

I. FOR COVER PAGE

Community Services Block Grant  
Plan & Application  
For FFY 2015

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Letter of Transmittal

Ms. Jeanne Chaffin, Director  
Office of Community Services  
Administration for Children and Families  
US Department of Health and Human Services  
370 L'Enfant Promenade, SW  
Washington, DC 20447

September 1, 2014

Dear Ms. Chaffin:

In accordance with the Federal Community Services Block Grant Act (42 U.S.C. § 9901 et seq.), as amended, the State of New York desires to receive a grant under § 675B to support activities designed to assist low-income individuals and families in rural and urban areas to become fully self-sufficient.

The New York State Department of State (DOS) is designated by Governor Andrew M. Cuomo as the lead agency for the administration of the Community Services Block Grant (CSBG) and related programs. This Management Plan for Federal Fiscal Year 2015 contains detailed information on the distribution and use of CSBG funds, and federal Certifications regarding Debarment and Suspension, Lobbying, Drug-Free Workplace and Environmental Tobacco Smoke.

As the designated lead agency for the administration of CSBG funding in New York State, DOS is responsible for (1) developing, and submitting the CSBG Management Plan and application to the Office of Community Services; (2) providing the public an opportunity to review and comment on the Plan; and (3) conducting a public hearing to receive public comments and testimony. 42 U.S.C. 9908. In addition, DOS is responsible for conducting reviews of each eligible entity receiving CSBG funds, 42 U.S.C. § 9914, and submitting an annual report documenting the results of the use of CSBG funds, 42 U.S.C. § 9917(a)(2). The Director of the DOS Division of Community Services is the CSBG Program Contact Person and the official authorized to receive the CSBG grant award. The Director's contact information is as follows:

Veronica Cruz, Director  
New York State Department of State  
Division of Community Services  
One Commerce Plaza  
99 Washington Avenue, Suite 1020  
Albany, New York 12231-0001  
Telephone: (518) 474-5741  
Fax: (518) 486-4663

Accordingly, the aforementioned CSBG Application and Management Plan for Federal Fiscal Year 2015 are respectfully submitted for your consideration. New York looks forward to continuing to work with you to facilitate the administration of this vital federal assistance for its low-income residents.

Sincerely,

Cesar A. Perales  
Secretary of State  
State of New York

## Federal Fiscal Year Covered by this State CSBG Plan and Application

This New York State Community Services Block Grant (CSBG) Plan and Application (hereafter, the “Plan”) covers Federal Fiscal Year (FFY) 2015 (October 1, 2014 through September 30, 2015).

### I. Letter of Transmittal

A cover letter to Jeanne Chaffin, Director, Office of Community Services, including information regarding the CSBG Program Contact Person and the state CSBG Official who is to receive the CSBG Grant Award, with complete addresses, telephone and fax numbers, was submitted with this State Plan and is attached. (Page 3)

### II. Executive Summary

#### A. CSBG State Law

Pursuant to Article 6-D of the New York State Executive Law (NY Executive Law § 159-e-159-n, “Community Services Block Grant Program”), the New York State Department of State (DOS), under the leadership of the Secretary of State, is designated as the lead agency for administration of the Community Services Block Grant (CSBG). Executive Law § 159-f authorizes the Secretary of State to allocate federal CSBG funds pursuant to contracts with recipients of such funds in the manner required by federal law and regulations. The Secretary of State is also thereby authorized to assist the Governor in applying for the New York State allocation under the federal CSBG Act, as amended, including fulfillment of any planning requirements. Executive Law Article 6-D confers upon the Secretary of State the authority and responsibility of monitoring and evaluating the use of CSBG funds received by the State of New York. The Secretary of State is authorized to promulgate rules and regulations necessary to carry out those activities authorized by Article 6-D of the Executive Law.

#### B. Designation of Lead State Agency to Administer the CSBG Program

Section 676(a) of the CSBG Act requires the Chief Executive of each state to designate an appropriate state agency to act as lead agency for administration of CSBG. Pursuant to New York State law, DOS is designated by the Governor and Legislature as the lead agency for administration of the CSBG program and related programs authorized under 42 U.S.C. § 9901, et seq., as amended (see NY Executive Law § 159-f). The letter of designation, issued by Governor Andrew M. Cuomo confirming designation of DOS as lead agency, is attached. (Appendix H)

The Department of State Division of Community Services (DCS) has overall administrative responsibilities for the CSBG program, including ensuring that this Plan is carried out in accordance with the statutory requirements of the CSBG Act. Fiscal controls, fund accounting, audit and fiscal monitoring are the responsibility of the Contract Administration Unit (CAU) within the DOS Bureau of Fiscal Management.

#### C. Public Hearing Requirements and Development of the State Plan

##### (1) Public Hearing:

The Department of State Division of Community Services provided written notification to community action agencies (CAAs) and other appropriate entities announcing its intention to hold a public hearing on the FFY 2015 CSBG State Plan. Public notification of the hearing date, time and location was posted on the DOS website and published in the New York State Register prior to the hearing. Additionally, the notice was sent by email to all existing grantees and advisory council members. (Appendix A: Documentation of Public Hearing and Public Comment).

##### (2) Legislative Hearing:

A Legislative Public hearing was last held on May 23, 2012, chaired by the New York State

Standing Committee on Social Services, the Senate Standing Committee on Social Services, Children and Families, the Assembly and Senate Standing Committee on Ways and Means, and the Assembly Standing Committee on Governmental Operations (Appendix A: Documentation of Public Hearing and Public Comment). The next required legislative hearing will be held in calendar year 2015 pursuant to the requirement of § 676(a)(3) of the CSBG Act.

(3) Public Review and Comment on the State Plan:

Pursuant to the requirements of § 676(e)(2) of the federal CSBG Act, the draft New York State Community Services Block Grant Plan for FFY 2015 was published on the DOS official website at <http://www.dos.ny.gov/dcs/news.htm>. The public, including the community action network, was afforded a period of 30 days to comment. Additionally, DOS transmitted the Plan to each eligible entity within the State of New York, to all CSBG grantees, and to all members of the CSBG Advisory Council via e-mail (Appendix A: Documentation of Public Hearing and Public Comment). All comments received were considered by the State in finalizing this Plan.

### III. Statement of Federal and CSBG Assurances

As part of the annual or biennial application and plan required by § 676 of the CSBG Act, as amended (42 U.S.C. § 9901 et seq., hereinafter the Act), the New York State Department of State hereby agrees to the Assurances in § 676 of the Act, as set forth fully in Appendix D of this Plan.

### IV. The Narrative State Plan

#### A. Administrative Structure

(1) State Administrative Agency

(a) Mission and Responsibilities of DOS as Lead Agency:

The mission of DOS as lead agency is to work in partnership with the community services network of grantees as well as Federal, State, and local governments, and community-based organizations to effectively carry out the purposes, goals, and assurances of the CSBG Act and CSBG Program. Adherence to the mission and responsibilities of DOS, as lead agency, is addressed and ensured in several ways, including through: program and fiscal monitoring; certification of eligible entities' capacity to meet statutory requirements; provision of training and technical assistance to ensure agencies that require additional assistance are provided same; coordinating and forming partnerships with other organizations serving low-income residents; and coordinating and establishing linkages between governmental and other social services programs to assure effective delivery of services. In carrying out the mission of the CSBG Act, the State has elected to use the maximum allowable poverty line percentage (125%) as a criterion of eligibility for CSBG funded services and programs.

(b) Vision Statement:

New York State's vision is to have a highly organized workforce that is strengthened by the State's active membership in the national community services network and dedication to promoting self-sufficient and vibrant, healthy communities for low-income people. DOS is committed to working with local eligible entities state-wide in the development and implementation of programs, services, and local community action plans that are in accordance with this vision and the purposes of the federal CSBG Act.

(c) Goal and Objectives: The goal and objectives for administration of the New York State CSBG program are as follows:

Programs will be administered in accordance with the CSBG statutory purposes and

goals and in compliance with all applicable State and Federal statutes, rules, regulations, policies and procedures.

- Objective 1: Funds will be distributed in a timely manner and in accordance with applicable Federal and State statutes.
- Objective 2: A comprehensive onsite review of each eligible entity will be conducted at least once every three years in accordance with § 678B of the Act. Priority assistance will be given to grantees designated as vulnerable or at-risk.
- Objective 3: CSBG funds will be administered in coordination with governmental and other social services programs to assure effective delivery of services and to avoid duplication.
- Objective 4: A comprehensive report will be prepared documenting the use and outcomes of CSBG funds and will be submitted to DHHS, Governor Andrew M. Cuomo, and the New York State Legislature annually as prescribed by Federal and State statute.

## (2) Eligible Entities

- (a) Eligible entities designated within the State of New York are listed in Appendix B1: Eligible Entities Contact Information and Distribution of Funds
- (b) Geographic areas to be served  
CSBG services are delivered by a network of Community Action Agencies (CAAs) and Community Action Programs (CAPs), so designated as eligible entities under the Economic Opportunity Act (EOA) of 1964 to serve specific geographic areas of the State, or designated as new or successor agencies to serve previously unserved areas. Every county in the state is served by a CSBG eligible entity. New York State provides CSBG funds to 50<sup>1</sup> grantees.

### Eligible Entity Descriptions:

- Private not-for-profit corporations: 48 (CAAs and CAPs), which include the organization that serves migrant and seasonal farm workers through regional sites in seven rural areas of the state;
- Local Government organizations: 2 (Public agencies)
  - In New York City, the Department of Youth and Community Development (DYCD) administers CSBG for its five boroughs, distributing funds to over 170 community and faith-based organizations that provide a broad array of services to residents in 43 low-income Neighborhood Development Areas (NDAs); and,
  - In Livingston County, the County administers CSBG and delegates its CSBG services to four local community-based organizations.

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<sup>1</sup>In May of 2013, Newburgh Community Action Committee, Inc. (NCAC), the eligible entity serving the City of Newburgh, was issued a preliminary determination to terminate funds. By decision issued January 3, 2014 (10 DOS 14), a New York State Department of State Administrative Law Judge declared NCAC's designation as a CSBG eligible entity and its CSBG funding terminated pursuant to the terms of its contract and the federal CSBG Act. No appeal or request for review from the United States Department of Health and Human Services was sought, and the decision of the State is now final and binding pursuant to 45 CFR 96.92. In May 2014, DOS issued a Request for Applications, an open competitive process as required by the CSBG Act, for the designation of a new eligible entity to provide CSBG services in the City of Newburgh (<http://www.dos.ny.gov/funding/>).

- Multi-County Service Areas: Fulton-Montgomery and Warren-Hamilton were originally designated to serve two counties. The following were designated by New York State to serve a contiguous county: Cayuga (Seneca), Chemung (Schuyler), Monroe (Ontario), Clinton (Franklin), Oneida (Herkimer), Orleans (Genesee), Steuben (Yates), Clinton (Franklin) and Westchester (Putnam & Rockland).
- Multiple Eligible Entity counties: In Orange County, eligible entity service areas are both the County itself and the City of Newburgh. In Westchester County, eligible entity service areas are the County itself and the City of Yonkers.

Map: New York State Eligible Entities/Areas Served

(c) Distribution and Allocation of Funds

Table 1, below, shows the planned distribution of funds for federal fiscal year (FFY) 2015. The planned distribution of funds for FFY 2015 assumes the funding level for the program will remain at the same level as provided in FFY 2014. Adjustments to planned levels of funding will be made, as necessary, based on actual appropriations received by the State.

		FFY 2014 (actual)	FFY 2015 (planned)
Categories	Percentage	Amount	Amount
Restricted Funds (Eligible Entities)	90.00%	\$51,926,175	\$51,926,175
State Administration	5.00%	\$2,884,787	\$2,884,787
Remainder Funds: (5%)			
Tribes and Tribal Organizations	0.50%	\$288,480	\$288,480
Discretionary Funds (Special Projects, T/TA, Targeted Projects, Emergency Services, and Disaster Relief)	4.50%	\$2,596,308	\$2,596,308
<b>TOTAL FUNDS</b>	<b>100.00%</b>	<b>\$57,695,750</b>	<b>\$57,695,750</b>

Planned Distribution of CSBG Funds to Eligible Entities:

Please see Appendix B1 of this Plan, showing the proposed distribution of CSBG funds to Eligible Entities, with each eligible entity's contact information included.

## B. Description of Criteria and Distribution Formula

**Designation of eligible entities:** In New York State, eligible entities include Community Action Agencies (CAAs) and Community Action Programs (CAPs) designated by New York State and the Federal government prior to October 27, 1998 or as agencies designated by the process described in the CSBG Act, 42 U.S.C. § 9909 (including organization serving migrant and seasonal farmworkers). All eligible entities in good standing will receive the same proportion of funds in FFY 2015 as they received during FFY 2014.

**Compliance with mandates:** Distributions are made to eligible budgeted entities pursuant to contract. Prior to distribution of CSBG funds, each eligible entity must submit a work plan for the use of such funds. Each plan must clearly demonstrate that the eligible entity will use and account for CSBG funds in a manner fully compliant with the mandates of applicable state and federal laws, rules, regulations, policies and procedures. Executive Law § 159-j requires each recipient of funds to secure a 25% local share match. This requirement may be waived by the Secretary of State upon

written request of the grantee and a demonstration of good cause.

**Limitations on funding and procedures for use of carry-over balances are as follows:**

All recipients of CSBG funding must enter into a contract with DOS, which includes an approved budget and work plan, any attachments or exhibits, and standard clauses required by the New York State contracts. Eligible entities shall adhere to § 675C(a) (2) of the CSBG Act, which requires that, to the extent FFY 2015 funds are distributed by a state to an eligible entity and have not been expended by such eligible entity, they shall remain with such eligible entity for carryover and expenditure into the next fiscal year, subject to § 675C(a) (3) of the Act. If FFY 2015 funds are carried forward by such eligible entity into FFY 2016, those funds must be fully expended and services provided on or before September 30, 2016. CSBG funds distributed pursuant to this Plan will be awarded to an eligible entity under a single contract with DOS. Eligible entities must fully account for the use and expenditure of all CSBG funds during and following the end of each project period. New York State shall return to the DHHS any balance of unobligated (unencumbered) cash advanced that is not authorized to be retained for use on other grants.

**C. Description of Distribution and Use of Restricted Funds**

New York State will distribute at least 90% of its annual allocation of CSBG funds to its network of 50 eligible entities. (See Appendix B1: Distribution of CSBG funds to Eligible Entities with Contact Information).

**D. Description of Distribution and Use of Discretionary Funds**

New York State will distribute discretionary funds made available by the statutory remainder funds from each annual CSBG grant as follows:

(1) Tribes and Tribal Organizations

As authorized by New York Executive Law § 159-i, New York State will allocate up to one-half of 1% of the New York State CSBG funds received by the state to Indian Tribes and Tribal Organizations. This amount will be distributed equally among the three tribes/tribal organizations, which are currently receiving such funds. Three tribes/tribal organizations, while not eligible entities, have consistently received CSBG funding: Mohawk Indian Housing Corporation of the St. Regis Mohawk in St. Lawrence/ Franklin Counties as well as the Shinnecock and Poospatuck Tribes in Suffolk County. (See Appendix B2: Distribution of Funds to Indian Tribes/Native American Organizations; see also Table 1, above).

(2) Targeted Projects:

Since FFY 2008, DOS has set aside a portion of its CSBG allocation for targeted projects. In recent years, these projects focused on innovative community and neighborhood-based initiatives in such activities as workforce development, innovative anti-poverty programming, and the service needs of low-income new Americans.

In FFY 2015, DOS will continue to focus targeted projects toward workforce development and the service needs of low-income new Americans. For generations, New York State has been known around the world as a place of promise and prosperity for newcomers looking for new lives and opportunities. These new Americans bring determination, new skills and cultures, and a vitality that has improved civic life, provided enhanced support for the tax base, and helped revitalize the economic and social fabric of the communities they now call home<sup>2</sup>. Research shows that new Americans are often underemployed, more likely to be in poverty or near poverty, less likely to receive food stamps or other supportive services, less likely to have access to health insurance, and at an educational disadvantage that prevents their

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<sup>2</sup> Working for a Better Life: A Profile of Immigrants in the New York State Economy, Fiscal Policy Institute (November 2007).

movement toward more competitive employment.<sup>3</sup>

In addition, in FFY 2015, DOS will continue to focus on projects in the area of workforce development and innovative anti-poverty service providers. Unemployment in the wake of a severe national recession presents a significant and continuing challenge across the country. Through the use of CSBG discretionary dollars, DOS will fund workforce programs that focus on, among other things, job readiness, on-the-job training, computer literacy training, job placement services, skills training, and career development. DOS may also fund other innovative anti-poverty programs and services to incentivize and foster the development of effective and accessible models of programming and service delivery.

