHRC disbursement procedures. The Grant Transaction Report (see Section 9) must be used to report expenses and receipts and to initiate a grant payment.

5500 CARRY-OVER FUNDS

5501. Though legislation (1998) allows the carry-over of CSBG funds from the fiscal year of allocation to the succeeding fiscal year, the grant period typically assigned to Kansas CSBG pass-through grants does not allow carry-over of funds from one grant to the next.

5502. KHRC retains the right to recapture funds not obligated by an eligible entity at the conclusion of any fiscal year pursuant to 45 USC § 9907.

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6100 BOARD COMPOSITION

6101. By statute, CSBG Eligible Entities (Community Action Agencies) are required to have governing boards (or in the case of a public entity, an administering board). To receive or continue to receive CSBG funds, Community Action Agencies must comply with applicable federal and state regulations policies pertaining to board composition and operation. [Information Memorandum 82](#) provides guidance on policy questions regarding composition, role, and responsibilities of local community action tripartite boards.

Resources

[Information Memorandum \(IM\) 82. Tripartite Boards. Issued March 23, 2005, CSBG Act, Section 9910 on Tripartite Boards](#)

CAPLAW Resources

[Bylaws Toolkit, Updated 2010.](#)

[Weatherproofing CAA Bylaws – Preparing for Emergency Governance, 2021](#)

[CSBG Training Tool for Nonprofit Community Action Agency Boards, 2014](#)

[CSBG Training Tool for Public Community Action Agency Boards, 2014](#)

[Tools for Top-Notch Community Action Agencies: Governance & Financial, 2020](#)

[Raising the Low-Income Voice: Case Studies in Democratic Selection Procedures, 2021](#)

[Purpose: In Boards We Trust, 2022](#)

[People: How Do You Get the Right People on the Board, 2022](#)

[Mastering the A-B-CSBGs: Tripartite Board Selection and Composition, 2023](#)

6102. The board must consist of a number of member positions divisible by three. It must have at a minimum, nine members chosen in compliance with the following:

A. One-third of the members must be comprised of 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 one-third of the membership of the board, membership on the board of appointive public officials or their representatives may be counted in meeting such one-third requirement. These members shall hereafter be referred to as public sector representatives.

1. Each public official may choose one representative to serve on the board in his or her stead. This member need not be a public official himself or herself, but he or she must assume the elected (or appointed) official's seat on the board.

2. Entities wishing to exercise the seating of an appointed public official or their representative rather than an elected public official or their representative must secure approval from KHRC. Documentation will be required to support the claim that the number of elected officials available and willing to serve, or appoint a representative to serve, is less than one-third of the membership.
- B. Representatives of low-income people chosen in accordance with democratic selection procedures must comprise at least one-third of the board. These members shall hereafter be referred to as low-income sector representatives.
 - C. Representatives of business, industry, labor, religious groups, welfare, education and other groups or interests in the community must comprise the remainder of the board. These members shall hereafter be referred to as private sector representatives.
6103. Low-income sector representatives must be chosen by low-income individuals in accordance with democratic selection procedures adequate to assure that they represent the low-income persons in the geographic area served by the eligible entity. Among the selection procedures which may be used, either separately or in combination, are the following:
- A. Nominations are followed by an election either within the neighborhood or within the community as a whole.
 - B. Selection at a meeting or conference of low-income persons, such that the date, time and place of the meeting or conference have been adequately publicized.
6104. Community Action Agencies must retain records documenting the democratic selection of low-income representatives seated on the board.
6105. Low-income sector representatives selected to represent a specific geographic area within the community must reside within the area he or she represents.
6106. To ensure an independent body, board members must not be related to one another or to the Executive Director/CEO. The following individuals meet the definition of "related": domestic partner and biological-, adoptive-, foster- or step- father, mother, brother, sister, aunt, uncle, first cousin, son, daughter, mother-in law, father-in-law, brother-in-law, sister-in-law, and grandparent.
6107. No person may serve on the eligible entity's board who is:

- A. A board member or employee of a delegate agency, except a delegate agency which is responsible for comprehensive community programming and planning for low-income areas served by the eligible entity.
- B. An employee of the eligible entity, KHRC or HHS.

6108. The board must establish procedures to ensure compliance with the requirements of Items 6106 and 6107.

- A. Evidence demonstrating compliance with this procedure must be maintained by the agency.

6109. Prospective board members should be informed of the entity's expectations of their board and its members prior to their being seated as a member of the Board.

6110. Prospective board members' names must be checked annually against the Federal government's "Excluded Parties List System" online database to ensure members are not suspended or disbarred from participating in Federal grant or contract programs. (2 CFR 180) This database is available online at <https://sam.gov>.

- A. Evidence supporting members' eligibility to serve should be maintained by the agency.

6111. A waiver to the minimum board size (Item 6102) may be granted annually upon the presentation of written evidence that clearly demonstrates that the entity has been unable to identify 9 individuals willing to serve and that a lesser number is able to allow for full deliberation and diversity of thinking on governance and other organizational matters and can execute the roles and responsibilities contained herein. If granted, the waiver is temporary and expires at the conclusion of the grant period. Waiver requests must be accompanied by a detailed plan for reaching the minimum number of board members.

- A. Examples of documentation that could be submitted with the waiver request are minutes showing the agency discussed vacant seats at a Head Start policy council, media posts, community minutes, etc.
- B. Waiver requests must include an attestation that the governing board has approved the request.
- C. Waiver requests are to be submitted to KHRC prior to the start of the program year.
- D. KHRC will respond to such requests within 30 days of receipt.

6200 BOARD ROLES AND RESPONSIBILITIES

6201. By statute, boards of directors/administering boards of CSBG-Community Action Agencies must fully participate in the development, planning, implementation and evaluation of programs and operations supported by CSBG funds.

6202. Members of boards of directors have legal obligations as follows:

- A. Duty of Care – The duty of care describes the level of competence that is expected of a board member and is commonly expressed as the duty of “care that an ordinarily prudent person would exercise in a like position and under similar circumstances.” A board member must exercise reasonable care when he or she decides to be a steward of the organization.
- B. Duty of Loyalty – Board members owe the organization their undivided allegiance when making decisions. This means that a board member can never use information obtained as a result of board membership for personal gain.
- C. Duty of Obedience – The duty of obedience requires board members to be faithful to the organization’s mission. They are not permitted to act in a way that is inconsistent with the central goals of the organization.

(Legal responsibilities have been extracted from Strengthening Board Governance, Kentucky Association for Community Action, undated.)

6203. Basic responsibilities of effective non-profit boards: *

- A. Determine the organization’s mission and purpose.
- B. Selection of the executive.
- C. Support the executive and review his or her performance.
- D. Ensure effective organizational planning.
- E. Ensure adequate resources.
- F. Manage resources effectively.
- G. Determine and monitor the organization’s programs and services.

- H. Enhance the organization's public image.
- I. Serve as a court of appeal.
- J. Assess its own performance.

Additional information on the duties and responsibilities of a tripartite board can be found on the [CAPLAW website](#).

6204. The governing board of each private, non-profit eligible entity must undertake an annual performance evaluation of the entity's Executive Director/CEO. This evaluation must include a statement of outcomes for which the executive is responsible and must provide a progress statement relative to the achievement of those outcomes. Dated evidence of the evaluation must be contained within the Executive Director/CEO's personnel file.

- A. Organizational Standard 7.4 for private entities states, "The governing board conducts a performance appraisal of the Executive Director/CEO within each calendar year."

6205. A succession plan must be in place for the Executive Director/CEO, which contains procedures for covering an emergency/unplanned, short-term absence of 3 months or less, as well as the process for filling a permanent vacancy. Board approval of the plan is required of private, non-profit Community Action Agencies. (Organizational Standard 4.5)

- A. The plan should direct that the names of candidates for the position of CEO/Executive Director be checked against the Federal government's "[Excluded Parties List System](#)" online database to be sure that they are not suspended or disbarred from participating in Federal grant or contract programs.

6206. The board must be aware of CSBG's role within the organization and must receive all pertinent information related to CSBG grant operations, monitoring, and reporting.

6207. The governing board or the administering board, as applicable, must be immediately informed of any sanctions or disciplinary action that KHRC takes against the entity.

6208. Any decision, policy change or action by the board which would result in a change in program scope or in the approved line-item budget, beyond the allowable variance, must be reported to KHRC within 10 days of the board action. Examples of such policy changes or actions include (but are not limited to) addition or deletion of programs or staff positions supported wholly or partly with CSBG funds. This requirement is independent of, and in addition to, the requirements contained within Item 5300.