(3) Special Projects, Training and Technical Assistance:

A portion of CSBG discretionary funds will be used to provide special projects and to support direct and indirect training and technical assistance, by funding activities including but not limited to the following:

- For the provision of specialized expertise to assist CSBG grantees when deemed necessary and appropriate by the Division of Community Services as a result of a comprehensive assessment or on-going monitoring activities;
- To promote the technical assistance and training needs of the Community Action Agencies through coordinated efforts, such as those provided by the New York State Community Action Association, The National Association of State Community Service Programs, National ROMA Peer-to-Peer Training Program, the Community Action Angels, and qualified Community Action Agencies who offer specialized expertise that can benefit the entire network.

Annually, each eligible entity is given the opportunity to identify and request specific types of training and technical assistance. Eligible entities are also provided or invited to request training and technical assistance when responding to issues or deficiencies noted during the course of monitoring by the State. DOS will provide or arrange for the specific types of training and technical assistance requested, as appropriate. Service delivery for training and technical assistance will be provided through the Division of Community Services directly or indirectly through partnerships with NYSCAA, the federal Office of Community Services, the Community Action Angles, and other resources available to the CSBG network. Training and technical assistance will also be made available to train the eligible entity network with regard to the CSBG Organizational Standards once finalized and implemented by the United States Department of Health and Human Services. (See Table 1: Distribution of Funds by Percentage, above).

In addition to funding NYSCAA and the Community Action Angles, to provide Training and Technical assistance, DOS works with NYSCAA in its capacity as the Region 11 Regional Performance and Innovation Consortia (RPIC). Together, the state and NYSCAA coordinate efforts to identify entities for additional T/TA strategies, which include access to T/TA to enhance ROMA Next Generation efforts; assistance meeting high quality performance standards; provision of information on evidence-based and evidence-informed service approaches; and coordination of regional T/TA opportunities. In addition, the state reserves training and technical assistance funding to assist eligible entities with capacity building activities and responses to required corrective actions, where appropriate.

(4) Disaster Relief and Emergency Services

Remaining discretionary funds, other than those used for tribes and tribal organizations, targeted projects, special projects, and training and technical assistance, may be made available to provide disaster relief and emergency services through the network of CSBG eligible entities and community based organizations.

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<sup>3</sup> Jensen, New Immigrant Settlements in Rural America: Problems, Prospects, and Policies, Carsey Institute,(2006)

## (5) Unencumbered and Unallocated Funds:

Any unencumbered and unallocated remainder/discretionary funds or administrative funds from the previous grant award may be used for disaster relief activities, emergency services, targeted projects or special projects that meet the purposes of the CSBG Act, as deemed necessary and appropriate by the Secretary of State.

## E. Description of Use of Administrative Funds

Section 675(b)(2) of the federal CSBG Act specifies that no state may use more than the greater of \$55,000, or 5 percent of its grant or allotment for administrative expenses, including monitoring activities. New York State will use not more than 5 percent of FFY 2015 CSBG funds for administration of the CSBG program. Funds not expended in one fiscal year will be carried forward for use by the state in the subsequent year.

## F. State Community Services Program Implementation

## (1) Program Overview

## (a) The Service Delivery System

The 50 eligible entities within the State of New York serve all 62 counties. The specific geographic areas served by each eligible entity are defined by each eligible entity's Articles of Incorporation and the terms of their CSBG designation, as reflected in Appendix B1 of this plan.

## (b) Linkages

Linkages will be developed by CAAs and CAPs with local entities and institutions to fill identified gaps in services, through the provision of information, referrals, case management, and follow up consultations.

## (c) Coordination with Other Public and Private Resources

DOS is a partner with a number of New York State agencies and authorities, including, but not limited to, the NYS Department of Labor (DOL), NYS Homes and Community Renewal (HCR), NYS Department of Health (DOH), NYS Office of Temporary and Disability Assistance (OTDA), and the NYS Energy and Research Development Authority (NYSERDA). DOS will work with all necessary State and local agencies to ensure coordination of services and to avoid duplication. DOS meets regularly with its partners listed above and continues to identify new opportunities to partner with other state and local organizations, such as with State and local providers of services to immigrants and refugees.

## (d) Innovative Community and Neighborhood-based Initiatives

Eligible entities will work in concert with local service providers to develop a comprehensive approach to support innovative community and neighborhood-based initiatives related to the purposes of the CSBG Act. As part of the reporting process, grantees provide information describing innovative community and neighborhood-based initiatives, which may include, but are not limited to, projects similar to those listed below:

- Mobile food pantries
- Women's support groups and domestic violence intervention
- Education leading to employment
- Transportation programs for the disabled
- Healthy eating, food preparation and education
- Health care centers and health care screenings
- Neighborhood improvement and development
- Entrepreneurship training and development
- Addiction intervention services

- Mobilization of volunteers
- Home care services for the elderly
- Fatherhood initiatives and parenting education

DOS will verify these activities through routine program monitoring and the Annual Program Report (APR) process, which will include narratives detailing innovative grantee accomplishments.

(2) Compliance with Community Needs Assessments:

The Department of State will secure from each eligible entity in the State, as a condition to receipt of funding by the entity, a community action plan (which shall be submitted to the Secretary, at the request of the Secretary, with the State plan) that includes a community needs assessment for the community to be served and that may be coordinated with community needs assessments conducted for other programs.

The CSBG refunding application submitted by each grantee serves as its Community Action Plan, and includes the needs assessment that describes local poverty-related needs, and identifies and prioritizes eligible activities to be funded by CSBG. Each agency must also describe the process used to gather relevant information, involve its board and community, and ensure that the needs assessment reflects the current priorities of the low-income residents in their service area. Refunding applications are kept on file at DOS and are available for inspection or submission, as required.

(a) Child Support Services and Referrals

DOS-DCS complies with § 678G(b), which relates to adherence to child support enforcement for custodial parents in single parent families who participate in CSBG programs and services and provides the following:

“CHILD SUPPORT SERVICES AND REFERRALS:

During each fiscal year for which an eligible entity receives a grant under § 675C, such entity shall:

- (1) inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subtitle about the availability of child support services; and,
- (2) refer eligible parents to the child support offices of state and local governments.”

DOS amended its standard contract, Attachment A-1, Agency-Specific Clauses to state: “The contractor warrants that it shall inform custodial parents in single-parent families that participate in CSBG-funded programs, services, and activities of the availability of child support services, and refer eligible parents to the child support office of the state and local governments.” Contractors (grantees) are asked to describe the process used to identify and inform custodial parents in single parent families that participate in CSBG-funded programs, activities, services, of the availability of child support services, and refer eligible parents to child support offices of state and local governments. In addition, the State, through its Office of Temporary and Disability Assistance (OTDA), maintains a publically available website devoted entirely to child support issues:  
[https://newyorkchildsupport.com/dcse/child\\_support\\_services.html](https://newyorkchildsupport.com/dcse/child_support_services.html)

(3) Tripartite Boards:

New York State requires all eligible entities to comply with the tripartite board requirements of § 676B of the CSBG Act, which provides the following (42 U.S.C. § 9910):

- (a) Private not-for-profit entities
  - (i) Board

In order for a private, not-for-profit entity to be considered to be an eligible entity for purposes of § 673(1), the entity shall administer the community services block grant program through a tripartite board, described in paragraph (2), which fully participates in the development, planning, implementation, and evaluation of the program to serve low-income communities.

(ii) Selection and composition of board

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

- (A) 1/3 of the members of the board are elected public officials, holding office on the date of selection (or their representatives), except that if the number of such elected officials reasonably available and willing to serve on the board is less than 1/3 of the membership of the board, membership on the board of appointive public officials (or their representatives) may be counted in meeting such 1/3 requirement;
- (B) (i) not fewer than 1/3 of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the served community; and (ii) each representative of low-income individuals and families selected to represent a specific neighborhood within a community under clause (i) resides in the community represented by the member;
- (C) the remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served.

(b) Public organizations

In order for a public organization to be considered to be an eligible entity for purposes of § 673(1), the entity shall administer the Community Services Block Grant program through:

- (1) a tripartite board, which shall have members selected by the organization and shall be composed so as to assure that no fewer than 1/3 of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members:
  - (A) are representative of low-income individuals and families in the neighborhood served;
  - (B) reside in the neighborhood served; and
  - (C) are able to participate actively in the development, planning, implementation, and evaluation of programs funded under this chapter;
 or
- (2) another mechanism specified by the State to assure decision-making and participation by low-income individuals in the development, planning, implementation, and evaluation of programs funded under this chapter.

Boards of all eligible entities, including public and private not-for-profit organizations, are monitored for compliance with § 676B of the CSBG Act. Board composition is reviewed annually. DOS staff attends grantee board meetings and reviews grantee board files to verify composition, appointments, and democratic selection of board members. Technical assistance on board functioning and board composition is made available. The board of the statewide migrant and seasonal farmworker organization (PathStone Corporation) is constituted to ensure 51% customer

representation. All eligible entity boards must meet the tripartite composition requirements.

(4) State Charity Tax Program:

New York State does not have a charity tax law.

(5) Implementation of Programmatic Assurances:

The following describes how each of the assurances outlined in § 676(b) of the Act will be carried out.

(a) Funds made available through the grant or allotment will be used:

(1) To support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under part A of title IV of the Social Security Act (42 U.S.C. § 601 et seq.), homeless families and individuals, migrant or seasonal farmworkers, and elderly low-income individuals and families to enable families and individuals to:

- (A) remove obstacles and solve problems that block the achievement of self-sufficiency (including self-sufficiency for families and individuals who are attempting to transition off a state program carried out under part A of title IV of the Social Security Act);
- (B) secure and retain meaningful employment;
- (C) attain an adequate education, with particular attention toward improving literacy skills of low-income families in the communities involved; activities may include carrying out family literacy initiatives;
- (D) make better use of available income;
- (E) obtain and maintain adequate housing and a suitable living environment;
- (F) obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs; and,
- (G) achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundations, and other public and private partners to document best practices based on successful grassroots intervention in urban areas, to develop methodologies for widespread replication, and strengthen and improve relationships with local law enforcement agencies, which may include participation in activities such as neighborhood or community policing efforts.

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

(3) To make more effective use of, and to coordinate with, other programs (including State welfare reform efforts). (Appendix E)

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

CSBG grantees operate food pantries and soup kitchens across the State and have increased availability and hours of operation to meet expanding need. Nearly all current grantees operate nutrition or nutrition-related programs using CSBG funding along with or in concert with other funds.

(c) DOS has a history of working with a variety of State, county, and local agencies to promote the

work of entities across New York. DOS will continue to work with these agencies, including New York State Department of Labor and local workforce investment boards, the New York State Community Action Association, the New York State Regional Economic Development Councils, New York State Department of Labor Division of Immigrant Policies and Affairs, Women in Government Mentoring Program, New York State Weatherization Program/Policy Advisory Council, New York State Low-Income Forum on Energy [LIFE] Steering Community, New York State Office of Temporary and Disability Assistance, and entities important to ensuring strong coordination of services and avoiding duplication of effort.

- (d) New York State will ensure coordination between antipoverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention programs under title XXVI (relating to low-income home energy assistance) are conducted in such communities.
- (e) New York State and eligible entities in the State will, to the maximum extent possible, coordinate programs with other organizations serving low-income residents of the communities and members of the groups served by the state, including religious organizations, charitable groups, and community organizations.

At the local level, grantees work in partnership with a variety of groups, organizations, and institutions. These entities are represented on their boards of directors and often include members and officials of law enforcement, religious organizations, business and industry, neighborhood groups, and other service providers. The CSBG refunding contract, annual work plans, and reporting documents outline the scope of these partnerships.

## G. Fiscal Controls and Monitoring

### (1) State Program Monitoring

DOS will conduct the following reviews of eligible entities, as required under § 678B (a):

- (a) A full onsite review of each such entity at least once during each 3-year period;
- (b) An onsite review of each newly designated entity immediately after the completion of the first year in which such entity receives funds through the CSBG Program<sup>4</sup>;
- (c) Follow-up reviews, including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State; and
- (d) Other reviews as appropriate, including reviews of entities with programs that have had other Federal, State, or local grants (other than assistance provided under the CSBG program) terminated for cause. (See Appendix H: DOS Monitoring Guide)

The date of the last audit conducted for each eligible entity, along with the period covered by the audit, is set forth in Appendix I.

DOS program and fiscal staff are responsible for periodic on-site monitoring to ensure that each CSBG grantee meets performance goals, administrative and financial management standards, and any other applicable State and Federal requirements. Program and fiscal monitoring is designed to improve fiscal and internal controls to safeguard the public and private funds administered by CSBG grantees. Monitoring reports are shared with the subject eligible entity within 35 days of final completion of the report. The State's goal is to have 100% of its eligible entities meet or exceed applicable organizational standards.

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<sup>4</sup> In February 2014, DOS conducted comprehensive reviews of Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc. and Westchester Community Action Program, entities awarded funds to serve Franklin and Rockland Counties in 2013. Both CAAs will continue to serve as the eligible entities for their respective counties.

In addition, DOS program staff maintains ongoing contact with grantees through telephone and e-mail, as needed. Staff works with grantees to ensure understanding of and compliance with regulations and fiscal guidelines, as well as the development of budgets, work plans, and required reporting instruments. Program staff provides a wide range of assistance in areas ranging from fiscal management and strategic planning to agency-staff and board evaluation and assessment, succession planning, human resource development, and mobilization of services.

DOS fiscal staff verifies the reliability of grantee records of expenditures, as well as information reported on periodic financial reports submitted for review to DOS. Staff reviews include sampling of documentation supporting CSBG-related expenses and determinations regarding compliance with contractual obligations and state and federal accounting and other requirements. Fiscal staff also conducts site visits to review grantee fiscal policies and procedures and internal control systems, following up on audit findings where appropriate. Staff prepares summary reports after each monitoring visit, and follows up on any required corrective action during subsequent visits. Monitoring reports are shared with the subject eligible entity upon completion. Follow-up reviews are scheduled to ensure compliance with State and Federal regulations and contract terms.

During the annual re-funding process, program analysts and fiscal representatives conduct reviews to ensure fiscal stability, determine whether services and activities complement, duplicate, or overlap other related services and activities, verify compliance with applicable laws, rules, regulations, policies, and procedures, verify the process for measuring and reporting program progress and effectiveness, and verify information provided in written reports or interviews.

During FFY 2011, DOS finalized revisions to its three year, on-site review process, known as the Comprehensive Organizational Review and Evaluation (CORE). This process builds upon the previous monitoring tool and provides an additional focus on promoting best practices across the community action network. DOS developed this assessment protocol to guide staff teams as they conduct these periodic onsite reviews. Each assessment focuses on the functional areas of board governance, organizational management, personnel policies and practices, fiscal and internal controls, service delivery and community partnerships. This interactive process includes observations, surveys, document review, and interviews with grantee executive, financial and senior staff, board members, and community partners.

Through this process, DOS develops written recommendations for action or suggestions for continuous improvement above current levels. The recommendations are consolidated into a Quality Improvement Plan (QIP). Subsequent plan progress is tracked during routine onsite monitoring. The CORE will be modified to address new standards when applicable or required by HHS/OCS, and will serve as the CSBG comprehensive onsite assessment for FFY 2015.

#### Grantee Audits

Grantees are required to have an audit conducted in accordance with Office of Management and Budget (OMB) Circular A-133. The DOS Contract Administration Unit (CAU) reviews these annual audits for issues identified in the reports and for compliance with governing laws and regulations. Fiscal staff investigates issues raised in the audit reports and follows up on issues identified by field operations staff. (See Appendix I: Grantee Audit Reports).

#### (2) Corrective Action, Termination and Reduction of Funding

New York State will continue working toward identification and resolution of issues and concerns before they become problematic. A process is in place that identifies and designates agencies at-risk and will alert grantees of potential problems through the provision of monitoring reports and notices of deficiency. DOS will work with an at-risk entity to develop a corrective action plan and will, where appropriate, provide the resources and support necessary for correction.

Pursuant to 42 U.S.C. § 9915, if DOS determines, on the basis of a final decision in a review conducted pursuant to § 678C(a) of the Act, that an eligible entity fails to comply with the terms of an agreement or the CSBG Management Plan, to provide services under the CSBG

Act or to meet appropriate standards, goals, and other applicable requirements (including performance objectives) established by DOS, DOS shall:

- (1) inform the entity of the deficiency to be corrected;
- (2) require the entity to correct the deficiency;
- (3) (A) offer training and technical assistance, if appropriate, to help correct the deficiency, and prepare and submit to the DHHS a report describing the training and technical assistance offered; or (B) if DOS determines that such training and technical assistance is not appropriate, prepare and submit to the DHHS a report stating the reasons for the determination;
- (4) (A) in the discretion of DOS, the State may allow the eligible entity to develop and implement, within 60 days of being informed of the deficiency, a Quality Improvement Plan (QIP) to correct the deficiency within a reasonable period of time as determined by the state; and (B) not later than 30 days after receiving from an eligible entity a proposed QIP pursuant to subparagraph (1), either to approve such proposed plan or specify the reasons why the proposed plan cannot be approved; and
- (5) after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of or reduce the funding under the CSBG Act of the eligible entity unless the entity corrects the deficiency.