6300 BYLAWS' REQUIREMENTS

6301. The governing board must develop and approve bylaws by which the board shall operate, and which meet, at minimum, the requirements stated herein.
6302. Each Community Action Agency must, on the submission of the annual CSBG Organizational Standards, ensure that KHRC is in possession of a current, dated copy of the entity's bylaws.
6303. The bylaws must list the total number of seats on the board and the allotment of seats to public officials, low-income sector representatives and private sector representatives.
6304. The bylaws must define a term not to exceed three years for each member position. Term limits, if desired, may be expressed as multiples of a term.
6305. The bylaws must include procedures for the selection of board members.
- A. Procedures for the selection of representatives of low-income persons must demonstrate an aspiration that all areas of the low-income community will be represented.
 - B. Selection procedures for low-income sector representatives, if by vote, must include safeguards to limit voting to low-income adults who reside in the area served, with one vote per person.
6306. The bylaws must require that the board elect (i.e., vote to seat) all members.
6307. The bylaws must describe any performance standards (such as attendance, etc.) and standards of conduct for members of the board, the violation of which may be grounds for removal.
6308. The bylaws must describe specific procedures to be followed for the board to remove any director or officer for cause.
6309. The bylaws must include procedures for selecting new board members in the case of a vacancy on the board and must prescribe that those procedures are to commence within 30 days of the creation of the vacancy. For the purpose of this paragraph, there is a vacancy when a member has been notified of his or her official removal by the board, a member submits their resignation, a member dies, a member who is an elected public official leaves

office, a member who is an appointed public official is removed from office or a member is the representative of a public official and the public official leaves office.

6310. Community Action Agencies must regularly monitor board terms and seats in an effort to fill planned vacancies before a term expires or does not renew. Vacancies expected or without notice must be a discussion item on board agendas until there are no vacancies. Vacant board seats must be filled within nine months of the seat becoming vacant. For the purpose of this paragraph, a vacant seat is filled when the board votes to seat the new board member. During the nine-month period, the Community Action Agency will participate in regular check-ins with KHRC to track progress. During the nine-month period, the agency is NOT compliant with the appropriate COE Organizational Standard(s).

- A. Board seats that are vacant for more than nine months will be considered a compliance issue and may result in the Community Action Agency being placed on a Quality Improvement Plan to fill the vacancy. During this period, the agency is NOT compliant with the appropriate COE Organizational Standard(s).

6311. If extenuating circumstances exist that prevent the vacant seat being filled within the nine-month timeframe, agencies may request an extension from KHRC. The extension must include the following information.

- A. Description of the efforts the agency has made to fill the vacancy within the established timeframe.
- B. Explanation of why the vacant seat has not been filled within the timeframe.
- C. Assurance the board will be able to function effectively with the extension.
- D. Action plan for how the agency will fill vacancies in the future within the timeframe.

6312. With respect to low-income sector representatives, the bylaws must include a method for filling a vacancy that demonstrates the involvement of low-income individuals. The selection procedure may be repeated, or alternately, the remaining low-income representatives may recommend a replacement to serve for the remainder of the term. In the latter case, the person selected must, to the maximum extent possible, represent the same constituency as the original representative.

- A. Members filling a low-income sector vacancy must stand for democratic selection for any subsequent term.

6313. Should the seat of a representative of a public official become vacant, the board must request that the public official, or appointing authority, name a replacement.
6314. Should the seat of a representative of the private sector become vacant, the board may reflect on its skill set needs and recruit accordingly. A board nominating committee, or equivalent, may be tasked with recommending a candidate for board approval.
6315. The board must be advised of progress in filling a vacancy at each subsequent meeting until such time as the vacancy is filled.
6316. KHRC must be notified when a board seat becomes vacant and notified when the seat is filled by updating the agency Board Management database in Community Solutions Group (CSG) software.
6317. The agency bylaws must set the quorum for a meeting of the board. Quorum must have at least 51 percent of the non- vacant seats on the board. A quorum must be present for all decisions requiring a vote.
6318. The agency bylaws must specify the board must meet on a regular basis. At a minimum, the board must meet six times annually. The meetings must be scheduled for the convenience of its members and of the general public. The eligible entity must provide notice (in writing) of any regular meeting and an agenda to all members at least three calendar days in advance. Electronic notices and agendas, in lieu of paper copies, are encouraged provided all members receiving electronic notices have agreed to accept this form of notification.
6319. Notices of special meetings must be issued in the manner described within the entity's bylaws.
6320. The agency bylaws must specify that the board may establish any committee it considers necessary for carrying out its business. For governing boards, at a minimum, a finance/audit committee is recommended. In an effort to minimize board vacancies, a committee that is responsible for board recruitment such as a Nominating Committee is recommended.
6321. The bylaws may define and empower an executive committee, drawn from the entity's board members, to transact business for the full board. The executive committee must provide a written report of its actions at the next meeting of the full board. The quorum for the executive committee may not be less than 51 percent of the non-vacant seats on the committee.

6322. Voting by proxy is not permitted at meetings of the board or of its committees. This prohibition applies to all members of the board.

6323. Alternates may be elected/selected under the following conditions:

- A. Selection and service of alternates must be described in the bylaws.
- B. Alternates must be elected/selected in the same manner, at the same time, and by the same people who have elected/selected the representative.

6324. All alternates must be listed on the membership roster of the board.

6325. In accordance with the [Model Business Corporation Act](#), the default rule for Kansas non-profit organizations, alternatives are not granted voting privileges.

6326. No alternate may hold an office of the board. It is permissible, however, for appointed representatives of public officials, who by virtue of their appointment, and election to the board, are fully seated, to serve as officers of the board.

6327. The bylaws must establish a procedure which a low-income individual, community organization, religious organization or representatives of low-income individuals that considers its organization or low-income individuals to be inadequately represented on the board of the eligible entity, may petition for adequate representation.

6400 ALLOWABLE COSTS

6401. The allowable board costs include:

- A. Reasonable and actual expenditures incurred solely as a result of attending a scheduled board meeting or a meeting of an appointed committee of the board.
- B. The reasonable costs of necessary meals furnished by the eligible entity for participants in scheduled meetings. Such costs are allowable only if the board members are not reimbursed – as per diem or otherwise.

6500 GENERAL

6501. Community Action Agencies must have a documented process that ensures initial and continued board training to include, as applicable: non-profit board responsibilities (within the past 2 years) including fiduciary responsibilities, Results Oriented Management and

Accountability (ROMA), program and service information, the causes and effects of poverty, emerging issues and the origin, source, and impact of CSBG funding. (Organizational Standard 5.8)

6502. As applicable, meetings of the governing/administering board are subject to the [Kansas Open Meetings Act](#).

6503. The board must keep written minutes for each meeting. Minutes must be made available to the public upon request. The board must also make available to the public, upon request, translations of the minutes in the appropriate language where a significant portion of the low-income population does not speak English.

6504. Copies of the signed, ratified minutes for each meeting of the governing/administering board, along with the respective financial report, agenda and board packet received by the board, must be submitted in the CSG Software System to KHRC no later than ten calendar days after the date of the meeting at which the minutes were approved.

- A. Organizational Standard 8.7 requires that the governing board of private entities receive financial reports at each regular meeting that include the following: 1) Organization-wide report on revenue and expenditures that compares budget to actual, categorized by program; and 2) Balance sheet/statement of financial position. The Standard requires that the tripartite board/advisory body of a public entity receive financial reports at each regular meeting, for those program(s) the body advises, as allowed by local government procedure.
- B. Approved minutes submitted to KHRC must be signed by a board officer and must include the date of the meeting at which the minutes were approved.

6600 ADMINISTERING BOARDS

6601. In those communities where the local city or county government jurisdiction has designated itself as the CSBG-eligible entity, the governing officials are required to establish an administering board. The administering board is constituted in the same manner as a governing board. Unlike the governing board, the administering board is not the source of all authority, nor is it the legal embodiment of the entity. The board's actual authority depends on the powers delegated to it by the governing officials of the government jurisdiction. Administering boards must, however, demonstrate that members actively participate in the development, planning, implementation, and evaluation of the community action program rather than merely providing advice.

6602. Administering boards are subject to all pertinent and applicable requirements contained within the federal regulations and the Kansas Community Services Block Grant Manual of Policies and Procedures.

6603. The government jurisdiction must prepare and maintain bylaws for its CSBG administering board. These bylaws are to contain a delineation of power between the governing body and the administering board.

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SECTION 7 – PLANNING

7000 COMMUNITY ASSESSMENT

7001. As required by the Coats Human Services Reauthorization Act of 1998 and as a condition of funding, Community Action Agencies must produce and maintain a Community Needs Assessment.

7002. A full community assessment must be completed, and a report issued, at a minimum, once every three years (Organizational Standard 3.1); updates addressing significant variances must be provided in intervening years. The full assessment must include elements identified within Organizational Standards including:

- A. A statistical profile (charts, graphs, maps, . . .) including current data specific to poverty and its prevalence related to gender, age, and race/ethnicity for their service area(s). (Organizational Standard 3.2)
- B. Both qualitative and quantitative data on the geographic service area(s) which may include community perspectives (common themes, key quotes, . . .). (Organizational Standard 3.3)
- C. Customer satisfaction data and customer input. (Organizational Standard 6.4)
- D. Key findings on the causes and conditions of poverty and the needs of the communities assessed. (Organizational Standard 3.4)

7003. Legislation allows that the assessment may be coordinated with community assessments conducted for other programs. An assessment so conducted must contain all elements listed in Item 7002; it must address the entire service area and be clearly applicable to the work of the eligible entity.