A determination by the State to terminate the designation or reduce the funding of an eligible entity is reviewable by DHHS, upon request made to DHHS, pursuant to the CSBG Act.

### (3) Fiscal Controls, Audits, and Withholding

Fund accounting procedures are established by the New York State Office of the State Comptroller (OSC). Each grant award to the State is segregated into its various components in accordance with the federally approved CSBG Management Plan and program regulations. These funds are set up in appropriate sub-funds to report expenditures for various program purposes.

Grantees are eligible to receive quarterly advances. An advance of 25% is processed upon approval of the current year's budget. To receive 100% of its annual allocation, a grantee must document expenditure of at least 70% of current funds and 100% of prior year funds. The State retains the right to convert the payment schedule to reimbursement for allowable costs incurred.

Based on DOS written certification of compliance with all contract requirements, OSC authorizes the State Treasury to draw down CSBG funds, and issues payments to grantees. Grantees are required to develop cost allocation plans, which must be submitted to DOS for review and acceptance. In addition, grantees must submit budgets detailing the proposed use of CSBG funds and required local share. Grantees are subject to the cost and accounting standards of applicable federal OMB Circulars.

**Audit of State CSBG Office:** The State CSBG Program is audited regularly as a major program by an independent auditor in accordance with OMB Circular A-133, as amended. The most recent audit of the CSBG Program was completed December 22, 2011 and covered the period from April 1, 2010 to March 31, 2011.

**Limitations on Use of Funds:** Unless a waiver is granted by DHHS, CSBG funds will not be used for purchase or improvement of land, or purchase, construction, or permanent improvement of any building or other facility (other than low-cost residential weatherization or other energy-related home repairs). Grantees and State staff funded by CSBG are made

aware of the Hatch Act and additional restrictions regarding political activities applicable to the receipt and use of CSBG funding. Upon receipt of regulations from DHHS, additional instructions will be provided to grantees and state staff funded by CSBG.

- (a) Full cooperation is assured in the event of a Federal investigation. All requested documents, books, and records will be made available. Appropriate staff support will also be provided.
- (b) Any eligible entity in the State that received funding in the previous fiscal year through the Community Services Block Grant under the CSBG program will not have its funding terminated or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction, subject to review by the Secretary as provided in § 678C(b) of the Act.

Consistent with § 678C(b) and Federal regulations promulgated pursuant thereto, New York State enacted Executive Law section 159-I and DOS promulgated rules (19 NYCRR Part 700) setting forth the necessary grounds for any termination or reduction in funding, as well as the notice and hearing procedures to be used in the event of such a funding action.

- (c) The State will require each eligible entity to establish procedures under which a low-income individual, community organization, religious organization or representative of low-income individuals that considers themselves, itself, or the low-income individuals it represents, to be inadequately represented on the board (or other like managing body) of the eligible entity, may petition for adequate representation.

All eligible entities are required to include language in their bylaws or board policies to allow groups and individuals to petition for representation onto their respective boards of directors.

## H. Accountability and Reporting Requirements

### (1) Results Oriented Management and Accountability (ROMA):

The Federal government requires states to utilize the Results Oriented Management and Accountability System (ROMA) to gauge performance towards meeting the stated National Goals of the CSBG Program. DOS plans to build capacity across the network and further integrate ROMA principles by: (1) developing and implementing improved monitoring and reporting tools; and (2) providing training and technical assistance to grantee boards and staff. ROMA training will use the standardized ROMA curriculum developed by the National ROMA Peer-to-Peer Training Program.

### (2) Annual Report:

§ 678E(a)(2) requires each state to prepare and submit to the Secretary of DHHS an annual report on the measured performance of the State and its eligible entities. To address Congressional reporting requirements under § 678E, this report must include, at a minimum, pertinent and comprehensive information which describes CSBG activities and services in detail and addresses outcomes that measure how CSBG funds were used to promote the goals of the state CSBG program.

Consistent with this requirement, New York State requires all CSBG grantees and delegate agencies to participate in the ROMA system, and to report performance outcomes using the CSBG National Goals and National Performance Indicators. (Appendix E)

The Annual Program Report (APR) documents the accomplishments and outcomes planned and achieved for each goal and indicator selected, and will include planned versus actual

funds expended by grantees for direct services and for administration. Information submitted by grantees through the APR will be compiled and a report on FFY 2015 activities will be submitted to OCS and the National Association of State Community Services Programs (NASCSPP) by March 31 of the following fiscal year. The report will include an accounting of funds spent on administrative costs by the state and eligible entities as well as a description of training and technical assistance provided to grantees.

(3) HHS OCS Organizational Standards:

The Federal government is in the process of finalizing and implementing, through the states, a comprehensive set of organizational standards applicable to CSBG eligible entities developed by the CSBG Organizational Standards Center of Excellence (COE). These organizational standards are intended to ensure that all CSBG eligible entities have the capacity to provide high-quality services to low-income individuals and communities. The Division of Community Services (DCS) will provide training with regard to these new organizational standards, if and when finalized and made applicable by HHS OCS, and provide such training to its staff that monitor eligible entities.

DCS may request assistance from HHS and other CSBG network entities as needed to facilitate and obtain such training. DCS will share information regarding the organizational standards with the Community Action network in the State, and determine the need for training and technical assistance in regard to these new standards. Once the organizational standards are finalized and effective, DCS will provide necessary and reasonable training and technical assistance to eligible entities in partnership with NYSCAA, which is directly funded by the state and also serves as the RPIC for New York State. Eligible entities will be expected to meet the organizational standards, as applicable, on or before FFY 2016, in accordance with federal guidelines. Once the organizational standards are finalized and implemented, State contracts will include the requirement that all applicable organizational standards be adhered to by eligible entities.

## V. Appendices:

## APPENDIX A: Documentation of Public Hearing and Public Comment

## NOTICE OF PUBLIC HEARING

SUBJECT: Proposed FFY 2015 Management Plan for the Community Services Block Grant (CSBG) Program.

PURPOSE: To obtain input regarding the Department of State's CSBG Management Plan for Federal Fiscal Year (FFY) 2015.

Albany, New York  
Friday, July 18, 2014  
10:30 am  
One Commerce Plaza  
Conference Room 505  
With Videoconference to: New York City  
123 William Street  
Conference Room 231  
Buffalo  
65 Court Street  
Conference Room 208

Federal CSBG funds are awarded to eligible entities in all counties of New York State. Community Action Agencies (CAA), community-based organizations, and Indian Tribes or tribal organizations receive CSBG funds to provide advocacy, outreach, services, and programs for economically disadvantaged persons in their local communities.

This hearing will focus on the New York State DOS CSBG Management Plan for FFY 2015. The CSBG Management Plan may be obtained from the DOS website at <http://www.dos.ny.gov/dcs/documents.htm> or by contacting:

Veronica Cruz, PhD  
New York State Department of State  
Division of Community Services  
One Commerce Plaza  
99 Washington Avenue, Suite 1020  
Albany, New York 12231-0001  
Telephone: 518-474-5741

Persons wishing to present pertinent testimony to the DOS at the hearing should complete and return the attached reply form as soon as possible. It is important that the reply form be fully completed and returned so that persons may be notified in the event of emergency, postponement, or cancellation. Forms may be returned to the above address or sent by e-mail to [dos.sm.dcs@dos.ny.gov](mailto:dos.sm.dcs@dos.ny.gov). Written comments on the proposed CSBG Management Plan for FFY 2015 will be accepted by postal or electronic mail at the addresses indicated until close of business on July, 18, 2014.

Oral testimony will be limited to ten (10) minutes. In preparing the order of witnesses, the DOS will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to DOS staff as early as possible. In the absence of a request, witnesses will be scheduled in the order in which reply forms are postmarked.

Five copies of any prepared testimony should be submitted at the hearing registration desk. DOS would appreciate advance receipt of prepared statements.

In order to further publicize these hearings, please inform interested parties and organizations of DOS interest in hearing testimony from all sources.

To meet the needs of those who may have a disability, DOS, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act, has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to DOS facilities and activities. Please direct such requests to:

Teneka Frost-Amusa, Esquire  
New York State Department of State  
One Commerce Plaza  
99 Washington Avenue, Suite 1120  
Albany, New York 12231-0001  
Telephone: 518-474-5741

APPENDIX A: Documentation of Public Hearing and Public Comment (continued)

NYS DEPARTMENT OF STATE  
PUBLIC HEARING REPLY FORM

Persons wishing to present testimony at the public hearing on the FFY 2015 Management Plan for the Community Services Block Grant (CSBG) Program are requested to complete this reply form and submit it by July 14, 2014 to:

Veronica Cruz, PhD  
New York State Department of State  
Division of Community Services  
One Commerce Plaza  
99 Washington Avenue, Suite 1020  
Albany, NY 12231-0001  
Email: dos.sm.dcs@dos.ny.gov  
Telephone: 518-474-5741  
Fax: 518-486-4663

I will attend the public hearing on the FFY 2015 CSBG Management Plan to be conducted by the Department of State on July 18, 2014.

In Albany at One Commerce Plaza, Room 505

In NYC at 123 William Street, Room 231

In Buffalo at 65 Court Street, Room 208

I will make a public statement at the hearing. My statement will be limited to 10 minutes, and I will answer any questions which may arise concerning my statement. I will provide 5 copies of my prepared statement prior to presenting it.

I will address my remarks to the following subjects:

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I do not plan to attend the above hearing, but do plan to submit written comments prior to the close of business on July 18, 2014.

I will require assistance and/or handicapped accessibility information. Please specify the type of assistance required: \_\_\_\_\_

NAME:

TITLE:

ORGANIZATION:

ADDRESS:

E-MAIL:

TELEPHONE:

FAX NUMBER:

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APPENDIX A: Documentation of Public Hearing and Public Comment (continued)  
**TO BE SUPPLEMENTED WITH NOTICES TO BE PUBLISHED IN JUNE 2014**

MISCELLANEOUS  
NOTICES/HEARINGS  
NOTICE OF PUBLIC HEARING  
Department of State

SUBJECT: Proposed FFY 2015-Management Plan for the Community Services Block Grant (CSBG) Program

PURPOSE: To obtain input regarding the Department of State's CSBG Management Plan for FFY 2015

Albany, NY  
Friday, July 18, 2014  
10:30 a.m.  
One Commerce Plaza Conference Room 505  
With videoconference to:  
New York City  
123 William Street  
Conference Room 231  
Buffalo, New York  
65 Court Street  
Room 208

Federal CSBG funds are awarded to grantees in all counties of New York State. Community Action Agencies, community-based organizations, and Indian tribes or tribal organizations receive CSBG funds to provide advocacy, outreach, services and programs for economically disadvantaged persons in their local communities.

This hearing will focus on the New York State Department of State's CSBG Management Plan for federal fiscal year 2015. The Management Plan may be obtained from the Department of State website at <http://www.dos.state.ny.gov/dcs/forms.htm>, or by contacting:

Veronica Cruz, PhD, Director  
New York State Department of State  
Division of Community Services One Commerce Plaza  
99 Washington Avenue, Suite 1020  
Albany, NY 12231-0001  
Telephone: 518-474-5741  
Fax: 518-486-4663

Persons wishing to present testimony at the public hearing on the FFY 2015 Management Plan for the CSBG Program are requested to complete the Public Hearing Reply Form (found at <http://www.dos.state.ny.gov/dcs/news.htm>) prior to July 14, 2014 and mail or fax it to the above address or by e-mail to [dos.sm.dcs@dos.ny.gov](mailto:dos.sm.dcs@dos.ny.gov). Written comments may be submitted until the close of business on July 18, 2014.

Oral testimony will be limited to 10 minutes. In preparing the order of witnesses, the DOS will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to DOS staff as early as possible. In the absence of a request, witnesses will be scheduled in the order in which reply forms are postmarked. Five copies of any prepared testimony should be submitted at the hearing registration desk. DOS would appreciate advance receipt of prepared statements.

**TO BE SUPPLEMENTED WITH NOTICES TO BE PUBLISHED IN JUNE 2014**

In order to further publicize these hearings, please inform interested parties and organizations of the DOS's interest in hearing testimony from all sources

To meet the needs of those who may have a disability, the DOS, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act, has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to DOS facilities and activities.

**Summary of Comments**

Pursuant to 42 U.S.C. § 9908(e) (1), a public hearing was held on the proposed CSBG Management Plan for FFY 2015. The hearing took place on July 18, 2014, as described in the hearing notice (Appendix A). The proposed Plan was made available for public inspection through direct electronic mail to all eligible entities in the state, posting on the DOS public website, and publication in the New York State Register. The public comment period was open until the close of business July 18, 2014. In all, XXXXX witnesses testified at the hearing and written comments were submitted by eight (XXXXX) additional individuals by the close of the comment period.

## APPENDIX B1: Distribution of Funds to Eligible Entities with Contact Information

County/ Area Served	Eligible Entity Contact Information	Proposed Amount (FFY 2015)
Albany	Albany County Opportunity, Inc. 333 Sheridan Avenue Albany, NY 12206-3133 Phone: 518-463-3175 www.albanycap.org Ms. Neenah A. Bland, Acting Executive Director	\$238,461
Allegany	Allegany County Community Opportunities and Rural Development, Inc. 84 Schuyler Street, PO Box 573 Belmont, NY 14813 Phone: 585-268-7605 www.accordcorp.org Ms. Lesley Gooch-Christman, Executive Director	\$214,299
Broome	Opportunities for Broome, Inc. 5 West State Street Binghamton, NY 13901 Phone: 607-723-6493 www.ofbonline.org Mr. Mark Silvanic, Executive Director	\$322,741
Cattaraugus	Cattaraugus Community Action, Inc. 25 Jefferson Street Salamanca, NY 14779 Phone: 716-945-1041 x111 www.ccaction.org Ms. Tina Zerbian, Chief Executive Officer	\$218,652
Cayuga-Seneca	Cayuga-Seneca Community Action Agency, Inc. 89 York Street, Suite 1 Auburn, NY 13021 Phone: 315-255-1703 www.cscaa.com Ms. Laurie A. Piccolo, Executive Director	\$379,376
Chautauqua	Chautauqua Opportunities, Inc. 17 West Courtney Street Dunkirk, NY 14048 Phone: 716-366-3333 www.chautauquaopportunities.com Ms. Roberta Keller, Executive Director	\$218,652
Chemung-Schuyler	Economic Opportunity Program Inc. of Chemung County 650 Baldwin Street Elmira, NY 14901 Phone: 607-734-6174 www.cseop.org Ms. Andrea J. Ogunwumi, Executive Director	\$379,376
Chenango	Opportunities for Chenango, Inc. 44 W. Main Street, PO Box 470 Norwich, NY 13815-0470 Phone: 607-334-7114 www.ofcinc.org Mr. Wayne Viera, Executive Director	\$218,652
Clinton	Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc. 54 Margaret Street	\$253,328

Franklin	Plattsburgh, NY 12901 Phone: 518-561-6310 www.jceo.org Mr. Bruce Garcia, Chief Executive Officer	\$218,652
Columbia	Columbia Opportunities, Inc. 540 Columbia Street Hudson, NY 12534 Phone: 518-828-4611 www.columbiaopportunities.org Ms. Tina M. Sharpe, Executive Director	\$218,652
Cortland	Cortland County Community Action Program, Inc. 32 North Main Street Cortland, NY 13045 Phone: 607-753-6781 www.capco.org Ms. Lindy Glennon, Executive Director	\$218,652
Delaware	Delaware Opportunities, Inc. 35430 State Highway 10 Hamden, NY 13782 Phone: 607-746-1600 www.delawareopportunities.org Mr. John M. Eberhard, Executive Director	\$218,652
Dutchess	Dutchess County Community Action Agency, Inc. 77 Cannon Street Poughkeepsie, NY 12601 Phone: 845-452-5104 x103 www.dutchesscap.org Ms. Elizabeth C. Spira, Chief Executive Officer	\$416,949
Erie	Community Action Organization of Erie County, Inc. 70 Harvard Place Buffalo, NY 14209 Phone: 716-881-5150 www.caoec.org Mr. L. Nathan Hare, Executive Director	\$1,894,414
Essex	Adirondack Community Action Programs, Inc. PO Box 848, 7572 Court Street, Suite 2 Elizabethtown, NY 12932 Phone: 518-873-3207 www.acapinc.org Mr. Alan R. Jones, Executive Director	\$218,652
Fulton and Montgomery	Fulmont Community Action Agency, Inc. 20 Park Street, PO Box 835 Fonda, NY 12068 Phone: 518-853-3011 www.fulmont.org Mr. Denis E. Wilson, Sr., Executive Director	\$328,776
Greene	Community Action of Greene County, Inc. 7856 Rt. 9W Catskill, NY 12414 Phone: 518-943-9205 www.cagcny.org Ms. Florence Ohle, Executive Director	\$218,652
Jefferson	Community Action Planning Council of Jefferson County, Inc. 518 Davidson Street Watertown, NY 13601	\$218,652