7004. Community Action Agencies must, on the submission of the annual Organizational Standards, ensure that KHRC is in possession of a current, dated copy of the community assessment. An update detailing significant variances, if any, must be provided in intervening years.

7005. The Community Needs Assessment must be published within the three-year period.

7100 STRATEGIC PLAN

7101. Each eligible entity must have a strategic plan in place that has been approved by the governing/administering board within the past five years (Organizational Standard 6.1). The plan must meet the following minimum specifications.

1. The Strategic Plan must be drawn from the findings contained within the community assessment.
2. The Strategic Plan must clearly define the period of time covered by the plan.
3. The Strategic Plan must contain a mission statement succinctly defining the reason the organization exists.
4. The plan may contain a vision statement which succinctly defines the desired future the entity envisions. The entity may wish to include a vision for individuals and families, the community, and the agency.
5. The plan may include a list of core values. Core values are the absolutes that define the organization. Values give an organization its soul. They can clarify and resolve issues; help determine direction and build community.
6. The plan must contain family, agency, and/or community goals. (Organizational Standard 6.3) Goals are those overarching and broad statements of what the organization hopes to achieve.
7. The plan must identify strategies. Strategies are statements of major approaches that will be used to achieve each goal. Three to five strategies for each goal may be adequate.
8. The plan must include initiatives. Initiatives are specific programs, projects or activities planned to occur over the course of the planning cycle to advance each strategy.
9. The plan must contain a process for evaluating elements within the plan.

7102. Community Action Plan / Logic Models that identify the targeted tasks involved in operationalizing the strategies/initiatives contained within the strategic plan are a suggested tool for moving the organization toward its goals.

7103. The governing/administering board must receive, at a minimum, an annual update on progress in meeting the goals of the strategic plan. (Organizational Standard 6.5)

7104. Community Action Agencies must, on the submission of the annual Organizational Standards, ensure that KHRC is in possession of a current, dated copy of the board-approved strategic plan.

7200 CALENDAR OF PLANNING ACTIVITIES

7201. Each eligible entity must establish and maintain a calendar of activities which will ensure that the board:

- A. Reviews the entity's accomplishments and the strategic plan at a minimum, annually.
- B. Annually reviews its bylaws and membership needs.
- C. Annually reviews the entity's fiscal policy and procedures (alternately, administering boards may review fiscal reporting practices).
- D. Annually reviews the entity's personnel policy (administering boards exempt).
- E. Annually reviews recurring grant applications including the CSBG CAP.
- F. Annually conducts an evaluation of the entity's Executive Director/CEO per Item 6204 and annually reviews and approves Executive Director/CEO compensation. (Organizational Standards 7.4 and 7.5)
- G. Receives and reviews an organization-wide, comprehensive risk assessment at minimum once every two years. (Organizational Standard 4.6)
- H. Addresses other time sensitive CSBG Organizational Standards and entity processes.
- I. Receives training on their duties and responsibilities at a minimum of once every other year.
- J. Receives an overview of ROMA training for members and staff.

SECTION 8 – SERVICE DELIVERY

8000 GENERAL

8001. Entities must develop and implement written standards of operation, including program policies and procedures, to govern programs operated in whole or part with CSBG funds.

- A. Community Action Agencies must, on submission of the annual Organizational Standards, ensure that KHRC is provided with a current, dated copy of the approved program policies and procedures.

8002. Program policies and procedures must include:

- A. Intake procedures, including instructions for using the entity's intake and application documents and/or digital systems.
- B. Eligibility criteria, including the income verification period, income guidelines, eligibility period and residency verification procedures and criteria.
- C. Procedures for recertification of eligibility.
- D. A definition of family in accordance with a prevailing definition. (E.g., 45 CFR § 1305.2) Neither the HHS poverty guidelines, the federal CSBG Act, nor applicable HHS regulations define the term "family."

The following are two examples of how the term family might be defined. Other reasonable definitions are also acceptable.

Example 1: The income of all members of each family unit must be included in determining income eligibility. A family unit may be either: (1) related individuals; or (2) an unrelated individual. The term "related individuals" means two or more persons related by birth, marriage, and/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 one or more persons who are not related to him/her by birth, marriage, and/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 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 HHS poverty guidelines means persons in a household. A household includes any individual or group of individuals who are living together as one economic unit. The income of each individual in the household who is 18 years old or older must be included in determining income eligibility. In determining whether an individual is part of a household, the eligible entity may consider factors such as whether the individual pays for his/her own food and occupancy.

- E. Safeguards to ensure that eligible staff or staff members’ families do not realize an undue advantage as they seek services.
 - F. A process to identify and inform custodial parents in single-parent families that participate in programs, activities or services carried out or provided through CSBG about the availability of child support services and to refer eligible parents to the [child support offices of State](#) and local governments.
 - G. For those activities and services for which eligible applicants exceed capacity, a process for prioritizing applicants and for notifying applicants of their status.
 - H. A statement indicating that no person shall, on the basis of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available through CSBG. Any prohibition against discrimination on the basis of age under the [Age Discrimination Act of 1975](#) (42 USC 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 USC 794), or [Amendment of Americans With Disabilities Act Title II and Title III Regulations To Implement ADA Amendments Act of 2008](#) shall also apply to any such program or activity. (CSBG Reauthorization Act of 1998, Section 678F)
 - I. An appeal procedure which includes a process through which applicants for service are made aware of their right to appeal a decision related to their determination of eligibility and addressing claims of discrimination.
8003. Material aid provided and programs operated solely with CSBG funds must follow poverty guidelines established annually by the [Federal Office of Management and Budget](#) (OMB) when qualifying customers. Customers whose family income, indexed for size, is at or below 125 percent of the poverty guideline or 200% for CSBG if allowed, by Federal law, qualify for such services.

- A. A categorical determination of eligibility may be acceptable if evidence of eligibility for a companion program demonstrates family income, indexed for size, is at or below 125 percent of the poverty guideline or 200% if allowed, by Federal law.

8004. Each eligible entity must establish criteria for verification of family income, which must be used uniformly among all services.

- A. The income period and verification procedures used to determine eligibility must be clearly defined within the written program policies and procedures.
- B. The intake worker must verify income as established within the program policies and procedures.

Neither the HHS poverty guidelines, nor the federal CSBG Act, nor applicable HHS regulations define the term “income.” In devising an income definition, a state or eligible entity may consider the income definitions for other anti-poverty programs, which come from authorizing statutes, regulations, or funding source guidance. For reference, CAPLAW has compiled the income definitions for programs commonly administered by Community Action Agencies and citations to income-related guidance for other major social welfare programs. The following is one example of how the term “income” might be defined. Other reasonable definitions are also acceptable.

Example: Income includes total annual cash receipts before taxes from all sources, with the exceptions noted below. Specifically, income includes:

- Wages and salaries before any deductions;
- Net receipts from nonfarm self-employment (receipts from a person’s own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);
- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers’ compensation, veterans’ payments, public assistance (including Temporary Assistance for Needy Families, Supplemental Security Income, and non-federal General Assistance or General Relief money payments), and training stipends;
- Alimony 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, to the extent used for living expenses rather than tuition or program expenses;

- Dividends, interest, net rental income, net royalties;
- Periodic receipts from estates or trusts; and
- Net gambling or lottery winnings.

C. For purposes of CSBG income verification, income does not include:

- Tax refunds or tax credits;
 - Assets drawn down as withdrawals from a bank or the sale of property (such as a house or a car);
 - Capital gains;
 - Gifts, loans, lump-sum inheritances, one-time insurance payments or compensation for injury;
 - Employer-paid or union-paid portion of health insurance or other employee fringe benefits;
 - Food or housing received in lieu of wages;
 - Federal or state non-cash benefit programs such as Medicare, Medicaid, food stamps, school lunches, and housing assistance;
 - Child support payments;
 - One-time or time-limited payments made in connection with emergency, disaster relief, or other similar programs; or
 - Payments required under federal or state law to be excluded from the definition of income for calculating eligibility for federal or state public benefit programs, such as cost reimbursements under the federal Foster Grandparent program (see 45 C.F.R. § 2552.47).
- Federally mandated exclusions from income can be viewed at <https://www.federalregister.gov/documents/2024/01/31/2024-01873/federally-mandated-exclusions-from-income-updated-listing>

D. In determining family income, self-declaration of income must be used only as a method of last resort. The signature of the applicant must appear on a self-declaration statement. The use of electronic signatures, email and/or text statements are encouraged and should be documented.

8005. The poverty guideline is not a consideration when non-consumer-specific, community development activities are undertaken to alleviate the causes and effects of poverty.

An eligible entity may use CSBG funds for initial intake and eligibility screening for general Community Action Agency services. If an applicant is determined not to meet the CSBG eligibility requirements, but is eligible for other services provided by the eligible entity or by other organizations or entities that have less restrictive eligibility requirements (such as a higher income limit), CSBG funds may be spent on staff time and related expenses for the intake staff to inform the applicant about the availability of

those services and to refer the applicant to a staff person whose time is paid out of the funding sources for those services for more information about and intake for those services.