	<p>Phone: 315-782-4900 www.capcjc.org Ms. Melinda Gault, Executive Director</p>	
Lewis	<p>Lewis County Opportunities, Inc. 8265 State Route 812 Lowville, NY 13367 Phone: 315-376-8202 www.lewiscountyopportunitites.com Mr. Scott Mathys, Chief Executive Officer</p>	\$218,652
Livingston	<p>Livingston County Board of Supervisors (Community Initiatives Council) 6 Court Street Geneseo, NY 14454 Phone: 585-243-7047 www.livingstoncounty.us/ Mr. Ryan Snyder, Director</p>	\$214,299
Madison	<p>Community Action Program for Madison County, Inc. 3 E. Mail Street Morrisville, NY 13408 Phone: 315-684-3144 www.capmadco.org Ms. Julie Dale, Executive Director</p>	\$214,299
Monroe-Ontario	<p>Action for a Better Community, Inc. 550 East Main Street Rochester, NY 14604 Phone: 585-325-5116 www.abcinfo.org Mr. James H. Norman, Executive Director</p>	\$1,608,926
Nassau	<p>Economic Opportunity Commission of Nassau County, Inc. 134 Jackson Street Hempstead, NY 11550 Phone: 516-292-9710 www.eoc-nassau.org Ms. Iris A. Johnson, Executive Director</p>	\$2,127,454
New York City	<p>New York City Department of Youth and Community Development 156 William Street New York, NY 10038 Phone: 212-442-5386 www.nyc.gov/html/dycd/html/home/home.shtml Mr. Bill Chong, Commissioner</p>	\$30,511,937
Niagara	<p>Niagara Community Action Program, Inc. 1521 Main Street Niagara Falls, NY 14305 Phone: 716-285-9681 www.niagaracap.org Ms. Suzanne C. Shears, Executive Director</p>	\$317,784
Oneida-Herkimer	<p>Mohawk Valley Community Action Agency, Inc. 9882 River Road Utica, NY 13502 Phone: 315-624-9930 www.mvcaa.com Ms. Amy Turner, Executive Director</p>	\$598,028
Onondaga	<p>People's Equal Action and Community Effort, Inc. 217 South Salina Street, 2nd Floor</p>	\$1,418,461

	Syracuse, NY 13202 Phone: 315-470-3300 www.peace-caa.org Mr. Joseph E. O'Hara, Executive Director	
Orange (City of Newburgh)	Newly-Designated Entity to be Determined in Late 2014	\$218,652
Orange (except City of Newburgh)	Regional Economic Community Action Program, Inc. PO Box 886 Middletown, NY 10940 Phone: 845-342-3978 www.recap.org Mr. Charles J. Darden, Executive Director	\$283,093
Orleans-Genesee	Community Action of Orleans and Genesee, Inc. 409 East State Street Albion, NY 14411 Phone: 585-589-5605 www.caoginc.org Mr. Edward F. Fancher, Executive Director	\$379,376
Oswego	Oswego County Opportunities, Inc. 239 Oneida Street Fulton, NY 13069 Phone: 315-598-4717 www.oco.org Ms. Diane Cooper-Currier, Executive Director	\$214,299
Otsego	Opportunities for Otsego, Inc. 3 West Broadway Oneonta, NY 13820 Phone: 607-433-8000 www.ofoinc.org Mr. Daniel Maskin, Chief Executive Officer	\$218,652
Rensselaer	Commission on Economic Opportunity for the Greater Capital Region, Inc. 2331 Fifth Avenue Troy, NY 12180 Phone: 518-272-6012 www.ceo-cap.org Ms. Katherine Maciol, President & CEO	\$218,652
St. Lawrence	St. Lawrence County Community Development Program, Inc. One Commerce Lane Canton, NY 13617 Phone: 315-386-1102 www.slccdp.org Ms. Norma S. Cary, Executive Director	\$218,652
Saratoga	Saratoga County Economic Opportunity Council, Inc. 39 Bath Street, PO Box 169 Ballston Spa, NY 12020 Phone: 518-288-3206 www.saratogaecoc.org Ms. Anita Paley, Executive Director	\$218,652
Schenectady	Schenectady Community Action Program, Inc. 913 Albany Street Schenectady, NY 12307 Phone: 518-374-9181 www.scapny.org	\$218,652

	Ms. Debra L. Schimpf, Executive Director	
Schoharie	Schoharie County Community Action Program Corp. 117 East Steuben Street Bath, NY 14810 Phone: 607-776-2125 www.proactioninc.org Ms. Jeannette M. Spaulding, Executive Director	\$218,652
Steuben-Yates	Pro Action of Steuben and Yates, Inc. 117 East Steuben Street Bath, NY 14810 Phone: 607-776-2125 www.proactioninc.org Mr. David Hill, Executive Director	\$379,376
Suffolk	Economic Opportunity Council of Suffolk, Inc. 31 West Main Street, Suite 300 Patchogue, NY 11772 Phone: 631-289-2124 www.eoc-suffolk.com Mr. Adrian R. Fassett, Chief Executive Officer	\$1,190,393
Sullivan	Community Action Commission to Help the Economy, Inc. 63 South Main Street Liberty, NY 12754 Phone: 845-292-5821 www.sullivancountycache.org Mr. Marc Mendelsohn, Executive Director	\$218,652
Tioga	Tioga Opportunities, Inc. 9 Sheldon Guile Boulevard Owego, NY 13827 Phone: 607-687-4222 www.tiogaopp.org Ms. Kathleen L. Horner, Executive Director	\$218,652
Tompkins	Tompkins Community Action, Inc. 701 Spencer Road Ithaca, NY 14850 Phone: 607-273-8816 www.tcaction.org Ms. Lee Dillon, Executive Director	\$218,652
Ulster	Ulster County Community Action Committee, Inc. 70 Lindsley Avenue Kingston, NY 12401 Phone: 845-338-8750 www.uccac.org Mr. Robert M. Lamoree, Executive Director	\$218,652
Warren-Hamilton	Warren Hamilton Counties Action Committee for Economic Opportunity, Inc. 190 Maple Street, PO Box 968 Glens Falls, NY 12801 Phone: 518-793-0636 www.wahacaa.org Ms. Lynn Ackershoek, Executive Director	\$328,776
Washington	Washington County Economic Opportunity Council, Inc. 383 Broadway Fort Edward, NY 12828 Phone: 518-746-2390 www.washingtoncountyeoc.org	\$218,652

	Ms. Claire M. Murphy, Executive Director	
Wayne	Wayne County Action Program 159 Montezuma Street Lyons, NY 14489 Phone: 315-665-0131 www.waynecap.org Mrs. Janelle Krasucki-Cooper, Chief Executive Officer	\$218,652
Westchester (except for City of Yonkers) and Putnam	Westchester Community Opportunity Program, Inc. 2 Westchester Plaza Elmsford, NY 10523 Phone: 914-592-5600 www.westcop.org	\$1,276,745
Rockland	Mr. John S. Savage, Interim Executive Director	\$218,652
Westchester (City of Yonkers- only)	Yonkers Community Action Program, Inc. 164 Ashburton Avenue Yonkers, NY 10701 Phone: 914-423-5905 www.yonkerscap.org Ms. Linda Heyward, Executive Director	\$431,820
Wyoming	Wyoming County Community Action, Inc. 6470 Route 20A, Suite 1 Perry, NY 14530 Phone: 585-237-2600 www.wccainc.org Mr. Alexander Pierce, Executive Director	\$214,299
Statewide	PathStone Corporation Migrant-Seasonal Farmworker Organization 400 East Avenue Rochester, NY 14607 Phone: 585-340-3300 www.pathstone.org Mr. Stuart J. Mitchell, President & CEO	\$322,790

## APPENDIX B2: Distribution of Funds to Indian Tribes/Native American Organizations

County/Area Served	Eligible Entity Contact Information	Proposed Amount (FFY 2015)
Mohawk Reservation	Mohawk Indian Housing Corporation PO Box 402 Roosevelt, NY 13683 Phone: 518-358-4860 www.mohawkhousing.org Ms. Mary Jo Terrance, Executive Director	\$96,160
Poospatuck Reservation	Poospatuck Indian Nation PO Box 90 Mastic, NY 11950 Phone: 631-281-6464 No web-site Ms. Loretta Manning, Program Director	\$96,160
Shinnecock Reservation	Shinnecock Indian Reservation Box 5006 Southampton, NY 11969-5006 Phone: 631-283-6143 www.shinnecocknation.org Mr. Gerrod T. Smith, Chief Fiscal Officer	\$96,160



## APPENDIX C: CSBG Programmatic Assurances

## A. Programmatic Assurances

(1) Funds made available through this grant or allotment will be used:

- (a) To support activities that are designed to assist low-income families and individuals, including families and individuals receiving assistance under part A of title IV of the Social Security Act (42 U.S.C. § 601 et seq.), homeless families and individuals, migrant or seasonal farmworkers, and elderly low-income individuals and families to enable the families and individuals to:
- (i) remove obstacles and solve problems that block the achievement of self-sufficiency (including self-sufficiency for families and individuals who are attempting to transition off a state program carried out under part A of title IV of the Social Security Act);
  - (ii) secure and retain meaningful employment;
  - (iii) attain an adequate education, with particular attention toward improving literacy skills of low-income families in the communities involved, which may include carrying out family literacy initiatives;
  - (iv) make better use of available income;
  - (v) obtain and maintain adequate housing and a suitable living environment;
  - (vi) obtain emergency assistance through loans, grants, or other means to meet immediate and urgent family and individual needs; and
  - (vii) achieve greater participation in the affairs of the communities involved, including the development of public and private grassroots partnerships with local law enforcement agencies, local housing authorities, private foundations, and other public and private partners to document best practices based on successful grassroots intervention in urban areas, to develop methodologies for widespread replication; and strengthen and improve relationships with local law enforcement agencies, which may include participation in activities such as neighborhood or community policing efforts;
- (b) To address the needs of youth in low-income communities through youth development programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration in meeting the needs of youth, and support development and expansion of innovative community-based youth development programs that have demonstrated success in preventing or reducing youth crime, such as programs for the establishment of violence-free zones that would involve youth development and intervention models (such as models involving youth mediation, youth mentoring, life skills training, job creation, and entrepreneurship programs); and after-school child care programs; and
- (c) To make more effective use of, and to coordinate with, other programs (including state welfare reform efforts). [§ 676(b)(1)]

(2) To describe how the State intends to use discretionary funds made available

from the remainder of the grant or allotment described in section 675C(b) of the Act in accordance with the community services block grant program, including a description of how the State will support innovative community and neighborhood-based initiatives related to the purposes of the community services block grant program; [ § 676(b)(2)]

- (3) To provide information provided by eligible entities in the State, including:
  - (a) a description of the service delivery system, for services provided or coordinated with funds made available through grants made under section 675C(a) of the Act, targeted to low-income individuals and families in communities within the State;
  - (b) a description of how linkages will be developed to fill identified gaps in services, through the provision of information, referrals, case management, and follow-up consultations;
  - (c) a description of how funds made available through grants made under section 675(a) will be coordinated with other public and private resources; and,
  - (d) a description of how local entities will use the funds to support innovative community and neighborhood-based initiatives related to the purposes of the community services block grant, which may include fatherhood initiatives and other initiatives with the goal of strengthening families and encouraging effective parenting. [§ 676(b)(3)]
- (4) To ensure that eligible entities in the State will provide, on an emergency basis, for the provision of such supplies and services, nutritious foods, and related services, as may be necessary to counteract conditions of starvation and malnutrition among low-income individuals.[§ 676(b)(4)]
- (5) That the State and the eligible entities in the State will coordinate, and establish linkages between, governmental and other social services programs to assure the effective delivery of such services to low-income individuals and to avoid duplication of such services, and State and the eligible entities will coordinate the provision of employment and training activities in the State and in communities with entities providing activities through statewide and local workforce investment systems under the Workforce Investment Act of 1998; [§ 676(b)(5)]
- (6) To ensure coordination between antipoverty programs in each community in the State, and ensure, where appropriate, that emergency energy crisis intervention programs under title XXVI (relating to low-income home energy assistance) are conducted in such communities.[§ 676(b)(6)]
- (7) To permit and cooperate with federal investigations undertaken in accordance with section 678D of the Act. [§ 676(b)(7)]
- (8) That any eligible entity in the State that received funding in the previous fiscal year through a community services block grant under the community services block grant program will not have its funding terminated under this subtitle, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction, subject to review by the Secretary as provided in section 678C(b) of the Act.[§ 676(b)(8)]
- (9) That the State and eligible entities in the State will, to the maximum extent possible, coordinate programs with and form partnerships with other

organizations serving low-income residents of the communities and members of the groups served by the State, including religious organizations, charitable groups, and community organizations. [§ 676(b)(9)]

- (10) To require each eligible entity in the State to establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation. [§ 676(b)(10)]
- (11) To secure from each eligible entity in the state, as a condition to receipt of funding, a community action plan (which shall be submitted to the Secretary, at the request of the Secretary, with the State plan) that includes a community needs assessment for the community served, which may be coordinated with community needs assessments conducted for other programs; [§ 676(b)(11)]
- (12) That the State and all eligible entities in the State will participate in the Results Oriented Management and Accountability System, a performance measure system for which the Secretary facilitated development pursuant to section 678E(b) of the Act. [§ 676(b)(12)]
- (13) To provide information describing how the State will carry out these assurances. [§ 676(b)(13)]

#### B. Administrative and Financial Assurances

The State further agrees to the following, as required under the Act:

- (1) To submit an application to the Secretary containing information and provisions that describe the programs for which assistance is sought under the Community Services Block Grant program prepared in accordance with and containing the information described in section 676 of the Act. [§ 675A(b)]
- (2) To use not less than 90 percent of the funds made available to the State by the Secretary under section 675A or 675B of the Act to make grants to eligible entities for the stated purposes of the community services block grant program and to make such funds available to eligible entities for obligation during the fiscal year and the succeeding fiscal year, subject to the provisions regarding recapture and redistribution of unobligated funds outlined below. [§ 675C(a)(1) and (2)]
- (3) In the event that the State elects to recapture and redistribute funds to an eligible entity through a grant made under section 675C(a)(1) when unobligated funds exceed 20 percent of the amount so distributed to such eligible entity for such fiscal year, the State agrees to redistribute recaptured funds to an eligible entity, or require the original recipient of the funds to redistribute the funds to a private, nonprofit organization, located within the community served by the original recipient of the funds, for activities consistent with the purposes of the community services block grant program. [§ 675C (a)(3)]
- (4) To spend no more than the greater of \$55,000 or 5 percent of its grant received under section 675A or the State allotment received under section 675B for administrative expenses, including monitoring activities. [§ 675C(b)(2)]
- (5) In states with a charity tax credit in effect under state law, the State agrees to comply with the requirements and limitations specified in section 675(c) regarding use of funds for statewide activities to provide charity tax credits to qualified charities whose predominant activity is the provision of direct services within the United States to individuals and families whose annual incomes generally do not exceed 185 percent of the poverty line in order to prevent or

- alleviate poverty among such individuals and families. [§ 675(c)]
- (6) That the lead agency will hold at least one hearing in the State with sufficient time and statewide distribution of notice of such hearing, to provide to the public an opportunity to comment on the proposed use and distribution of funds to be provided through the grant or allotment under section 675A or 675B for the period covered by the State plan. [§ 676(a)(2)(B)]
  - (7) That the chief executive officer of the State will designate, an appropriate State agency for purposes of carrying out State community services block grant program activities. [§ 676(a)(1)]
  - (8) To hold at least one legislative hearing every three years in conjunction with the development of the State plan.[§ 676(a)(3)]
  - (9) To make available for the public inspection each plan or revised State plan in such a manner as will facilitate review of and comment on the plan. [§ 676(e)(2)]
  - (10) To conduct the following reviews of eligible entities:
    - (a) full onsite review of each such entity at least once during each three-year period;
    - (b) an onsite review of each newly designated entity immediately after the completion of the first year in which such entity receives funds through the Community Services Block Grant program;
    - (c) follow-up reviews including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State;
    - (d) other reviews as appropriate, including reviews of entities with programs that have had other Federal, State or local grants (other than assistance provided under the community services block grant program) terminated for cause. [§ 678B(a)]
  - (11) In the event that the State determines that an eligible entity fails to comply with the terms of an agreement or the State plan, to provide services under the Community Services Block Grant program or to meet appropriate standards, goals, and other requirement established by the State (including performance objectives), the State will comply with the requirements outlined in section 678C of the Act, to:
    - (a) inform the entity of the deficiency to be corrected;
    - (b) require the entity to correct the deficiency;
    - (c) offer training and technical assistance as appropriate to help correct the deficiency, and submit to the Secretary a report describing the training and technical assistance offered or stating the reasons for determining that training and technical assistance are not appropriate;
    - (d) at the discretion of the State, offer the eligible entity an opportunity to develop and implement, within 60 days after being informed of the deficiency, a quality improvement plan and to either approve the proposed plan or specify reasons why the proposed plan cannot be approved;
    - (e) after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of or reduce the funding to the eligible entity unless the entity corrects the deficiency. [§ 678(C)(a)]
  - (12) To establish fiscal controls, procedures, audits and inspections, as required under section 678D(a)(1) and 678D(a)(2) of the Act.
  - (13) To repay to the United States amounts found not to have been expended in accordance with the Act, or the Secretary may offset such amounts against any other amount to which the State is or may become entitled under the community services block grant program. [§ 678D(a)(3)]
  - (14) To participate and ensure that all eligible entities in the State participate in the Results- Oriented Management and Accountability (ROMA) System [§ 678E(a)(1)].
  - (15) To prepare and submit to the Secretary an annual report on the measured performance of the State and its eligible entities, as described under section 678E(a)(2) of the Act.

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

#### C. Other Administrative Certifications

The State also certifies the following:

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

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_ New York State Department of State

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Date:

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## APPENDIX D: Federal Certifications

**Certification Regarding Lobbying**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Statement for Loan Guarantees and Loan Insurance**

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

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

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Organization:                     New York State Department of State

Date: \_\_\_\_\_

**Certification Regarding Environmental Tobacco Smoke**

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application, the applicant/grantee certifies that it will comply with the requirements of the Act.

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

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: New York State Department of State  
\_\_\_\_\_

Date: \_\_\_\_\_

## Certification Regarding Drug-Free Workplace Requirements

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

- (1) By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
- (2) The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- (3) For grantees other than individuals, Alternate I applies.
- (4) For grantees who are individuals, Alternate II applies.
- (5) Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
- (6) Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
- (7) If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
- (8) Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

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

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

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

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

Alternate I. (Grantees Other Than Individuals)

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

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

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

Place of Performance (Street address, city, county, state, zip code)

99 Washington Avenue, One Commerce Plaza, Albany, New York 12231; 123 William Street, New York, NY 10038; 333 East Washington Street, Room 504 Syracuse, NY 13202; 65 Court Street, Room 208, Buffalo, NY 14202; 207 Genesee Street, Room 707, Utica, NY 13501; 317 Washington Street, 4th Floor, Watertown, NY 13601.

Check if there are workplaces on file that are not identified here. [55 FR 21690, 21702, May 25, 1990]

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: New York State Department of State

Date: \_\_\_\_\_



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

### Instructions for Certification

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

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

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

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Organization:           New York State Department of State          

Date: \_\_\_\_\_

## APPENDIX E: National Goals and Performance Indicators

Consistent with the requirements set forth in the Government Performance and Results Act (GPRA) and the development of the National Performance Indicators (NPI), New York State requires all CSBG grantees to report progress toward achieving outcomes projected in their contract work plans based on the following National Goals and Indicators:

- Goal 1: Low-income people become more self-sufficient (self-sufficiency).
- Goal 2: The conditions in which low-income people live are improved (community revitalization).
- Goal 3: Low-income people own a stake in their community.
- Goal 4: Partnerships among supporters and providers of services to low-income people are achieved.
- Goal 5: Agencies increase their capacity to achieve results.
- Goal 6: Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive systems (family stability).

### GOAL 1: Low-Income People Become More Self-Sufficient

#### National Performance Indicator 1.1 – Employment

The number and percentage of low-income participants in Community Action employment initiatives who get a job or become self-employed, as measured by one or more of the following:

- A. Unemployed and obtained a job
- B. Employed and maintained a job for at least 90 days
- C. Employed and obtained an increase in employment income and/or benefits
- D. Achieved living wage employment and/or benefits

#### National Performance Indicator 1.2 – Employment Supports

The number of low-income participants for whom barriers to initial or continuous employment are reduced or eliminated through assistance from Community Action, as measured by one or more of the following:

- A. Obtained skills/competencies required for employment
- B. Completed ABE/GED and received certificate or diploma
- C. Completed post-secondary education program and obtained certificate or diploma
- D. Enrolled children in before or after school programs
- E. Obtained care for child or other dependent
- F. Obtained access to reliable transportation and/or driver's license
- G. Obtained health care services for themselves or family member
- H. Obtained safe and affordable housing
- I. Obtained food assistance
- J. Obtained non-emergency LIHEAP energy assistance
- K. Obtained non-emergency Weatherization energy assistance
- L. Obtained other non-emergency energy assistance (state/local/private energy programs. Do Not Include LIHEAP or Weatherization)

#### National Performance Indicator 1.3 – Economic Asset Enhancement and Utilization

The number and percentage of low-income households that achieve an increase in financial assets and/or financial skills as a result of Community Action assistance, and the aggregated amount of those assets and resources for all participants achieving the outcome, as measured by one or more of the following:

- A.1. Number and percent of participants in tax preparation programs who qualified for any type of federal or state tax credit and the expected aggregate dollar amount of credits
- A.2. Number and percent of participants who obtained court-ordered child support payments and the expected annual aggregated dollar amount of payments.
- A.3. Number and percent of participants who were enrolled in telephone lifeline and/or energy discounts with the assistance of the agency and the expected aggregated dollar amount of savings.
- B.1. Number and percent of participants demonstrating ability to complete and maintain a budget for over 90.

- B.2. Number and percent of participants opening an Individual Development Account (IDA) or other savings
- B.3. Number and percent of participants who increased their savings through IDA or other savings accounts and the aggregated amount of savings
- B.4. Of participants in a Community Action assets development program (IDA and others):
  - a) Number and percent of participants capitalizing a small business with accumulated savings
  - b) Number and percent of participants pursuing post-secondary education with accumulated savings
  - c) Number and percent of participants purchasing a home with accumulated savings
  - d) Number and percent of participants purchasing other assets with accumulated savings

#### GOAL 2: The Conditions in Which Low-Income People Lives Are Improved

##### National Performance Indicator 2.1 – Community Improvement and Revitalization

Increase in, or safeguarding of, threatened opportunities and community resources or services for low-income people in the community as a result of Community Action projects/initiatives or advocacy with other public and private agencies, as measured by one or more of the following:

- A. Jobs created, or saved, from reduction or elimination in the community
- B. Accessible “living wage” jobs created, or saved, from reduction or elimination in the community
- C. Safe and affordable housing units created in the community
- D. Safe and affordable housing units in the community preserved or improved through construction, weatherization or rehabilitation achieved by Community Action activity or advocacy
- E. Accessible safe and affordable health care services/facilities for low-income people created, or saved from reduction or elimination
- F. Accessible safe and affordable child care or child development placement opportunities for low-income families created, or saved from reduction or elimination
- G. Accessible before-school and after-school program placement opportunities for low-income families created or saved from reduction or elimination
- H. Accessible new or expanded transportation resources, or those that are saved from reduction or elimination, that are available to low-income people, including public or private transportation
- I. Accessible or increased educational and training placement opportunities, or those that are saved from reduction or elimination, that are available for low-income people in the community, including vocational, literacy, and life skill training, ABE/GED, and post-secondary education

##### National Performance Indicator 2.2 – Community Quality of Life and Assets

The quality of life and assets in low-income neighborhoods are improved by Community Action initiative or advocacy, as measured by one or more of the following:

- A. Increases in community assets as a result of a change in law, regulation or policy, which results in improvements in quality of life and assets
- B. Increase in the availability or preservation of community facilities
- C. Increase in the availability or preservation of community services to improve public health and safety
- D. Increase in the availability or preservation of commercial services within low-income neighborhoods
- E. Increase in or preservation of neighborhood quality-of-life resources

##### National Performance Indicator 2.3 – Community Engagement

The number of community members working with Community Action to improve conditions in the community

- A. Number of community members mobilized by Community Action that participate in community revitalization and anti-poverty initiatives
- B. Number of volunteer hours donated to the agency (ALL volunteer hours)

### GOAL 3: Low-Income People Own a Stake in Their Community

#### National Performance Indicator 3.1 – Community Enhancement through Maximum Feasible Participation

The number of volunteer hours donated to Community Action

Total number of volunteer hours donated by low-income individuals to Community Action

#### National Performance Indicator 3.2 – Community Empowerment through Maximum Feasible Participation

- A. Number of low-income people participating in formal community organizations, government, boards, or councils that provide input to decision-making and policy-setting through Community Action efforts.
- B. Number of low-income people acquiring businesses in their community as a result of Community Action assistance
- C. Number of low-income people purchasing their own home in their community as a result of Community Action assistance
- D. Number of low-income people engaged in non-governance community activities or groups created or supported by Community Action

### GOAL 4: Partnerships Among Supporters and Providers of Services to Low-Income People are Achieved

#### National Performance Indicator 4.1 – Expanding Opportunities through Community-Wide Partnerships

The number of organizations, both public and private, that Community Action actively works with to expand resources and opportunities in order to achieve family and community outcomes.

- A. Non-Profit
- B. Faith-Based
- C. Local Government
- D. State Government
- E. Federal Government
- F. For-Profit Business or Corporation
- G. Consortiums/Collaboration
- H. Housing Consortiums/Collaboration
- I. School Districts
- J. Institutions of post-secondary education/training
- K. Financial/Banking Institutions
- L. Health service Institutions
- M. Statewide associations or collaborations

### GOAL 5: Agencies Increase Their Capacity to Achieve Results

#### National Performance Indicator 5.1 – Agency Development

The number of human capital resources available to Community Action that increase agency capacity to achieve family and community outcomes, as measured by one or more of the following:

- A. Number of CCAPs
- B. Number of ROMA Trainers
- C. Number of Family Development Trainers
- D. Number of Child Development Trainers
- E. Number of staff attending trainings
- F. Number of board members attending trainings
- G. Hours of staff in trainings
- H. Hours of board members in trainings

### GOAL 6: Low-Income People, Especially Vulnerable Populations, Achieve Their Potential by Strengthening Family and Other Supportive Environments

#### National Performance Indicator 6.1 – Independent Living

The number of vulnerable individuals receiving services from Community Action who maintain an independent living situation as a result of those services

- A. Senior Citizens (seniors can be reported twice, once under Senior Citizens and again if they

- are disabled, under Individuals with Disabilities, ages 55-over)
- B. Individuals with Disabilities
  - Ages: 0-17
  - 18-54
  - 55-over

#### National Performance Indicator 6.2 – Emergency Assistance

The number of low-income individuals served by Community Action who sought emergency assistance and the number of those individuals for whom assistance was provided, including such services as:

- A. Emergency Food
- B. Emergency fuel or utility payments funded by LIHEAP or other public and private funding sources
- C. Emergency Rent or Mortgage Assistance
- D. Emergency Car or Home Repair (i.e. structural, appliance, heating system, etc.)
- E. Emergency Temporary Shelter
- F. Emergency Medical Care
- G. Emergency Protection from Violence
- H. Emergency Legal Assistance
- I. Emergency Transportation
- J. Emergency Disaster Relief
- K. Emergency Clothing

#### National Performance Indicator 6.3 – Child and Family Development

The number and percentage of all infants, children, youth, parents, and other adults participating in developmental or enrichment programs who achieve program goals, as measured by one or more of the following:

- A.1. Infants and children obtain age-appropriate immunizations, medical, and dental care
- Infant and child health and physical development are improved as a result of adequate nutrition
- A.2. nutrition
- A.3. Children participate in pre-school activities to develop school readiness skills
- Children who participate in pre-school activities are developmentally ready to enter Kindergarten or 1<sup>st</sup> grade
- A.4. Kindergarten or 1<sup>st</sup> grade
- B.1. Youth improve health and physical development
- B.2. Youth improve social/emotional development
- B.3. Youth avoid risk-taking behavior for a defined period of time
- B.4. Youth have reduced involvement with criminal justice system
- B.5. Youth increase academic, athletic, or social skills for school success
- C.1. Parents and other adults learn and exhibit improved parenting skills
- C.2. Parents and other adults learn and exhibit improved family functioning skills

#### National Performance Indicator 6.4 – Family Supports (Seniors, Disabled and Caregivers)

Low-income people who are unable to work, especially seniors, adults with disabilities, and caregivers, for whom barriers to family stability are reduced or eliminated, as measured by one or more of the following:

- A. Enrolled children in before or after school programs
- B. Obtained care for child or other dependent
- C. Obtained access to reliable transportation and/or driver's license
- D. Obtained health care services for themselves or family member
- E. Obtained safe and affordable housing
- F. Obtained food assistance
- G. Obtained non-emergency LIHEAP energy assistance
- H. Obtained non-emergency WX energy assistance
- I. Obtained other non-emergency energy assistance

#### National Performance Indicator 6.5 – Service Counts

The number of services provided to low-income individuals and/or families, as measured by one or

more of the following:

- A. Food Boxes
- B. Pounds of Food
- C. Units of Clothing
- D. Rides Provided
- E. Information and Referral Calls

## APPENDIX F: DOS Contact Information

**Division of Community Services  
Contact Information**

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<p>Dierdre Scozzafava, Deputy Secretary Veronica Cruz, Ph.D., Director Annette Marchese, Bureau Manager James Leary, Assigned Counsel</p>	<p><b>Syracuse</b> Hughes State Office Bldg 333 E. Washington Street, Room 510 Syracuse, New York, 13202 Phone: 315-426-2125 Fax: 315-426-2124</p>
<p><b>Albany</b> One Commerce Plaza 99 Washington Avenue, Suite 1020 Albany, NY 11231 Phone: 518-474-5741 Fax: 518-486-4663</p>	<p><b>New York City</b> 123 William Street, 20th Floor, New York, NY 10007 Phone: 212-417-5724 Fax: 212-417-4784</p>
<p><b>Buffalo</b> Mahoney State Office Building 65 Court Street, Room 208 Buffalo, New York 14202 Phone: 716-847-7106 Fax: 716-847-7969</p>	<p><b>Watertown</b> Dulles State Office Building 317 Washington Street, 4th Floor Watertown, NY 13601 Phone: 315-785-2371 Fax: 315-785-7971</p>

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APPENDIX G: Designation of CSBG Lead State Agency



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**ANDREW M. CUOMO**  
GOVERNOR

August 30, 2012

Ms. Jeanne Chaffin, Director  
Office of Community Services  
Administration for Children and Families  
US Department of Health and Human Services  
370 L'Enfant Plaza Promenade, SW  
5th Floor, West Wing  
Washington D.C. 20447

Dear Ms. Chaffin:

In accordance with PL 105-285 §676(a)(1), the New York State Department of State is hereby designated as the lead agency for the Community Services Block Grant and related programs in New York State, with responsibilities as detailed in the Management Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew M. Cuomo', written over a horizontal line.

ANDREW M. CUOMO



printed on recycled paper

APPENDIX H: DOS DCS CSBG Monitoring Guide

New York State Department of State  
Division of Community Services

Community Services Block Grant  
**Program and Fiscal  
Monitoring Process  
And Guidelines**

Effective Date: April 2014

One Commerce Plaza  
99 Washington Avenue, Suite 1020  
Albany, NY 12231  
Telephone: 518-474-5741  
Fax: 518-486-4663  
Website: [www.dos.state.ny.us](http://www.dos.state.ny.us)

**April 2014**

## Overview

The CSBG program was created to address the causes and conditions of poverty in communities. Through a network of 51 Community Action Agencies and 3 Indian Tribes, a range of services is provided to meet the needs of low-income New Yorkers in all of New York's 62 counties. Department of State, Division of Community Services (DOS-DCS) provides direction and support to local agencies to ensure that comprehensive services are provided.

As the CSBG administering agency, DOS-DCS establishes goals and objectives which guide program evaluation, monitoring, and oversight. DOS-DCS ensures compliance with Federal and State statutes, laws, policies, and procedures. DOS-DCS is the primary liaison with grantees, monitoring the programs as well as offering training and technical assistance in areas such as governance, management, and program operations.

## Program and Fiscal Monitoring

DOS-DCS has established a two-pronged approach to monitoring. The first prong consists of periodic on-site visits. The second prong is the federally mandated triennial assessment process. Both forms of monitoring utilize a comprehensive approach to reviewing, assessing, and evaluating CSBG grantees with the goal of improving the quality of services provided to individuals, children, families, and communities. Monitoring is proactive, result-oriented, and conducted to provide assistance to grantees to improve their capacity to achieve measurable results, and to meet the requirements of Federal and State authorizing legislation, the CSBG Management Plan, and the CSBG contract.

In accordance with *42 U.S.C. 9901, et seq., Section 678B, as amended*, monitoring activities will be conducted to determine whether eligible entities meet performance goals, administrative standards, financial management standards, and other requirements set by the State.