Under certain circumstances, individualized determination of income eligibility may not be required. Services are provided on a group, rather than individual, basis, and circumstances indicate that those benefiting are likely to meet the CSBG income eligibility requirements. For example, a financial literacy class provided to parents of children in the eligible entity's Head Start program, or a job skills class provided to residents of a homeless shelter. Services are provided on an individual basis, but circumstances make it impossible or impracticable to obtain income documentation and indicate that those benefiting are likely to meet the CSBG income eligibility requirements and/or that the services facilitate linkages and coordination of services to low-income people in the community. For example, a community resource hotline that provides referrals to local health and human services providers; general information and referrals regarding benefits and services available to low-income people in the community; a food pantry open to individuals and families living in a census tract with area median income at or below the CSBG.

8006. Should CSBG funded staff, through collaborative agreements entered into with a primary purpose to alleviate the causes and effects of poverty, have access to material aid that is distributed using a funder-defined income guideline different from that required of CSBG, the funder's income guideline must prevail.
8007. When case management activities, and other non-material aid, are funded by multiple funding streams, a pro rata share of cases qualifying at the 125 percent level or 200% if allowed, by Federal law must be equivalent to, or greater than, the percent of CSBG funding supporting the activities.
8008. Applicant intake documents and/or digital systems must be uniform among all centers and must solicit, at a minimum, the following information:
- A. Date of application.
 - B. Applicant name and address. And, for family members – name, gender, date of birth, disability status, health insurance status, education level (for family members whose age is equal to or greater than 24), family size, income, and income types (source) for all household earners, family type, housing type, ethnicity, and race. Specifically, the characteristics required by the current CSBG Annual Report.
 - C. Applicant's signature.

D. An identification of the intake worker.

8009. Consumer files need not contain copies of documents used to certify income. If such documentation is not included in the file, the file must contain a statement detailing those documents observed and how the family income was calculated. The statement must be signed by the person evaluating the income. When an applicant is deemed ineligible, a statement must include reason(s) for ineligibility.

8010. The entity must verify that the applicant is a resident of the State of Kansas. Services funded in whole or in part by Kansas CSBG funds or provided by CSBG funded staff must not be provided to individuals who are not residents of the State of Kansas.

A. Consumer files need not contain copies of documents used to determine residency. If such documentation is not included in the file, the file must contain a statement demonstrating how residency was determined.

The following contains examples of residency documentation an eligible entity might require.

Example: Applicants must provide documentation of their current residential address. Forms of acceptable documentation include copy of utility bill; lease or rental agreement; receipt from property owner of rent received; copy of mortgage statement; written statement from landlord affirming residency; or a letter from homeless shelter. Applicants who live with someone else and do not receive mail at that address may provide a signed letter from that person and documentation of that person's current residential address. Self-certification is permitted in the case of applicants who are homeless and have no current residential address.

8011. Applications for CSBG services can be accepted only from adults (18 years or older) or emancipated minors. It is noted that children receiving foster care services represent a household of one for the purpose of eligibility determination. In some cases, it might be appropriate to list the foster child as the applicant; entity policy will prevail.

8012. The period for which a consumer is eligible for CSBG funded services and material aid must be defined in the eligible entity's written procedures and must be uniformly applied at all centers.

A. In lieu of a published definition of "eligibility period," the eligibility period must be the same length as the period used for income verification.

8013. A statement of eligibility recertification must be completed at the time of the first service request following expiration of the previous eligibility period. All requirements applicable to eligibility certification, including income verification, apply to recertification. The criteria established by the eligible entity for income verification must be used for income recertification. Other pertinent information (such as household size, address, etc.) should be updated, as applicable.

Neither the CSBG Act, applicable HHS regulations, nor OCS guidance specify how often a client's income should be redetermined. The following is one example of a re-determination policy.

Example: 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. An eligible entity retains the right to review a client's income level at any time while the client is receiving CSBG-funded services for the purpose of determining continued program eligibility.

8014. A record of service provision must be included in the service record of each eligible applicant. This record must include the initial date of service, and the services provided, as well as the date and services provided for each succeeding service contact. Records of service provision are encouraged to be maintained electronically, if the entity agency is able to maintain separate records on each program participant.

8015. Services provided for applicants who are determined to be ineligible are restricted to information and referral.

8016. Other than people who do not meet the CSBG income eligibility requirements, no one is categorically ineligible for CSBG services.

Staff, Board Members and Members of their Families: There is no prohibition against an eligible entity providing CSBG-funded services to members of its tripartite board, its staff or members of their families who apply for those services, provided that: (1) the applicant meets all applicable eligibility criteria for the services; (2) the applicant does not receive preferential treatment in receiving the services due to their connection with the eligible entity; and (3) the services are provided on terms similar to those provided to individuals who are not so connected to the entity. Neither the applicant nor a member of their family should make the determination of whether the applicant is eligible for the CSBG-funded services.

Non-Citizens and Undocumented Individuals: CSBG does not limit eligibility to lawfully present immigrants, and CSBG programs do not need to ask or verify the immigration status of clients. While the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) instituted immigrant eligibility requirements for many federal public benefit programs, HHS has since determined that CSBG is not a federal public benefit program requiring immigrant eligibility, unless another statute precludes using CSBG funds to serve immigrants. See (September 30, 1998).

Substance Abusers: There is no prohibition on the use of CSBG funds to provide services to substance abusers. Many eligible entities use CSBG funds to provide substance abuse treatment or additional services to clients in those programs.

Convicted Felons: Convicted felons are eligible for CSBG services. Indeed, a number of eligible entities use CSBG funds to provide prisoner re-entry services.

SECTION 9 – FISCAL POLICIES AND PROCEDURES

9000 GENERAL

Entities expending CSBG resources must be guided by the *applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements* unless a more stringent practice is required by KHRC.

HHC Awards under [45 CFR Part 75](#). Only limited portions of the Federal regulations at 45 CFR Part 75 are applicable to CSBG:

- g. Subpart A, "Acronyms and Definitions," is applicable.*
- h. Subpart B, "General Provisions," is applicable.*
- i. Subpart C, "Pre-Award Requirements." Not applicable, except §75.202 is applicable to the Federal awarding agency.*
- j. Subpart D, "Post-Award Requirements." Not applicable, except §§75.351-.353 is applicable to this program.*
- k. Subpart E, "Cost Principles," is applicable to subrecipients of this program.*
- l. Subpart F, "Audit Requirements," is applicable.*

Department of Health and Human Services (HHS) to Adopt 2 CFR Part 200 in Phases - Per Federal Register (FR), [89 FR 80055](#), HHS describes the [intended phases of formally adopting 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(UAR\)](#) as modified by Office of Management and Budget (OMB), [89 FR 30136](#), April 22, 2024).

9001. Each Community Action Agency must maintain a fiscal operation manual, preferably digital, that details all fiscal policies and procedures for the entity, including maintenance of records, procedures for disbursement, maintenance of property records, procurement procedures and all other relevant policies and procedures.

- A. Community Action Agencies must, on the submission of the annual CSBG Organizational Standards, ensure that KHRC is in possession of a current, dated copy of the approved fiscal policies.

9002. As a condition for receipt of CSBG funds, Community Action Agencies must have a fiscal management system that meets the following standards prescribed by the Federal OMB, including:

- 1. Each entity must be able to make accurate, current, and complete disclosure of each CSBG award.

2. Each entity must maintain records that adequately identify the source and application of funds for each CSBG award.
3. Each entity must maintain effective control over and accountability for all funds, property and other assets and must adequately safeguard all such assets and must assure that they are used solely for authorized purposes.
4. Each entity must have established written procedures for determining the reasonability, allowability and allocability of costs in accordance with the provisions of the applicable cost principles and the terms of its contracts.
5. Each entity must make a comparison of actual outlays with budget amounts for each grant or other agreement.
6. Each entity must maintain accounting records that are supported by source documentation.

9003. Each entity must provide assurances that any organization to which CSBG funds are sublet has a financial system which meets the standards identified in Item 9002.

9100 GRANT TRANSACTION REPORTING

This section prescribes procedures to summarize expenditures made and grant funds unexpended for each CSBG award, report the status of grant cash received, and request advances and reimbursements.

9101. Payments to Community Action Agencies for grants funded with 90 percent pass-through funds will be made on an advance basis.

9102. Entities report CSBG expenditures and receipts and initiate a grant payment using the Grant Transaction Report (GTR) as provided by KHRC.

- A. Payments will typically be in the amount requested.
 1. Unless a unique circumstance is communicated, cash-on-hand in excess of two-and-one-half times the size of the entity's to-date, average monthly expenditures, must typically require an inquiry as to the need for the requested payment.
- B. Payments will be processed to arrive on or before the last day of the month.

9103. The CSBG Grant Transaction Report must:

- A. Contain an accurate, current, and complete disclosure of the financial results related to the identified CSBG grant.
- B. Contains the original or digital signature of the Executive Director/CEO or other individual identified by the eligible entity as an authorized signatory on the Authorized Signatories form submitted to KHRC with the CAP or Organizational Standards.
 - 1. Fiscal staff will not be recognized as an authorized signatory for this purpose.
 - 2. The authorized signatories list retained by KHRC may be amended or revised as needed through the attestation of the Executive Director/CEO and the chair of the governing board.
- C. Be submitted to the CSBG Program Manager, KHRC for each month during which funds are received or disbursed.
- D. Be received in SharePoint by KHRC no later than the 15th day of the month following the month for which the report has been prepared. The 15th day of the month requirement may be extended by the Program Manager per approved email request.
 - 1. Signed e-mailed (PDF) versions are acceptable.

9104. Revised Grant Transaction Reports may be submitted, as needed and with explanation, prior to the submission of the “FINAL” report.

9105. Each entity must retain a copy of the submitted Grant Transaction Reports. Worksheets and/or ledgers which support the information contained within the report must be attached to the entity's copy.

9106. Entities will be contacted if reports contain errors or insufficient information. Those impacted may be required to submit corrected reports. Changes to correct obvious errors will be allowed on verbal agreement made between the entity's representative and KHRC staff. Such changes are to be noted in the KHRC copy by staff. This notation is to be initialed and dated. Should a subsequent disagreement occur regarding Grant Transaction Reports so altered, the entity must be required to submit, for KHRC consideration, a revised Grant Transaction Report for the affected period.

9107. Grant Transaction Reports which are late or require correction or additional information delay the processing of payments. In the event that a report is late or inaccurate, payment may be delayed until the following month's payment cycle.

9108. KHRC may, at its discretion, respond to an off-cycle payment request.

9109. At the point that all funds for a particular award have been received, receipted, and expended, the entity must submit a clearly identified "FINAL" Grant Transaction Report to KHRC. The final report must contain all expenditures and receipts for the grant period.

A. Final reports on non-discretionary CSBG awards will be due no later than 60 days after the end of the grant period.

9110. As part of KHRC's closeout of the grant and based upon final reports and its own accounting, KHRC will determine the final payment to the entity or repayment amount, if any, due to KHRC.

9200 EXPENDITURES

9201. Expenditures must be in accordance with the accepted budget except when allowable variances are applicable.

9202. If an eligible entity expends grant funds contrary to the provisions of the financial award, such action must require the repayment of those funds if the expenditure violated statutory provisions. KHRC may require repayment of expenditures that do not conform to the provisions of the grant award even if the expenditures are determined allowable by statutory provisions.

9203. Community Action Agencies must not give CSBG-funded staff raises/incentive pay from CSBG funds after the entity's CSBG budget has been approved unless such raises are in keeping with the entity's policy on salary increases. CSBG funds may only be used to pay for the pro rata share of vacation leave, sick leave, retirement, and other fringe benefits of CSBG funded positions.

9204. Community Action Agencies must reimburse staff and volunteers for travel at uniform rates and in accordance with the entity's written procedures. No staff member or volunteer shall be paid a higher reimbursement rate than any other staff member or volunteer.

9205. Procurements made in whole or part with CSBG funds are to be made in accordance with the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS unless a more stringent practice is required by KHRC.

9206. Where an eligible entity proposes to enter into a sole source contract or a contract where only one bid or proposal is received, such contract shall be subject to prior approval by KHRC if the aggregate expenditure for all items to be procured from the bidder/offeror will exceed \$10,000 in a 12-month period. The eligible entity may submit the request for approval to KHRC in writing. KHRC will respond to the request within 60 days.
9207. To the greatest extent practicable, all equipment and products purchased with funds made available by CSBG should be American made.
9208. All consulting contracts to be funded, in whole or part, with CSBG funds must receive prior approval from KHRC. The request for approval must be in writing, and must include:
- A. The need expected to be met by hiring a consultant.
 - B. The name and address of the individual(s) to be hired.
 - C. The resumé of the consultant(s) to be hired.
 - D. A description of the work to be conducted by the consultant including deliverables.
9209. Expenditures proposed for consulting contracts and submitted with the eligible entity's budget require the details identified in Item 9208.
9210. An entity wishing to subcontract or delegate any part of its CSBG grant for service activity must receive prior approval from KHRC. Subcontracted activity is bound by State and Federal requirements.
9211. A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide Excluded Parties List System or the [System for Award Management \(SAM\)](#), in accordance with the OMB guidelines at [2 CFR 180](#) for "[Debarment and Suspension](#)."
- A. Evidence supporting the contractor's eligibility to enter into a contract must be maintained by the contracting agency.
9212. KHRC may require the Grantee to enter into a security agreement or similar instrument, to be provided by KHRC, granting KHRC a secured interest in any personal property purchased with the grant funds.

9300 PROPERTY MANAGEMENT

9301. CSBG funds may not be used for the purchase or improvement of land, or the purchase, construction, or permanent improvement known as Real Property (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility.

- A. The Secretary, HHS, may waive this limitation 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 CSBG.

9302. Community Action Agencies must adhere to the following inventory procedures:

- A. Each eligible entity must maintain a dated inventory listing of all tangible personal property with a unit cost of \$10,000 or more purchased in whole or part with CSBG funds. The listing must include those elements prescribed by the applicable Uniform Administrative Requirements, Cost Principals, and Audit Requirements for HHS Awards, unless a more stringent practice is required by KHRC. According to [§ 75.320 Equipment](#); property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- B. Community Action Agencies must take a physical inventory of equipment and reconcile the results with the equipment records at least once every two years in accordance with the requirements of the applicable Uniform Administrative Requirements, Cost Principals, and Audit Requirements for HHS.

9303. Community Action Agencies must, on submission of the annual Organizational Standards, ensure that KHRC is in possession of the current, dated inventory listing showing all property with a unit cost of \$10,000 or more, purchased in whole or part with CSBG funds.

9304. When property purchased with CSBG funds is no longer needed for the approved project, the eligible entity must request from KHRC disposition instructions or permission to use that property in other programs consistent with CSBG purposes. This provision applies

to property having a current, fair market value of \$10,000 or more per unit. The eligible entity may submit the request in writing for approval to KHRC. KHRC will then ensure the appropriate Tangible Property Report Form (SF-428) is sent to HHS-ACF-OCS requesting their decision. KHRC will respond to the entity's request within 60 days.

Source: <https://www.acf.hhs.gov/grants/manage-grant/property>

9400 BONDING AND INSURANCE

9401. Community Action Agencies must maintain adequate fidelity bond coverage (theft, dishonesty) or other protection covering those who are authorized to sign checks, certify vouchers and/or handle or control funds (beyond petty cash), checks, securities, or property. The amount of the bond/coverage required must be adequate to insure the security of CSBG funds or the maximum amount held in bank accounts at any one time, whichever is higher.

9402. Each eligible entity must maintain documentation assuring that the condition described in Item 9401 has been met. This assurance may take the form of a letter from a bonding company or agent stating the type of bond, amount and period of coverage, positions covered and the annual cost of the bond that has been obtained.

9403. Community Action Agencies are responsible for assuring that delegate agencies receiving CSBG funds meet the terms of this bonding coverage requirement.

9404. Community Action Agencies must maintain appropriate liability insurance which should include, at a minimum, directors, and officer's insurance, auto, cyber liability, volunteer and special event insurance, employment practices liability and general liability, as applicable.

9500 RETENTION OF RECORDS

9501. Financial records, supporting documents, statistical records, and all other records, in whatever format pertinent to a CSBG award must be retained for a period of three years from the date of submission of the final expenditure report.

9502. If any litigation, claim, or audit is started before the expiration of the three- year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. ([45 CFR § 75.361](#))

9600 AUDITS

9601. Entities expending \$1,000,000 (increased from \$750,000 on 10/1/24) or more in Federal awards during the entity's fiscal year must have a single or program-specific audit conducted in accordance with OMB defined methodology.

Single Audits must be submitted to the Federal Audit Clearinghouse (FAC) (<https://www.fac.gov>) within 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period. The FAC may extend the audit period due to national emergencies, disasters, technical issues, etc. beyond the control of agencies and recipients. KHRC will accept the FAC extension.

In response to requests by a federal agency or pass-through entity, auditees must submit a copy of any management letters issued by the auditor. ([45 CFR 75.512 e.](#))

Entities that expend less than \$1,000,000 in Federal awards during its fiscal year is exempt from Federal audit requirements for that year, except as noted in [§ 200.503](#). However, in all instances, the records of the entity must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the Government Accountability Office (GAO).

- A. Entities that sublet CSBG funds must ensure that entities to which funds are sublet and who expend \$1,000,000 or more in Federal funding during fiscal years are audited annually using OMB-defined methodology.
- B. Under certain circumstances, KHRC may conduct or arrange additional audits to carry out its responsibilities under Federal statute or regulation or may require agencies expending under \$1,000,000 in Federal funding to have a program-specific audit or independent audit of their financial statements completed.

9602. Community Action Agencies and subrecipients must allow auditors and State and Federal personnel to have access to records and financial statements as necessary to comply with audit and monitoring responsibilities.