### General Responsibilities

Monitoring is conducted by community services program analysts and fiscal representatives assigned to individual grantees. DOS-DCS staff assigned to conduct program and fiscal monitoring must possess and demonstrate adequate professional proficiency, including knowledge of:

- assigned agencies, programs, activities, functions, service areas, organizational structure, and board composition;
- applicable statutes, rules, regulations, policies and procedures governing programs and organizations; and,
- CSBG National Goals and National Performance Indicators and their applicability to assigned agencies.

Staff must also:

- comply with applicable Executive Orders and DOS-DCS Policies and Procedures;
- communicate clearly and effectively both verbally and in writing;
- exercise professional care in conducting monitoring activities;
- base findings and conclusions on objective evaluations of pertinent information;
- recognize, honor and respect human diversity;
- preserve the dignity of customers and clients; and,
- up-hold confidentiality for all information obtained in the course of monitoring.

Staff assigned to monitoring:

- serve as representatives of the State of New York, Department of State and must actively participate in the administration of CSBG and related programs;
- assist in implementation of goals and activities outlined in the most recent CSBG Management Plan; and,
- provide or obtain technical assistance for grantees administering CSBG funds.

## Program and Fiscal Monitoring Processes

### Pre-Visit Meeting

In order to provide a coordinated, informed and consistent approach to DOS/DCS monitoring of DOS/DCS grantees, assigned staff (fiscal representative and program analyst) shall conduct a pre-site visit meeting prior to all scheduled visits to grantees. The pre-site visit meeting should take place 1-2 weeks prior to any scheduled program or fiscal monitoring visit. It is recommended that when possible these pre-visit meetings be in person however realizing the logistics of staff stationed in regional offices, visits by phone are permissible (communication by email should not be a substitute for personal communication).

In preparing for the pre-site visit meeting, involved staffs are responsible for reviewing consolidated monitoring files of prior reports and documentation containing observations, findings, and recommendations made by DOS, other grantee's funding sources, or prior audits. At a minimum, the visits will focus on the following: grantee's response to the quarterly fiscal and program attestation forms, fiscal indicators and questions as reported by the program analyst, CORE QIP status, findings and recommendations from previous program and fiscal visits, and information identified in the board meeting packages or through other means.

If there are items of concern, the supervisors should be invited to participate in the discussion. For pre-site visit meetings of high risk grantees, supervisors should attend.

### Joint Site Visit Protocol

The goal is to develop coordinated approach to contract monitoring through the implementation of joint site visits by program and fiscal field staff. Joint site visits should occur at least once annually, preferably during the second OR third quarter of each contract year (January – June) and should be scheduled based on a mutually acceptable time frame for both program and fiscal field staff. The assigned fiscal representative will join the assigned program analyst on their required quarterly visit. The scope of the visit is to review grantee fiscal data together and meet with grantee staff to gather information related to fiscal areas of concern and issues that pose a threat to the grantee's fiscal health. This will be done by reviewing GSCR fiscal indicators and related documentation together and by meeting with grantee leadership to investigate areas of concern. Staff should also review issues identified on the fiscal and program attestation forms submitted prior to the scheduled visit. This may also include investigation of other areas of concern that may have an impact to CSBG programmatic and fiscal areas. Examples include, but are not limited to, changes in key personnel, information identified in the board meeting packages, or through other means. These areas should be discussed prior to the site visit at the "pre-site visit" meeting to insure that agenda items for the mutual portion of the site visit are understood by both program and fiscal field staff.

Each staff person will record the results of the joint and separate visits in their respective field report.

## Program Monitoring

### Individual Monitoring Plans

An Individual Monitoring Plan (IMP) is developed for each grantee prior to the start of the new program year (during the 4<sup>th</sup> quarter visit). The purpose of the IMP is to establish and define the partnership between the program analyst and the grantee during a given program year. The IMP will identify the nature and frequency of the program analyst's monitoring and support in response to individual agency needs relating to:

- continuous improvement goals;
- technical assistance requests;
- recommendations from Comprehensive Organizational Review and Evaluation (CORE); and,
- monitor the Work Plan and other contractual obligations.

The Program IMP must identify at least four quarterly on-site visits with the estimated date of the visit, purposes of the visit, and the expected result of each visit. A copy of the IMP must be placed in the agency's DCS contact file. **(See pages 20 – 22)**

The actual date of the visit must be scheduled and confirmed with written communication (e-mail) provided to the executive director at least two weeks before. A copy of the correspondence must be placed in the grantee's contract file (in Albany). In the event of a change or cancellation, the grantee must be provided with adequate

written notice of change and the new date. Program analysts must provide their supervisor with a complete list of scheduled visits for each quarter no later than the end of the first week of each quarter.

### **Quarterly On-site Program Visits**

Every visit includes a meeting with the executive director to go over agency operations as well as specific focus areas. Analysts should plan on reviewing and observing all programs funded primarily with CSBG throughout the course of the year and other funded programs as time allows.

#### **Quarterly on-site visits are conducted according to the following schedule:**

- I. October – December: Focuses on governance and setting the framework for the year
  - Review board file/member documentation
  - Observe board function (If schedule does not allow, this can be done during another site visit.)
  - Verify the work plan and budget are still relevant based on original contract
  - Discuss variances based on desk review and analysis of planned outcomes from the previous year compared to 4<sup>th</sup> Quarter PPR. This may result in the need for technical assistance or amendment to the current work plan or contract
  - Observe at least one CSBG-funded program. Include a review of compliance with income eligibility guidelines (125% of poverty)
  
- II. January – March: Focuses on review of data collection and reporting systems (software)
  - Ensure grantee can collect information on client demographics, services provided and customer outcomes and be able to accurately report on these
  - Review client files and/or program outcome tracking system
  - Review 1st Quarter PPR to ensure grantee's data collection system is effective
  - Observe at least one CSBG- funded program. Include a review of compliance with income eligibility guidelines (125% of poverty)
  
- III. April – June: Focuses on planning efforts and preparation for CSBG refunding process
  - Verify the status of strategic plan, needs assessment and partnerships
  - Ensure the planned use of CSBG for the coming year is based on Strategic Planning and Needs Assessment
  - Review 2nd Quarter PPR to see if planned outcomes for next year are valid estimates based on six months of experience
  - Conduct agency eligibility review for CSBG funding and obtain updated documents (incorporation papers, bylaws, board list personnel policies and procedures, travel policies, indirect cost rate letter). Confirm grantee maintains eligibility for CSBG funding.
  - Observe at least one CSBG-funded program. Include a review of compliance with income eligibility guidelines (125% of poverty)
  
- IV. July – September: Focuses on reconciling and closing out current contract and setting monitoring plan for next year
  - Remind agency that their last chance to modify budget and work plan based on 3rd Quarter PPR
  - Verify agency received all payments due to them
  - Review final reporting responsibilities and provide technical assistance, if needed, to complete APR
  - Create an IMP for next year based on required monitoring, specific needs for training and technical assistance and CORE
  - Observe at least one CSBG- funded program. Include a review of compliance with income eligibility guidelines (125% of poverty)

### **Preparing for the On-site Review**

Prior to each on-site visit, the program analyst must review the scope of the visit set forth in the IMP. The program analyst should review a variety of materials in order to be aware of current operations and issues facing the agency. These include, but are not limited to, board meeting minutes and reports sent to the board, PPRs, agency newsletters, reports prepared by the DOS fiscal rep, and the agency website.

### **Board Review**

To maintain eligibility for CSBG funding, each eligible entity must comply with federal and state statutes regarding board composition and function. Grantees are required to have on file with DOS-DCS a list of current board

members. The list must be updated as changes occur and certified annually by the program analyst. re The GSCR will include an affirmation by the program analyst that the list of board of director members appears to be valid and the "Certification of Board List and Board File Review" form must be prepared and submitted with the GSCR (see the attached form, "Certification of Board List and Board File Review" on pages 27-28. Certification of the board list occurs as a result of the program analyst's review of individual board member files to determine how they were elected/selected and length of term on the board; and by tracking appointments/appointments/resignations and removals through review of board meeting minutes. If a program analyst is unable to verify this information, it must be documented in the GSCR along with a specific timeframe by which the required information is to be provided. If the information is not provided by the specified time, it is possible that a letter of deficiency could be issued requiring a plan of correction. ***This monitoring requirement applies only to CAAs, not Indian Tribes or CBOs receiving discretionary funding.***

### **Board Member Tracking**

At the beginning of the contract year and as part of the board file review, log each member and sector on the board of directors. Identify each source of documentation provided for the appointment. Verify whether the documentation is sufficient per DOS guidelines for each listed board member. Each quarter, a follow-up/update is conducted to verify the members still active on the board, strike out the members no longer on the board (**DO NOT DELETE**) and add new members seated since the last review. As new members are seated, ensure there is proper documentation on file. A new Board Member Tracking form should be started for each new Federal Fiscal Year. **(See pages 30-31)**

### **Board and Committee Meetings**

Program analysts are required to attend a minimum of one board meeting each federal fiscal year for each assigned agency to observe board function and to share information. Additional visits with board or board committees may be scheduled as determined by the IMP or as needed. Program analysts should receive and read board meeting minutes for all meetings for each assigned agency. Information contained in the board packages should be discussed with the executive director during the grantee update portion of the field visit or more immediately (by telephone) if the information dictates. The "Board Meeting Observations" form that documents observations of the meeting must be prepared and submitted with the GSCR. This monitoring requirement applies only to CAAs, not Indian Tribes or CBOs receiving discretionary funding. **(See page 29)**

### **Program Review**

**(Includes all contracts with CSBG funds - Entitlement, Discretionary, Special Project, Disaster Relief, And Technical Assistance)**

This is accomplished by reviewing the data provided in the four program progress reports and through on-site observation of the programs in operation. The program analyst should identify the program(s) monitored during the site visit and the progress or challenges faced in meeting the planned outcomes. For programs that are not meeting expected outcomes, the program analyst should identify the cause and document the steps being taken by the grantee to address the under-performance. Programs that are exceeding planned projections should also be noted as to changing conditions that increased demand for the program.

### **Refunding Process**

The Refunding Application package contains all required federal and state forms and documents. Ideally, the refunding package is reviewed and technical assistance is provided in the third quarter of the program cycle (April-June) so that a complete and correct package is submitted by the due date (approximately June 15). ***A streamlined contract and review process was under development at the time this guide was prepared. When finalized, the new process will be added to the Monitoring Guide.***

Upon submission by the grantee the program analyst will review the budget and work plan contained in the Refunding Application for reasonableness as well as completeness. Special attention must be given to the grantee's planning efforts (Needs Assessment and Strategic Plan), use of CSBG dollars for administration (15% maximum is target level) and for the grantee's ability to achieve the levels of performance indicated in the Work Plan. After the Refunding Application package is reviewed by the assigned program analyst and fiscal representative, the program analyst is responsible for communicating in writing (email) to the agency executive director whether the application was acceptable, or, if not acceptable, listing corrections needed. The assigned program analyst has the primary responsibility for obtaining all necessary corrections prior to sending the Refunding Application package on for the contract review and approval process.

In order for the grantee to receive their first payment, the program analyst and fiscal representative must provide notification that the refunding package was reviewed, approved and complies with funding requirements. This notification is comprised of a GSCR cover page, any e-mail correspondence between the program analyst, grantee and fiscal representative, and the IMP. (This is a contractual requirement described in Appendix C of the contract document)

The Individual Monitoring Plan (IMP) that corresponds to the refunding period must be completed during the 4<sup>th</sup> Quarter visit. If the 4<sup>th</sup> quarter visit has taken place before the refunding package is ready for processing, a copy of the IMP should be attached to the refunding documents and GSCR. If the 4<sup>th</sup> visit is after the refunding package is ready for processing, a separate GSCR will be needed for the IMP.

### **Regional Meetings**

Regional meetings with assigned agencies are allowed and may be held to share information, provide training and technical assistance, determine joint priorities and activities, enhance collaboration and obtain opinions on state administration. Depending on the nature of these meetings, they may be counted as one of the required on-site visits (e.g. to share information and provide technical assistance on completing the Refunding Application package).

### **Specialized Technical Assistance and Support**

1. To enhance the networks ability to respond to community needs, the Department of State offers all CSBG funded agencies a list of opportunities for training and technical assistance. Technical assistance needs may be identified during the refunding process, after a CORE, or during on-site monitoring. The program analyst is responsible for providing assistance or arranging for outside assistance through NYSCAA or other sources. Special attention will be given for training and technical assistance on the CSBG National Goals and National Performance Indicators, Results Oriented Management and Accountability (ROMA), Organizational Standards or any other requirements as directed by federal or state government.
  - A. Training and technical assistance is made continuously available State-wide to CSBG eligible entities through DOS funding to NYSCAA. NYSCAA is under contract with DOS to provide professional development, training and technical assistance to enhance the capacity of agencies to serve as effective and responsive resources to their communities. NYSCAA offers training and technical assistance statewide in the area of human resources, fiscal management, developing and evaluating community partnerships, program evaluation, understanding ROMA and using Logic Models and other issues important to CAAs. Agencies can self-refer or request assistance through their program/fiscal analyst. In certain cases, the Division of Community Services will initiate contact with NYSCAA on behalf of a grantee or with a request that NYSCAA contact a grantee and offer its assistance.
  - B. On-site fiscal and programmatic training and assistance is made available and provided directly by the DOS staff to CSBG eligible entities on an as needed basis. Agencies can request program and fiscal training and technical assistance directly from their assigned program and fiscal representatives. Analysts are available to review important Information Memorandums, discuss issues of compliance, and review areas of agency concern. In addition, analysts and fiscal representatives may also provide assistance and training while at a grantee's offices during a site visit in instances where grantee issues are noted and immediate onsite training or assistance is practicable.
  - C. Additional discretionary funding for training/technical assistance may be available for CSBG eligible entities when deemed appropriate and reasonable by the Department of State. CSBG eligible entities may request discretionary funds to support reasonable training or other assistance costs targeted at bringing the grantee into compliance or preventing non-compliance with the terms and requirements of the CSBG Act. While these funds are limited, requests can be made directly to the Division of Community Services by any CSBG eligible entity at any time. Once a request is received, it is reviewed by a team of fiscal, program and legal staff at the Department of State to determine whether the request is reasonable and appropriate under the circumstances presented.
2. Specialized services and support are provided during and after a disaster or crisis. Agencies are encouraged to become active members of their local emergency management teams. Emergency telephone numbers are

maintained by the DOS program analyst for each agency and are routinely updated. Agencies in areas affected by a disaster are contacted by the assigned program analyst and are made aware of the process to access CSBG funds set aside for disaster relief activities.

3. A program analyst may also conduct and/or participate in other reviews, as appropriate, including, but not limited to active participation in Head Start pre-PRISM joint governance reviews at the request of the agency.

### **Attendance at Grantee Functions**

Attendance at grantees' functions as a representative of DOS is encouraged, but must have the approval of the division director. All staff must comply with DOS Policies and Procedures and the Governor's Executive Order. Staff cannot accept complimentary meal tickets. If there is a charge for the event and reimbursement will be requested, staff must obtain approval through a Travel and Training Request form (TTR). The TTR must be submitted for approval well in advance of attending the event. If attendance will result in overtime, prior approval must be obtained from Human Resources.

### **Documenting the On-site Review**

Every visit (at least quarterly) to a grantee is documented by a Grantee Services Contact Report (GSCR). A GSCR is to be completed for every contract the grantee has with DOS-DCS (including discretionary, special project, technical assistance, and disaster relief contracts). The report is used to document the current operating status, as well as to verify that substantial progress is being made toward achieving the results as stated in the approved Work Plan and, if applicable, the CORE Quality Improvement Plan.

Each quarterly visit for a **CSBG entitlement contract** must include a grantee update with the executive director (or designee) to review the grantee's status in all functional areas (fiscal, governance, planning, human resources, information technology, facilities, and service delivery).

## **Grantee Services Contact Report (GSCR)**

### **Monitoring Reports (Program)**

The GSCR is used to record and document significant contacts with grantees, including on-site visits, telephone calls (to address highly important issues), in-office visits, board meetings, and regional meetings. The GSCR is a public document which is shared with grantees (Executive Director and Board Chair) and is maintained in the contract files for review by auditors. The GSCR must contain adequate information to document compliance with federal legislation, status of each functional area, and significant progress toward achieving the goals and indicators stated in the CSBG Work Plan. The GSCR may also document the assistance provided by the program analyst and must be stated in terms of outcomes or results achieved. The GSCR forms may be revised as needed in order to address changes in monitoring requirements, (for example recording grantee compliance with new organizational standards or new monitoring requirements for State's), as well as to seek improvements in the information being reported. The forms attached on pages 24-26 were developed as a pilot in FFY 2014 and are intended to continue the improvements initiated by earlier versions of the forms by increasing efficiency in report writing without sacrificing the quality of monitoring. When forms are modified, the Monitoring Guidelines will also be modified to include the most current version of the reporting tools.