9603. KHRC's Finance Division issues applicable KHRC management decisions following its review of the submissions.

9604. Each entity must have in place a systematic method to assure timely and appropriate resolution of audit findings and recommendations.

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SECTION 10 – PERSONNEL POLICES AND PROCEURES

10000 GENERAL

10001. To provide for the consistent and equitable treatment of employees and to ensure that all such employees fully understand the terms and conditions of their employment, each eligible entity must issue published policies which include:

- A. Entity rules governing vacations, sick leave, periodic salary increases and other conditions of employment.
- B. A description of any benefit plans with details on entity and employee contributions to those plans.
- C. Any rules governing promotion, separation, resolution of grievances and employee conduct.
- D. A whistleblower policy responsive to the requirements of the [Sarbanes-Oxley Act](#).

10002. Community Action Agencies must, on submission of the annual Organizational Standards, ensure that KHRC is in possession of a current, dated copy of the approved personnel policies.

10003. Community Action Agencies must adhere to the following standards governing the selection of personnel for employment in CSBG supported programs:

- A. Employ people who can perform their duties with competence.
- B. Consideration must be given to providing employment opportunities to qualified, low-income people.
- C. No entity shall discriminate in its hiring and personnel procedures against any applicant for employment or any employee because of race, creed, color, national origin, religion, handicap, gender, or age.

10004. Community Action Agencies must adhere to the following practices:

- A. The salary and benefits for each position must be in accordance with prevailing practice in comparable local public or private nonprofit agencies.

- B. Agencies must maintain evidence of efforts to ensure salary and benefits are in accordance with prevailing practice.
- C. Time and effort/personnel activity records for all employees paid in whole or part with CSBG resources, directly or indirectly, including the Executive Director / CEO must be maintained and must be signed and/or digitally authorized by both the employee and a supervisor with first-hand knowledge of the employee's work. (While many non-Federal entities may still find that existing procedures in place such as personal activity reports and similar documentation are the best method for them to meet the internal control requirements, this final guidance does not specifically require them.)
 - 1. With regard to the Executive Director/CEO/ officer, the Chairperson of the Board of Directors may serve as signatory or may appoint another member, or members, to be the signatory for the purpose of certifying the time and effort/personnel activity record.
- D. An entity may provide a plan for KHRC review and acceptance should it desire an alternate approach to 10004B for meeting the internal control requirements appropriate to compensation for personnel services ([45 CFR § 75.430](#)).
- E. Community Action Agencies must have an established employee grievance procedure. Employee grievances must be given prompt and fair consideration. Entities must make provision for a review of personnel actions by the Executive Director / CEO in any case in which there is a claim of unfair treatment or of dismissal without cause.

10005. Individual personnel files must, at a minimum, contain the following records on each employee:

- A. Documentation of all personnel actions including hiring, termination, promotion, and discipline.
- B. Records of the salary and any salary increase received by each full-time and part-time employee.

10006. Community Action Agencies must maintain an employee-signed and dated job description, indicating current tasks for which the employee is held accountable. Organizational Standard 7.3 requires private entities reflects, "The organization has written job descriptions for all positions, which have been updated within the past 5 years."

10007. Private non-profit entities must maintain on file an attestation that each employee has received and reviewed the [Community Action Code of Ethics](#). Public entities must maintain

on file an attestation that each employee within the CSBG operational unit has received and reviewed the Community Action Code of Ethics.

10008. No person shall hold a position of employment over which a family member exercises supervisory authority.

10009. Within three business days of the occurrence or the notification of resignation (whichever may be earlier), the eligible entity must advise KHRC in writing of the voluntary or involuntary termination or the hire of key leadership to include, at a minimum, the following positions:

- A. Executive Director / CEO
- B. Fiscal Officer
- C. Community Services Director
- D. Personnel Officer
- E. Head Start Director (if applicable)
- F. Weatherization/Housing Director (if applicable)

10010. Community Action Agencies must provide a written professional development plan for newly hired or newly appointed key CSBG leadership including, at a minimum, those positions identified in Item 10009 (A-D). This plan must consider the employee's previous training and experience. The plan must include a meeting with KHRC staff if applicable and, as relevant, may include statewide and national conferences such as the [Community Action Partnership \(CAP\) Conventions](#), [CAPLAW](#) events, the [Kansas Conference on Poverty](#), [Kansas Housing Conference](#) and [Wipfli](#) trainings. The plan may also include the pursuit of the [Certified Community Action Professional](#) credential and/or certification as a [ROMA professional](#).

- A. Community Action Agencies shall use the template provided by KHRC or alternative template approved by KHRC for the [professional development plan](#). The template should include the timeframe of the professional development plan, the topics for the trainings, budget, and the location of the trainings.
- B. Professional Development Plans must be created for key staff that have been at the agency for two years or less and for staff that have been identified by the agency or KHRC as lacking the necessary skills.
- C. The Professional Development Plan must be reviewed during its term and must be maintained within the employee's personnel file.

10100 CODE OF ETHICS

10101. Community Action Agencies must develop written policies which observe the following minimum standards governing the conduct of board members, employees, and their immediate families:

- A. Board members, employees and members of their immediate families must not solicit or accept gifts, gratuities, or favors of a monetary value which exceed State of Kansas Governmental Ethics threshold (currently \$40) and courtesy meals which exceed State of Kansas Governmental Ethics threshold (currently \$25) in accordance with Kansas governmental ethics laws ([Statute 46-237a](#)) and specifically from:
 - 1. Any contractor, potential contractor, or subcontractor of the eligible entity,
 - 2. Any person applying for or receiving benefits or services through or from the eligible entity and,
 - 3. Any person in a position to benefit otherwise from the activities of the eligible entity.
- B. Any board member, employee, or member of his or her family having a financial interest in a contract with the eligible entity which is supported by CSBG funds must make complete disclosure of such interest to a responsible and objective eligible entity official.
- C. A board member or employee of an eligible entity must refrain from all participation in any matter involving CSBG funds which affects, to his or her knowledge, the financial interest of:
 - 1. His or her business partner(s) or a business organization with which he or she is associated.
 - 2. Any person or organization with whom he or she is negotiating or has any arrangement concerning prospective employment.

10102. Board members and employees of Community Action Agencies must refrain from conduct which violates any of the above standards or gives the appearance of violating the standards.

10200 THE FEDERAL HATCH ACT

10201. The Coats Human Services Reauthorization Act of 1998 makes non-profit, Community Action Agencies subject to certain provisions of the [Federal Hatch Act](#). Unless superseded by Federal statute, guidelines, directives or regulations, the following is intended to provide guidance to affected Community Action Agencies concerning the appropriate standards of conduct relative to political activities, as well as to the use of CSBG funds for political purposes.

- A. Programs must be administered in a politically nonpartisan manner and must avoid actions which can be construed as intended to favor one political party over another or to influence the outcome of an election for public or political office. The use of CSBG funds, the provision of services and the assignment of personnel must not result in the identification of the program with any partisan political activity designed to further any election or defeat of a candidate for public or party office. In addition, CSBG funds may not be used for the provision of services or the assignment of personnel to provide transportation in connection with voter registration or electoral activity. (Guidance at IM No. 81 – https://www.acf.hhs.gov/sites/default/files/documents/ocs/im_no_81_updated_guidance_on_voter_registration_activities_0.pdf)
- B. Political issues in many communities will often include activities which may become the subject of political controversy. Entities, of course, undertake activities dealing with issues related to their basic program responsibilities, such as organizing and advocating for the needs of low-income persons. In carrying out their basic mission and goals, entities may actively engage in campaigns connected with constitutional amendments, referenda, municipal ordinances, law reform and lawful attempts to influence government officials to respond to the grievances of persons in poverty. Entities need not avoid such activities merely because partisan officials or candidates for public office may take or have taken positions with respect to the issue. Agency officials acting in their official capacities, however, deal with questions which have become a subject of political controversy on their merits and not because they are supported or opposed by a particular party or candidate.
- C. Except as set forth in these requirements, employees are free to engage in various kinds of political activities during their off-duty hours and in their private capacities. A broad range of participation in elections is permitted. These restrictions apply to the use of CSBG funds, the provision of services and the assignment of agency personnel in a manner which identifies any CSBG funded programs with partisan political activity, nonpartisan activity associated with a candidate or faction in an election for public office and the transportation of voters to the polls. These restrictions are, in a broad sense,

designed to prohibit the use of CSBG funds for certain purposes. As far as the individual employee is concerned, these restrictions deal only with what he or she does as an employee.

10202. The following restrictions apply to all employees, volunteers, and board members:

- A. Employees, volunteers, and board members must not use their official positions, authority, or influence with the agency for the purpose of interfering with or affecting the result of an election or nomination for a party or public office.
- B. Employees, volunteers, and board members must not directly or indirectly coerce, attempt to coerce, command, or advise an employee or any other person who is subject to these restrictions to pay, lend or contribute personnel services to a party, committee, organization, agency, or person for political purposes.
- C. Employees, volunteers, and board members must not use CSBG funds for any political purpose or to influence any election for public or party office.
- D. Employees, volunteers, and board members must not permit the use of equipment or premises purchased or leased with CSBG funds for any political purpose or to influence the outcome of any election for public office.
- E. Employees, volunteers, and board members must not discriminate, threaten, or promise discrimination against or in favor of any employee or beneficiary in the program or any potential employee or beneficiary because of his or her political affiliations or beliefs or require any applicant, employee, or beneficiary to disclose his or her political affiliation.
- F. Employees, volunteers, and board members must not offer any person employment, promotion, or benefits under the program as a reward for the support or defeat of any political party or candidate for public or party office or threaten or create disadvantage in employment or deprivation of benefits as a penalty of such support, except that such a person may be deprived of employment or subject to lesser penalties for engaging in activities which are forbidden by this section.
- G. Where consistent with State law and local procedures, employees, volunteers, and board members may engage in voter registration activity during their off-duty hours so long as they avoid identification of such off-duty activities with the funded entity. However, CSBG funds may not be used to transport voters in connection with voter registration or electoral activity. This restriction applies to the use of CSBG funds as well as the provision of CSBG services and the assignment of CSBG funded personnel. All

persons may provide such transportation during their off-duty hours so long as they avoid identification of such off-duty activities with the funded entity.

- H. Citizenship education, which includes as part of the curriculum information about the mechanics and functions of voter registration, may be conducted.
- I. Candidates' meetings, even if all rival candidates for one or more public offices appear, must not be sponsored, or conducted with CSBG funds or within CSBG purchased or leased facilities. This restriction on use of CSBG funds does not, however, limit the rights of employees, volunteers, or board members to participate in candidates' meetings.
- J. An employee is not permitted to be a candidate for public elective office, except that nonpartisan candidacies and candidacy for political party office are permitted. Thus, no employee may run in a primary or general election for public office, except as provided below. An employee planning to be a candidate for partisan public elective office must resign his or her position prior to announcement of his or her candidacy or commencement of substantial activities intended directly to promote said candidacy, whichever occurs first. This restriction applies only to employees. Volunteers and board members are not subject to these restrictions. This section applies to employees even though they are on leave or without pay. The prohibitions are lifted only when employment is terminated.

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SECTION 11 – GENERAL

11000 CITIZEN ACCESS AND PRIVACY

11001. Personal data held by the eligible entity relative to the CSBG supported personnel, programs and activities and participants must be maintained in accordance with applicable standards set forth in the [Privacy Act of 1974, as amended](#).

11002. The following documents must be made available for public inspection at the eligible entity's central office at a reasonable time. If the requesting person wishes copies of the document, the eligible entity may request a reasonable fee, not to exceed the actual cost of preparing such documents. Actual cost may include supply, copying, staff and mailing costs. [The Kansas Open Records Act](#) (KORA) recognizes that certain records contain private or privileged information. Content identified by the Act as exempt need not be disclosed.

- A. CSBG applications as submitted to KHRC.
- B. Articles of Incorporation, bylaws, and board membership list.
- C. All contracts (including funding, consulting, goods and services and delegate contracts) pertain to CSBG funds.
- D. Community Action Plans, mid-year, year-end, and annual reports (including audit reports) made to KHRC on projects supported by CSBG funds.
- E. Minutes of meetings of the governing board.
- F. Position titles, salary ranges and job descriptions for all compensated positions.
- G. All other information required by KHRC to be maintained by the eligible entity not otherwise exempt under KORA.

11200 COORDINATION WITH [Kansas LIEAP](#)

11201. CSBG legislation (1998) requires “an assurance that the State will ensure coordination between anti-poverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention programs (relating to low-income home energy assistance) are conducted in such community.” KHRC will meet the assurance in the following manner:

- A. At least once each year, KHRC staff will meet with LIEAP (Low- Income Energy Assistance Program) staff to support ongoing collaboration and to explore avenues for further cooperation between the two programs.
- B. To the maximum extent possible, KHRC and LIEAP staff will jointly participate in interagency task forces. Through these efforts, KHRC staff will seek further avenues through which CSBG and LIEAP can work together.

11202. Community Action Agencies must execute the assurance in the following manner:

- A. Community Action Agencies must maintain communication with [Kansas Department for Children and Families area offices](#) that distribute LIEAP funds.
- B. Community Action Agencies must make reasonable efforts to establish procedures for sharing information on recipients of energy assistance services with local LIEAP programs so that a duplication of energy assistance services can be avoided.

11203. KHRC staff may review efforts to coordinate services with LIEAP through its monitoring of Community Action Agencies.

11300 COORDINATION WITH OTHERS INCLUDING WORKFORCE SYSTEMS

11301. Kansas Community Action Agencies must 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. Entities must coordinate the provision of employment and training activities with entities providing activities through statewide and local workforce investment systems.

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

11302. KHRC staff may review efforts to coordinate services with others including workforce systems through its monitoring of Community Action Agencies.

11303. The [Workforce Innovation and Opportunity Act \(WIOA\)](#) improves job opportunities through an integrated, job-driven public workforce system. This system encourages state and local leaders to work together to reshape the workforce system so that it serves the needs of the nation's most vulnerable citizens. The WIOA demonstrates a renewed focus on

-serving youth and adults who have limited skills, lack work experience and face barriers to economic success. CSBG is incorporated into the WIOA in the following ways:

- A. CSBG employment and training activities are included as a required partner for [WIOA one-stop career centers](#). Under WIOA, the required partners of the WIOA one-stop career centers may be required to share in infrastructure costs.
(https://caplaw.org/resources/fags/GrantLaw/CAPLAW_FAQ_WIOA_Sept2015.pdf)
- B. CSBG employment and training activities may be included, at the option of the state, in a [WIOA Combined State Plan](#).
- C. Community Action Agencies are encouraged to review the WIOA, and the information found on the CAPLAW website for more information about the opportunities and requirements of WIOA as it applies to CSBG Eligible Entities.

11400 COMPLAINTS/APPEALS

11401. Community Action Agencies must have an appeal procedure (Item 8002) which includes a process through which applicants for service are made aware of their right to appeal a decision related to their determination of eligibility and addressing claims of discrimination.

11402. Citizen complaints reaching KHRC, including those regarding the denial of a CSBG-funded service and/or claims of discrimination, will be handled in the following manner.

- A. A request for administrative review of the adequacy and equitable application of the eligible entity's process must be submitted, in writing, to the Kansas CSBG Program within 30 days of notice of action/event. Upon receipt of the request, KHRC staff will copy the request for the subgrantee whose decision/action is in question. The subgrantee will be requested to supply documents relevant to its decision/action within seven business days of KHRC's receipt of the complaint.
- B. KHRC CSBG staff will review supporting documents and will respond in writing to the complainant within 30 days of receipt of the request.
- C. If the complainant is dissatisfied with the decision of the CSBG staff, he/she may appeal to the Executive Director of KHRC and may include additional documentation appropriate for review. The Executive Director will respond in writing to the appellant within 30 days of receipt of the appeal.

- D. The decision of the Executive Director of KHRC is the final administrative remedy in the process. If the complainant is dissatisfied with the final decision, he/she may seek remedy through the court system.

11500 FEDERAL INVESTIGATIONS

11501 The state will permit and cooperate with Federal investigations undertaken in accordance with Section 678D of the CSBG Act, as required by the assurance under Section 676(b)(7) of the CSBG Act.

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SECTION 12 – DISCRETIONARY FUNDS

12000 GENERAL

12001. 42 USC § 9901, et seq., as amended, requires that 90 percent of each State’s allocation be distributed to Community Action Agencies. No more than 5 percent may be used by the State to cover the cost of administering the grant. The remainder may be used at the State’s discretion for discretionary projects that are consistent with the purposes of the CSBG legislation.
12002. KHRC may award discretionary grants for a wide variety of projects as indicated within the CSBG State Plan.
12003. Discretionary funds may be awarded through a competitive Request for Proposal (RFP) process or awarded directly to the Community Action Agencies, KACAP or other eligible entity based on an identified need of the network.
12004. KHRC may issue more than one RFP per year, depending on availability of funds.
12005. Organizations eligible to receive grants supported through discretionary funds include Community Action Agencies providing services in Kansas, KACAP and other organizations with the primary purpose of ameliorating the causes and conditions of poverty in Kansas.
- A. Sections within the Kansas Community Service Block Grant Manual of Policies and Procedures, which address requirements specific to Community Action Agencies, may not apply to all recipients of grants supported through the State’s CSBG discretionary funds.
 - B. Organizations selected to receive a CSBG discretionary award will be assessed for eligibility by checking the government-wide Excluded Parties List System in the [System for Award Management](#) (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), “[Debarment and Suspension](#).”
 - C. Organizations selected to receive a CSBG discretionary award will be informed of audit requirements and will be assessed for the applicability of the requirements.
 - D. Non-community action agencies must demonstrate how they have coordinated with the community action agency in their service area to avoid duplication of efforts.
 - E. KHRC will complete an assessment of risk on agencies receiving discretionary funding. Documentation of the risk assessment will be maintained in the agency’s program file.