Page 1 of the GSCR is a cover page to be used for any type of contact, but particularly for site visits. Page 1 asks for general and identifying information, such as grantee name, date of contact, contract type, federal fiscal year, contract number, duration of visit, and personnel or board members contacted. This page provides a variety of check boxes to identify the purposes of the visit and the documents attached to the report. (Check all that apply). The program analyst must sign and date this page once the report is completed and other pages/documents are attached.

**Pages 2, 3 & 4** of the GSCR are a summary of information obtained as a result of the contact. All sections require clear and objective information.

- Grantee Update with Executive Director or designee – provide detailed information regarding Fiscal, Governance, Administrative, Program, or other areas as obtained from executive director or designee. Note which staff provided information on each section. A template of questions is included for each section to spark discussion. Additional questions should be added to address information gleaned from board meeting minutes, progress reports, agency newsletters or other sources reviewed in preparation of the visit.

- Documents Reviewed – aligned with the grantee update, review documents associated with Fiscal, Governance, Administrative, Program, or Date Collection/Other areas. Address the template of questions and note all documents reviewed during the contact. Attach copies of updated eligibility documents if applicable (bylaws, personnel policies, needs assessment, strategic plan, fiscal/travel policies)
- Training and Technical Assistance Provided or Obtained – provide a brief description of how the need for T&TA was determined, a description of the T&TA provided or obtained, and the outcomes expected as a result of T&TA.
- Programs Monitored – a description of the service(s) provided and outcomes achieved by the program. It should include specific information on sources of funding, staffing, locations and times program/service is offered and other information that provides clarity to the reader. Progress or challenges should be explained.
- Analyst's Summary of Review and Observations – cite instance(s) of compliance and noncompliance, and areas that may require improvement; reference specific documents that support the observation or finding.
- Recommendations and/or Follow-up Activities, including the Timeframe and Expected Results – should contain recommendations for corrective actions as well as support offered to facilitate compliance; recommendations should be appropriate, feasible, reasonable, and include a time frame for implementation.
- Date and Purpose/Expected Results of Next Visit – describe briefly. The visit should correspond to the IMP.

#### **Board Related Attachments –**

- Certification of Board List and Board File Review Form – This form is designed to report on the documentation reviewed to certify that the board complies with the federal legislation with regard to member composition and selection. It is also designed to report on the board's compliance with its own bylaws regarding the actual selection process for members, meeting frequency, member attendance requirements, and quorum. **(See pages 27-28)**
- Board Meeting Observations Form – This form is designed to report on the actual function of the board. By addressing the questions contained on this form, the reader should have a clear understanding of the board meeting process, meeting documents, issues under discussion, and level of participation by board members. **(See page 29)**
- Board Member Tracking Form- This form is designed to identify the source of documentation provided for each board member's appointment and verify whether the documentation is sufficient per DOS guidelines. As a follow-up, each quarter the form logs members leaving and joining the board. As new members are seated, documentation on file is verified. A new form is started for each new Federal Fiscal Year. **(See page 30)**

#### **Preparing and Processing the GSCR**

The GSCR should be complete, accurate, objective, and concise. Reports should give readers adequate and correct understanding of the extent and significance of reported findings and observations. These reports are public documents. Information obtained during a site visit or other contact that is deemed confidential should not be included in this report format.

The GSCR is completed by the program analyst within **5 business days of the visit** (or with written supervisory approval if more time is needed to prepare the report). The report and any attachments are submitted to the supervisor for review and sign off. The program analyst completes the required GSCR in MS Word and includes individual attachments in PDF. All are forwarded to the supervisor via e-mail.

The supervisor reviews the GSCR and attachments carefully for content and accuracy. The supervisor and program analyst collaborate to edit the report, if needed.

Upon completion of a satisfactory GSCR, the supervisor forwards the e-mail to the bureau manager. The bureau manager reviews and approves the GSCR and attachments and forwards the e-mail to administrative staff and back to the assigned program analyst and supervisor. The program analyst is responsible for sending a PDF version of the GSCR to the grantee executive director and board chair and fiscal representative.

Administrative staff extracts data from the GSCR to add to the DCS Tracking Spreadsheet (Dashboard) and converts the GSCR to PDF. The PDF version is saved to the "G" drive,  
**(dcs\Grantees\((listedalphabetically)\FFY2014\Monitoring Reports – Plans).**

The administrative staff prints hard copies of the GSCR and attachments, date stamps the first page, and files the copies in the Albany grantee files.

It is the responsibility of the program analyst to ensure that: a) all required visits are made each contract year b) supervisors, grantees, and fiscal representatives receive a copy of each report; c) a file for each assigned agency is maintained; and, d) a record of all contacts is available. The supervisor will verify that all required reports are finalized.

## Fiscal Monitoring

### Fiscal Monitoring Frequency Assessment (FMFA) tool

- A FMFA will be prepared for each grantee prior to the start of the new program year (during the prior year 4<sup>th</sup> quarter). The purpose of the FMFA is to identify previously noted areas of concern and items of potential risk that may require increased fiscal monitoring. The recommended minimum number of fiscal visits per year is two. Based upon the scoring of the FMFA, this number may be increased to 3, 4 or more. **(See pages 32-36)**

### FISCAL Individual Monitoring Plan (IMP)

An Individual Monitoring Plan (IMP) is developed for each grantee prior to the start of the new program year (during the 4<sup>th</sup> quarter). The purpose of the IMP is to establish and define the partnership between the fiscal representative and the grantee during a given program year. The Fiscal IMP should identify at least the recommended minimum number of visits identified in the FMFA. It should include information regarding the report which will trigger the visit, purposes of the visit, and the expected result of each visit. A copy of the IMP must be placed in the agency's DCS contact file. **(See pages 37 – 38)**

### Preparing for the On-site Review

Fiscal representatives conduct on-site visits for the primary purpose of monitoring expenditure and accountability of CSBG and local share funds. Monitoring includes a general review of the overall fiscal integrity of the grantee, as well as an in-depth review of selected fiscal activities. Samples of grantee expenditures are tested for compliance with the contract and with Generally Accepted Accounting Principles. Fiscal representatives review financial reports submitted to grantee boards of directors. Staff determine adequacy of systems and controls in place to safeguard CSBG funds and determine if these funds are being used according to the approved budget.

In addition to on-site reviews, fiscal representatives provide fiscal technical assistance, as well as review and approval of the annual audits of each CSBG grantee. As a condition of the contract, each recipient must comply with requirements of OMB Circular A-133.

### General Responsibilities

1. Follow up on the Grantee Comprehensive Assessment Protocol OR CORE findings (Fiscal Functions section).
2. Make on-site visits and prepare a GSCR-F for distribution to the Executive Director, Finance Director, Board Chair and appropriate DOS staff.
3. Conduct a comprehensive financial assessment.
4. Follow-up on concerns noted in the quarterly Fiscal Attestation.
5. Provide technical assistance to grantee fiscal staff and finance committee/board members, as needed.
6. Participate in refunding conferences.
7. Collect and review refunding applications, contracts, amendments, financial reports, unaudited financial statements, and OMB required reports.
8. Maintain telephone and/or e-mail contact with grantees.

### Performance Standards for Monitoring Activities

1. Assessments are conducted based on agreed upon schedules and according to the processes and procedures stated in the Monitoring Guide. All reports are prepared and submitted in a timely manner. On-going monitoring is conducted to ensure that findings are corrected through the implementation of recommendations made in the reports. When necessary, fiscal support is provided.

2. On-site visits are scheduled based upon submission of CSBG Financial Reports and the needs of the agency as identified in the FMFA. On-site visits should ensure that the expenditures charged to CSBG are in compliance with the contract budget, grant award legislation and OMB Circulars regarding the expenditure of federal grant funds.
3. GSCR-Fs are prepared according to the processes and procedures stated in the Monitoring Guide. Follow-up is conducted as needed to ensure that any findings noted are corrected by implementation of the recommendations made.
4. Technical assistance needs are identified and assistance is provided or training is arranged.
5. The refunding conferences scheduled by DCS are attended by fiscal representatives and information and technical assistance is provided as needed.
6. All documents are collected from grantees and are reviewed in a timely manner. Information provided by grantees is evaluated to determine that expenditures are made in accordance with the CSBG legislation and OMB Circulars.

## Scope of Monitoring

### On-site Visits

Fiscal representatives will contact assigned grantees to schedule on-site visits. This will be done by telephone or e-mail. The number of visits will vary depending upon the results of the FMFA review and the needs of the grantee.

During the course of the fiscal year, the fiscal representative will conduct a review of the agency's accounting records to ensure that the agency is in compliance with applicable laws and federal regulations. Documents reviewed will include, but not be limited to:

- revenue and expenditure reports
- general ledger transactions detail
- payroll registers and allocation reports
- contract budgets
- bank reconciliations
- indirect cost/cost allocation proposals
- invoices, cancelled checks and other disbursement documentation
- time sheets
- local share documentation (if applicable)
- audit
- balance sheets

Technical assistance will be provided as needed or training opportunities will be brought to the attention of the fiscal officer.

Follow-up on any findings as a result of prior visits or comprehensive assessment will be conducted to verify that corrective actions have been taken.

## Grantee Services Contact Report – Fiscal (GSCR-F)

### Monitoring Reports (Fiscal)

The GSCR-F is used to record and document significant contacts with grantees, including on-site visits, telephone calls (to address highly important issues), in-office visits, board meetings, and regional meetings. The GSCR-F is a public document which is shared with grantees (Executive Director, Finance Director and Board Chair) and is maintained in the contract files for review by auditors. The GSCR-F must contain adequate information to document compliance with federal legislation and contractual requirements. The GSCR-F may also document the assistance provided by the fiscal field representative. **(See pages 39-43)**

### Content of the GSCR –F:

**Page 1** of the GSCR-F is used for general and identifying information, such as grantee name, date of contact, contract type, federal fiscal year, contract number, duration of visit, and personnel or board members contacted. This page provides a variety of check boxes to identify the purposes of the visit (Check all that apply). The first informational box should be completed to indicate if there were any findings noted during the visit, and if so, if Non-Compliance was noted.

**Page 2** of the GSCR-F is used to report all documents reviewed by area of functionality.

**Page 3** of the GSCR-F is used to identify and comment on any findings noted. The appropriate check boxes should be selected and “N/R” should be inserted in areas not reviewed during the visit. There is an area for Summary of Communications with Grantee Personnel. This should be used to include information of importance obtained during conversation. The name and title of the grantee personnel should be included.

**Page 4** of the GSCR-F begins the summary of review, findings and observations. Recommendations should be made to address any findings noted. If specific follow-up activities are known, they should be listed here. Any training or technical assistance provided or obtained should be described here. The anticipated timeframe and purpose and expected results of the next visit should be listed. A list of documents collected should be included.

#### **Processing the GSCR-F:**

The GSCR-F should be complete, accurate, objective, and concise. Reports should give readers adequate and correct understanding of the extent and significance of reported findings and observations. These reports are public documents. Information obtained during a site visit or other contact that is deemed confidential should not be included in this report format.

The GSCR-F is completed by the fiscal field representative in a timely manner. The report and any attachments are submitted to the supervisor for review and sign off via e-mail. The supervisor reviews the GSCR-F and attachments carefully for content and accuracy. If there are no findings noted or findings that do not indicate Non-Compliance, the supervisor requests revisions or signs off and returns to fiscal field representative via email. If a Non-Compliance finding has been noted, the GSCR-F must be forwarded to the CAU Supervisor for review and sign off. Once appropriate approvals have been received, the fiscal field representative converts the documents to PDF and emails to the following:

- Grantee Finance Director
- Grantee Executive Director
- Grantee Board Chair
- Assigned DCS Program Analyst
- DCS Administrative Staff
- DCS Supervisor
- DCS Bureau Manager
- Legal (Non-Compliance Finding)

### **Grantee Services Contact Report – Fiscal – Site Visit Attendance Record (GSCR-FA):**

The GSCR-FA must be completed during each visit. The grantee name, date of contact, time of contact and site of contact should be completed. Any grantee personnel or board member that contributes relevant information to the GSCR-F should be asked to sign the attendance sheet. The Fiscal Field Representative will sign in certification of the form. The GSCR-FA will be appended to the final GSCR-F. **(See page 44)**

### **Identifying and Reporting Significant Issues Involving CSBG Eligible Entities: Process for Program Analyst or Fiscal Representative Identifying and Reporting an Area of Concern or Area of Non-Compliances**

There are 2 classifications for issues that may require special attention/further action that are identified during a monitoring visit or through other means: **areas of concern** and **areas of non-compliance**. To determine proper classification and response, consultation may be needed with Program and/or Fiscal Supervisors and DOS legal counsel. Keep in mind that supervisors and legal counsel should be consulted as a matter of course any time non-compliance is found and a Notice of Deficiency (NOD) is contemplated.

#### **Areas of concern**

These are issues that are **not** attributable to a failure to comply with the terms of a specific applicable law, regulation, rule, cost principle, or contract. They are not violations. Areas of concern are matters of degree, quality, or measure. These issues do not rise to the higher level of non-compliance but require attention because they may be symptoms of a larger problem or may lead to a non-compliance issue in the future.

In the event a matter of concern is raised, DOS will develop recommendations for improvement where appropriate. A letter of concern may be issued to the grantee memorializing the matter, but the matter may also be dealt with through regular monitoring of the grantee and discussions with grantee management. If appropriate, the program analyst or fiscal representative may provide or arrange for technical assistance to address the concern. Follow up will be conducted to monitor progress on the recommendation.

#### **Areas of Non-Compliance**

These pertain to issues that can be cited to a failure to comply with a specific applicable law, regulation, term in the contract, OMB cost principle, etc. In addition to noting the non-compliance issue in site visit reports, these issues will generally require a written Notice of Deficiency (NOD) from the State informing the grantee of the non-compliance and the need to correct the issue. The NOD should also discuss whether technical assistance is appropriate under the specific circumstances presented to help the grantee correct the noted deficiencies, and whether a Corrective Action Plan/Quality Improvement Plan will be required.

Technical assistance may be offered concurrently with the notification of a deficiency or deficiencies and should focus on the specific issues of the eligible entity to the extent possible. The State must follow the guidance set forth in the CSBG Act Sect 678C (42 USC § 9915) and HHS/CSBG Information Memo 116. **(See page 47-52)**

When a potential matter of concern or matter of non-compliance is identified by the program analyst or fiscal representative, it should be discussed with the supervisor as soon as possible and prior to the monitoring report being completed and submitted. In such an instance, a memo (EMAIL) should be prepared by the program analyst/fiscal representative to his/her supervisor (with co-analysts copied) stating the issue, identifying whether it appears to be a matter of concern or matter of non-compliance, and providing a recommendation for future DOS action to address the issue. The supervisor shall share the memo with the bureau/fiscal manager and respond to program analyst or fiscal representative to facilitate completion of the pending draft GSCR. The bureau/fiscal manager may, upon initial notification and as deemed necessary, raise the matter to the attention of division director. Any matters that may require Executive-level involvement must be raised to the Division Director (who will be responsible for informing the DOS Executive Office).

Once the supervisor responds to the program analyst or fiscal representative, a discussion of the issue, the related factual findings, and any recommendations for future action should be included in the draft GSCR. The draft GSCR will then be reviewed by the applicable supervisor, manager, and division director. As deemed necessary, the supervisor, manager or director may request assistance from Legal in reviewing a matter.

### **Preparing a Notice of Deficiency (NOD)**

Once identified by a program analyst or fiscal representative, and confirmed by the analyst's or representative's supervisor, issues of non-compliance should be discussed with Legal. If a NOD is issued, it must be either drafted or reviewed and edited by Legal. The NOD should include a clear description of the specific area of non-compliance, the specific statute, regulation, contract term, or cost principle deemed violated, instructions for the improvement or corrective action required, a timeline for implementation and correction, and a discussion of whether DOS intends to offer or arrange for technical assistance or require the grantee to provide a Corrective Action Plan/Quality Improvement Plan. The underlying GSCR and supporting documentation should be provided to Legal in order to facilitate the drafting and/or review of the pending NOD.

Follow up to the NOD will be conducted by the program analyst/fiscal representative based on the timeline specified in the NOD. Follow-up activities include monitoring the grantee's progress on the remediation of the non-compliance, facilitating requests for training and/or technical assistance, and assessing compliance with any applicable approved corrective action or quality improvement plan. When the non-compliance has been fully corrected by the grantee, a Notice of Satisfaction of Corrective Action should be issued. Like the NOD, this notice should be drafted by or reviewed and edited by Legal prior to issuance.

### **Additional Steps to Consider When Identifying and Reporting an Area of Concern or Area of Non-Compliance**

In instances where areas of concern or areas of noncompliance are discovered by a program analyst or fiscal representative, the analyst/representative and their supervisor should consider whether the issues identified warrant a potential adjustment of a grantee rating (such as a Risk Assessment rating or "At-Risk" designation) or established monitoring schedule. If such an adjustment is discussed and deemed appropriate, program and fiscal supervisors should be consulted, as deemed necessary, Legal should be consulted.