12100 AVAILABILITY OF FUNDS

12101. By statute up to 5 percent of the State's CSBG allocation may be used for discretionary projects. In the event that the State does not use the entire 5 percent of the total reserved for KHRC's administrative expenses, the remainder may be used to fund discretionary projects.

12200 FUNDING GUIDANCE

12201. As prescribed within the State Plan and if applicable, KHRC will, near the start of each program year, issue funding guidance describing the forms, procedures, and deadlines for submission of discretionary proposals. Notice will be sent to each eligible entity and will be posted to the [KHRC web site](#).

12300 REPORTING REQUIREMENTS

12301. Projects supported by sublet discretionary funds are subject to reporting requirements defined within the contractual agreement.

12400 MONITORING

12401. Discretionary awards are subject to a modified system of CSBG monitoring. Information regarding reporting requirements and monitoring will be identified by KHRC within the Notice of Award.

DEFINITIONS

- Abrupt - Change without preparation or warning.
- Case Management - Case management is the process used to move clients from where they are now to increase self-sufficiency. The process includes a variety of strategies, techniques and resources designed to build on existing strengths while overcoming barriers.
- COMMUNITY ACTION AGENCY – Community Action Agencies are nonprofit corporations or public entities funded by the federal Community Services Block Grant. To receive CSBG funding, the eligible entity must maintain a tripartite board and be capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency.
- CAP – Community Action Partnership is a national organization that provides technical assistance, training, and other resources to the Community Action network.
- CAPLAW – Community Action Program Legal Services, a tax exempt, nonprofit membership corporation dedicated to providing the legal, governance, and management resources to the national Community Action Agency network.
- CCAP – Certified Community Action Professional program is a peer recognition program that provides national recognition for meeting the standards to be identified as a CCAP.
- Conflict of Interest – a situation in which there is a personal or financial interest that compromises or could compromise a person’s independence of judgement in exercising his or her responsibilities.
- Compliance Matter/Finding - KHRC’s designation for a CSBG deficiency.
- Consulting - Consulting refers to the practice of helping organizations improve their performance, primarily through the thorough analysis of existing business problems and the development of plans for improvement. Organizations hire the services of consultants for a number of reasons including, for example, to gain external and presumably more objective advice and recommendations, to gain access to the consultants' specialized expertise or simply as temporary help during a one-time project, where the hiring of permanent employees is not required.

- ❑ Eligible Entity - One that carried a designation as a Community Action Agency or was a qualifying organization serving migrant or seasonal farm workers as of the day before the enactment of the Coats Human Services Reauthorization Act of 1998, has retained that designation and has a tripartite board or one that, subsequent to and in accordance with the Act, has been designated by the Governor, has retained that designation, and has a tripartite board. Community Action Agencies are eligible to receive a proportional share of an amount equal to 90 percent of the Kansas CSBG allocation.
- ❑ ESG – Emergency Solutions Grant. A federal grant funded by Housing and Urban Development and administered by Kansas Housing Resources Corporation. ESG funds may be used for street outreach, emergency shelter, homelessness prevention, rapid rehousing and HMIS. (<https://www.hudexchange.info/programs/esg/esg-requirements/>)
- ❑ Executive Director / CEO - For the purposes of this manual, the Executive Director / CEO is that individual who is the senior leader responsible for the day-to-day operation of the CSBG-eligible entity or in the case of a public entity, the senior leader responsible for the day-to-day operation of the CSBG funded operational element.
- ❑ Family - A family can be a single individual. For families of more than one individual, the definition of “family” is a group of two or more persons related by birth, marriage, or adoption who live together; all such related persons are considered as members of one family. For instance, if an older married couple, their daughter, her husband and two children, and the older couple’s nephew all lived in the same house or apartment; they would all be considered members of a “family.”
(CSBG Information System (IS) Instruction Manual; Sections A – G, updated October 2015)
 - A. Agencies may choose to use this definition of family or another definition. Agencies must document the definition of family in their policies and procedures. The definition of family could include people who are related by birth, marriage, adoption, or self-determination. Different funding sources may have their own definition of family. Agencies must clearly identify the definition of family used and use it consistently with the program.
- ❑ Federal Fiscal Year - October 1 through September 30.
- ❑ KACAP - Kansas Association of Community Action Programs. KACAP is the state association of community action agencies in Kansas. (www.kacap.org)

- ❑ Information Memorandum (IM) – Guidance issued by the Office of Community Services to assist in implementing the CSBG legislation, program instruction and policy clarification.
- ❑ KanDo! ROMA Task force – a statewide taskforce comprised of representatives from the eight community action agencies, Kansas Housing Resources Corporation, and the Kansas Association of Community Action Programs. The KanDo! Taskforce’s mission is to develop and implement an outcomes-based system that will enable the Network to demonstrate Community Action’s effectiveness and fiscal accountability to the people of Kansas, community partners, funders, staff, Board of Directors, and policy makers.
*KanDo! ROMA Task force is currently being reviewed or possibly under the Data Affinity Group.
- ❑ KanDo! ROMA Plan – a fluid document that was developed to ensure the Kansas Network remains current with all national and state reporting requirements. The KanDo! plan provides guidance on ROMA Next Gen as it relates to the Kansas Network. KanDo! ROMA Plan is currently being reviewed or possibly under revision to model after any applicable CSBG Annual Report changes.
- ❑ Kansas Resident - Black’s Law Dictionary defines residency as “bodily presence as an inhabitant in a given place.”
- ❑ Material Aid - Tangible goods and/or cash assistance provided with the primary purpose of alleviating a cause or effect of poverty. Cash assistance may be provided in the form of a prepaid debit card, a voucher or direct vendor payment. Within the Kansas CSBG network, goods given as material aid have included such things as school supplies, liquid nutrition, calculators, and food vouchers.
- ❑ Organizational Standards -Center of Excellence Standards for CSBG Community Action Agencies as defined within the U. S. Dept. of Health and Human Services, Administration for Children and Families, Office of Community Services, Division of State Assistance Information Memorandum (IM) 138 (<https://www.acf.hhs.gov/ocs/policy-guidance/csbg-im-138-state-establishment-organizational-standards-csbg-eligible-entities>).
- ❑ Program Year (Kansas CSBG) - April 1 through March 31.
- ❑ Property - Property means, unless otherwise stated, real property, personal property, equipment, intangible property, and debt instruments.

- ❑ WIOA – Workforce Innovation and Opportunity Act – Signed into law in 2014, the WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

Acronyms

GENERAL

CAA Community Action Agency

CAP Community Action Partnership or NCAP National Community Action Partnership

CAP Community Action Plan

T/TA Training & Technical Assistance

CSBG Community Services Block Grant

ROMA Results Oriented Management & Accountability

RPIC Regional Performance & Innovative Consortia

PROGRAMS

LIHEAP Low Income Home Energy Assistance Program (DCF)

ECIP Energy Crisis Intervention Program

EA Energy Assistance

LIHWAP Low Income Home Water Assistance Program (DCF)

HS Head Start

EHS Early Head Start

TANF Temporary Assistance for Needy Families

SNAP Supplemental Nutrition Assistance Program

WAP Weatherization Assistance Program

WIC Women, Infants & Children

HUD Housing & Urban Development

IDA Individual Development Account

FEDERAL GOVERNMENT

HHS US Department of Health & Human Services (cabinet level)

ACF – Administration for Children & Families

OCS – Office of Community Services

DOE US Department of Energy (cabinet level)

Weatherization

HUD Housing & Urban Development (cabinet level)

OEO Office of Economic Opportunity

GOVERNMENT ACTS

WIA Workforce Investment Act

WIOA Workforce Innovation & Opportunity Act

FMLA Family Medical Leave Act

FLSA Fair Labor Standards Act

ARRA American Recovery & Reinvestment Act

CSBG Community Service Block Grant Act

CARES Coronavirus Aid, Relief & Economic Security Act

NATIONAL ORGANIZATIONS

CAP Community Action Partnership (NCAP)

NASCSP National Association for State Community Services Program

NCAF National Community Action Foundation

CAPLAW Community Action Program Legal Services, Inc.

NHSA National Head Start Association

Wipfli (actually not an acronym) A for-profit company of accountant and consultants that offers resources & training for nonprofits. It is named after the founder, Mr. Wipfli.

National Training & Professional Development

CCAP Certified Community Action Professional

NCRT National Certified ROMA Trainer

NPIP National Peer to Peer (ROMA Training Program)

FDC Family Development Credential

BPI Building Performance Institute

QCI Quality Control Inspector

MISC

RFP Request for Proposal

RFA Request for Application

CNA Community Needs Assessment

CCNA Comprehensive Community Needs Assistance

WIB Workforce Investment Board

SSI Supplemental Security Income

SSDI Social Security Disability Insurance

EEO Equal Employment Opportunity

MOU Memorandum of Understanding

STATE OF KANSAS OFFICES & ORGANIZATIONS

KHRC Kansas Housing Resources Corporation

- CSBG
- Weatherization
- KHAF
- KERA
- ESG

KHSA Kansas Head Start

DCF Department of Children & Families

- LIHEAP
- LIHWAP