## **Comprehensive Organizational Review and Evaluation (CORE)**

Only the cover page and table of contents are included for this 85 page document. **(See pages 45-46)**

### **PURPOSE**

**The Comprehensive Organizational Review and Evaluation (CORE)** is designed by the State of New York Department of State, Division of Community Services (DOS-DCS) to comply with *42 U.S.C. 9901 et seq., section 678B, as amended*, which requires each state to conduct a full on-site review of each eligible entity at least once during each 3-year period. This is the fourth such assessment to be conducted by New York State since enactment of this mandate. The on-site review will monitor compliance with federal and State statutes governing the Community Services Block Grant Program (CSBG), *42 U.S.C. 9901 et seq., as amended; New York State Executive Law Article 6-D, as amended*; Office of Community Services (OCS) Information Memorandum #82; CSBG contract; and, other applicable federal and State rules, regulations, policies and directives.

CORE will serve as the CSBG comprehensive on-site assessment for federal fiscal years (FFY) 2011-2014. CORE will focus on the following:

- **board composition and function;**
- **service delivery;**
- **organizational management;**
- **fiscal functions; and,**
- **community partnerships.**

The interactive process is comprised of observations, surveys, and document review. The process involves a combination of operational assessment and compliance monitoring.

- ✓ **Operational assessment:** reviews adherence to agency bylaws, needs assessment, strategic plan, CSBG work plan, policies and procedures, and assesses program operations, internal controls, fiscal accountability, transparency, ethics, community partnerships, coordination and linkages, and customer service.
- ✓ **Compliance:** review focuses on the extent to which the grantee is maintaining its eligibility to receive federal CSBG funds, as well as its ability to operate according to terms of applicable laws, regulations, policies, guidelines, and the CSBG contract.

Results of the on-site assessment will also be used by DOS to determine whether or not a grantee is in good standing, or if it should be removed from, or placed on “at-risk” status. The ROMA CAA Management Crisis Checklist (see pages 70-72) will be one of the tools used in determining agency status.

All grantees are encouraged to use CORE to conduct a self-assessment. The results of CORE can be used by a grantee to re-order priorities, improve management and fiscal operations, revise board and administrative policies, improve service delivery, and upgrade to best practices.

## PROCESS

Comprehensive assessments will be conducted with all grantees on a 3-year cycle. This Comprehensive Organizational Review and Evaluation tool (CORE) will be implemented in FFY 2012 - 2014. CORE is a separate process from ongoing program and fiscal monitoring. However, information gained from monitoring will be used to inform the CORE process; necessary follow up for CORE will be conducted as part of the ongoing program and fiscal monitoring.

On-site review and assessment will be conducted by a team of analysts, including the assigned program analyst, members of the regional team, and the assigned fiscal representative. Guidance will be provided by the DOS Executive Office and the Office of Counsel as needed.

## ON-SITE REVIEW

Each grantee will be provided advance notice of no less than 30 calendar days. When possible, DOS-DCS staff will make a presentation at a regularly scheduled meeting of the grantee board of directors to explain the review process. Grantee staff, board, and community partners will be provided with a copy of the CORE forms prior to the on-site review. The grantee will also be asked to complete Part One (Management Questions) of the assessment tool and forward to DOS-DCS at least one week prior to the Management Review. “Best Practice Questions” are found in each section of the assessment tool. Best practice questions do not refer to mandatory or research based practices. Best practice questions identify areas of practice that have been found to have positive results for various grantees over the years. The questions are intended to give credit to grantees that are implementing the practices as well as provide other grantees with ideas for improved performance.

**Management Review:** The review team will conduct a management interview with the grantee executive director, board chair, board members, and senior staff. The Management Review will consist of a review of the assessment tool as completed by the grantee. The interview with the grantee management team and board leadership will be followed by a documents review to verify responses.

**Fiscal and Internal Controls:** Management Interviews will include surveys with the chief financial officer, board finance committee and other staff as may be deemed necessary by a DOS fiscal field representative. The review team will observe fiscal operations and review documents.

## SURVEYS

**Board Leadership:** Board members will be invited to join the management review as noted above. Additionally, all board members will be surveyed and a compilation of board member responses will be included in the discussion drafts of the assessment documents. The grantee is requested to submit to DOS-DCS names and contact information of all board members one month prior to the on-site review. Surveys will be sent directly to the board members. Board members may choose to either complete a written survey, an on-line survey or if necessary, be interviewed by a member of the review team. Board member survey responses will also be used to address various positive indicators within the assessment tool. Completed survey forms **MUST** be submitted, by mail or e-mail, at least one week prior to the on-site review to allow the responses to be tabulated for use in addressing some of the positive indicators.

**Finance Committee:** The grantee will submit to DOS-DCS the names and contact information for all finance committee members. Surveys will be sent directly to the finance committee members. The finance committee survey must be completed in addition to the board leadership survey. Completed surveys may be mailed or e-mailed as directed to DOS staff. Completed survey forms **MUST** be submitted at least one week prior to the on-site review to allow the responses to be tabulated for use in addressing some of the positive indicators.

**Community Partnerships:** Community partners will be surveyed. Up to ten organizations will be selected by the grantee from its most recent CSBG refunding application. DCS will submit a survey to each of the partners which may be returned by mail or e-mail as directed to DOS staff. Completed survey forms **MUST** be submitted at least one week prior to the on-site review to allow the responses to be tabulated for use in addressing some of the positive indicators.

**Customers:** DOS-DCS will provide the grantee with customer survey forms. Grantees will be asked to survey a representative sample of 75-100 service recipients from all agency programs. Completed survey forms **MUST** be submitted at least one week prior to the on-site review to allow the responses to be tabulated for use in addressing some of the positive indicators.

**Staff:** DOS-DCS will provide a survey to the agency for distribution amongst all agency staff. Staff members are asked to complete the survey and either mail or e-mail the completed survey directly to the identified team leader or designee. All surveys are confidential. Responses will be compiled and included in the summary. Completed survey forms **MUST** be submitted at least one week prior to the on-site review to allow the responses to be tabulated for use in addressing some of the positive indicators.

## COMMUNICATION

Follow-up communication and additional visits may be necessary to obtain information and will be conducted by the team leader. Calls regarding the review should be referred to the DCS Division Director. Calls from the media and public officials must be referred to the DOS press office.

## REPORTING

**Draft Report:** A discussion draft, including findings, observations, and recommendations, will be provided to the grantee electronically within **90** business days after conclusion of the review. Grantee board and staff participating in CORE will have the opportunity to comment on the content of the draft report. Comments must be received from the grantee within **30** business days after receipt of the draft report. If there are serious findings or deficiencies, a meeting will be held with the grantee prior to preparation of the discussion draft. The discussion draft is not a public document. The draft will not be circulated except to the extent required under the Freedom of Information Law (FOIL).

**Final Report:** Upon receipt of agency comments, a final report will be prepared and issued to all members of the board of directors, the executive director, and senior staff. The final report will re-state relevant information from the discussion draft, and will include comments received from the grantee. The final report will be available to the public upon written request.

**Grantee Quality Improvement Plan:** If required, the grantee will submit a Quality Improvement Plan (QIP) detailing the steps necessary to comply with recommendations contained in the final report. The QIP should be approved by the grantee board of directors and submitted to DOS-DCS within the timeframe specified in the final report.

**Follow-up:** DOS-DCS will monitor progress on the Quality Improvement Plan as part of ongoing program and fiscal monitoring and will issue a follow-up or close-out report. When appropriate, follow-up on-site visits will be conducted by the assigned program analyst and fiscal field representatives to assure successful implementation of DOS or grantee recommendations.

Agency Status	Financial Management I	Agency Management II	Programs and Services III	Human Resources IV	Community Relations V	Board of Directors VI	ROMA VII
<b>Thriving</b>	Highly diverse base. Strong reserve. Excellent controls. System is responsive.	Systematic and regular feedback. ROMA integrated. Strategic planning. Timely submission of reports.	Innovative programs. Results oriented. Improvement sought. Best Practices.	Staff creative. Plans for staff development. Excellent controls. Exemplary information. Very little staff turnover.	Provide leadership. Strong, respected advocate. Visible and influential in the community. Facilitates and participates in collaborative responses to community problems.	Board Creative. Advocate for poor. Set direction. Advocates for agency. Know and accept Board and role responsibilities. Staff attends board meeting and provides information. Board is kept informed and understands all financials	ROMA integrated throughout agency. All staff aware of ROMA concept and used. Supported by Exec. Dir. Board cognizant of concept.
<b>Safe</b>	Some diversity in funds. Adequate reserve. Adequate controls. System is responsive.	Clear vision; little action. Regular data review. Feedback system. ROMA used. Multi-year planning. Timely submission of reports.	Programs grow. Change oriented. Fulfills commitments. Effective practices.	Staff morale high. Staff trained. Controls assure compliance. Adequate information. Staff competent and committed. Little staff turnover.	Partnerships and networking. Seen as positive. Some advocacy.	Committed to serving poor. Pursue direction. Belief in agency and its staff. Board knows and understands agency's programs. Board is kept informed and understands all financials.	Most staff aware of ROMA concept. Supported by Ex. Dir. Beginning to integrate ROMA throughout agency. Board learning concept.
<b>Stable</b>	Funds cover activities. Little reserve. Controls weak /non-functioning. System response is timely most of the time.	Required Feedback. ROMA language. Annual planning. Self-assessment performed/implemented. Reports occasionally late.	Agency no longer in danger. Programs stable. Grant oriented. Delivers service. People are served. Commitment to change. Addresses organizational weaknesses.	Staff competent. Weak controls; functioning. Little information shared. Some staff turnover.	Attends meetings. Neutral image. Little advocacy, but some education.	Understand poverty. Stay on course. Participate; don't micromanage. Info discussed regularly.	Some staff aware of concept. ROMA used only as required. Little board training. Supported by Ex. Directors.
<b>Vulnerable</b>	Limited funding base/tight. Controls not functioning consistently. System cannot respond in timely manner. No reserve funds.	Little/no feedback. No outcomes/results. No planning beyond grant objectives. Probation status needs intervention. Reports consistently late.	Programs stagnant. Do not consistently meet grant goals. Inconsistent practice. People not served.	Staff lacks skills. Controls are inconsistent. No Information shared. May need staff changes. High staff turnover.	No regular contact. Negative image. No advocacy or community effort for poor.	Apathetic. Micromanage or fail to do basics. Lack faith in staff or aren't told truth. Needs Board training. Lack of financial discussion.	Not meeting all requirements. Most staff unaware /unwilling. Ex. Dir. non-committal. Board unaware of concept.
<b>In Crisis</b>	Cannot cover expenses; deficit spending. Borrowing for operating expenses. No controls. No systemic response capability. Corruption.	No feedback/ignore feedback. Not meeting simple goals / objectives. No planning; totally reactive. Unwilling to change. Needs strong outside intervention. No reports.	People not served. Programming does not meet funder standards. Ineffective/harmful practices. Misrepresentation of activity.	Staff incompetent. No controls. No information shared. High staff turnover	Excluded from community activity. Seen as corrupt or incompetent. Seen as not being of assistance to the poor.	Disagree with CAA philosophy. Micromanage. Don't attend. Corrupt. Incompetent. "Rubber Stamp"	Not meeting any requirements. Ex. Dir. not committed. Staff unwilling / unaware. Board unaware of concept.

Adapted from the "ROMA CAA Management Crisis Checklist"

## Attachments

- Individual Monitoring Plans
  - Program IMP – pages 20 - 22
  
- Grantee Services Contact Reports (GSCR) – pages 23 - 31
  - GSCR (generic)
  - Documentation–Board Certification and Compliance with Grantee
  - Documentation–Board Meeting
  - Board Member Tracking Sheet
  
- Fiscal Monitoring Frequency Assessment tool – pages 32 – 36
  
- Individual Monitoring Plans
  - Fiscal IMP – pages 37 - 38
  
- Grantee Services Contact Report – Fiscal (GSCR-F) – page 39 - 43
  
- Grantee Services Contact Report – Fiscal – Site Visit Attendance Record (GSCR-FA): page 44
  
- CORE (cover page and table of contents only) – page 45 - 46
  
- CSBG IM 116: Corrective Action, Termination, or Reduction of Funding- page 47 - 52

# Individual Monitoring Plans

## Program IMP

**Instructions:** The assigned program analyst and fiscal representative will create a monitoring plan for each grantee prior to the start of the fiscal year. The plan will address the grantee’s needs for technical assistance as well as the required scope of monitoring required by the DOS Monitoring Guide. The IMP is not part to be made part of the GSCR, it is a document to be used for internal purposes.

### Individual Monitoring Plan by the Program

Grantee Name: \_\_\_\_\_

Analyst Contract year: 20\_\_\_\_

DATE & TIME	Scope of Monitoring and Intended Outcomes
<p><b>First Quarter</b>  <b>October - December</b>                      (based on Board Meeting date)</p>	<ul style="list-style-type: none"> <li>• <b>Program Analyst will focus on “governance” and setting the framework for the year</b></li> <li>• Conduct a review of board appointment documents to verify compliance with legislative requirement. Conduct a review of bylaws and minutes to verify that the board complies with its own operating procedures (meeting frequency, attendance, quorum, committee work, etc.) Verification of board composition, function and compliance with bylaws</li> <li>• Observe Board Function (If schedule does not allow, this can be done during another site visit.) Verify that the board function includes active participation by all members, there is ample discussion prior to voting, and members appear prepared for the meeting. May be required to impart information to the board on CSBG issues as directed.</li> <li>• Verify the Work Plan and Budget are still relevant based on original contract. Verification that the work plan and budget submitted with the contract will be carried out (amendment may be needed if a carry-over exists).</li> <li>• Meet with staff to share information on the reporting tools to address contract requirements pertaining to the APR and PPRs. Verify the agency has sufficient means to collect and report on outcomes, and that data is used for planning purposes. Agency will begin the contract with a clear understanding of the information to be collected and reported throughout the year in order to complete the annual program report.</li> <li>• <b>Routine Items for Program Analyst Review (To be done each quarter)</b></li> <li>• Agency update with executive director or designee- Learn about changes, challenges, and improvements in functional areas (governance, fiscal, management, human resources, program planning &amp; development, funding, facilities, info technology, etc.)</li> <li>• Observe at least one CSBG funded program - Verify sound operation of and progress of one program funded primarily with CSBG entitlement funds. Verify internal controls to ensure income eligibility and outcome reporting.</li> <li>• Monitor Discretionary funded program (If applicable) Verify progress on Discretionary project/PPR (If applicable) Verify sound operation of and progress of one program funded primarily with CSBG entitlement funds. Verify internal controls to ensure income eligibility and outcome reporting.</li> <li>• Follow up on CORE Quality Improvement Plan (If applicable). - Document progress/challenges in addressing QP recommendations</li> <li>• Provide technical assistance as requested/required in the area of _____ (If applicable) - Document assistance provided and outcome for the grantee.</li> </ul>

DATE & TIME	Scope of Monitoring and Intended Outcomes
<p style="text-align: center;"><b>Second Quarter January - March</b></p>	<ul style="list-style-type: none"> <li>• <b>Program Analyst will focus on data collection and reporting “systems”</b></li> <li>• Meet with staff to share information on the reporting tools to address contract requirements pertaining to the APR and PPRs. Verify the agency has sufficient means to collect and report on outcomes, and that data is used for planning purposes. Agency will begin the contract with a clear understanding of the information to be collected and reported throughout the year in order to complete the annual program report</li>   <li>• Monitor quality of reporting systems and provide technical assistance if necessary - Ensure grantee can collect information on client demographics, services provided and customer outcomes and be able to accurately report on these. Verify the accuracy of 1st Quarter PPR by testing the internal controls for reporting to ensure grantee’s data collection system worked. Verify that the PPR is correctly reporting the information needed to complete the annual report.</li>   <li>• Verify the Work Plan and Budget are still relevant based on original contract. Verification that the work plan and budget submitted with the contract will be carried out (amendment may be needed if a carry-over funds exist).</li>   <li>• Provide technical assistance with the budget amendment for the revised allocation or carry-over (if applicable). Amendment will be submitted in a timely manner and display prudent use of CSBG resources</li>   <li>• <b>Routine Items for Program Analyst Review (See Scope listed in Q1 above)</b></li>   <li>• <b>Joint Visit by Program Analyst and Fiscal Rep</b> - The scope of the visit is to review grantee fiscal data together and meet with grantee staff to gather information related to fiscal areas of concern and issues that pose a threat to the grantee’s fiscal health. This will be done by reviewing GSCR fiscal indicators and related documentation together and by meeting with grantee leadership to investigate areas of concern. Staff should also review issues identified on the Fiscal Attestation Sheet submitted prior to the scheduled visit. This may also include investigation of other areas of concern that may have an impact to CSBG programmatic and fiscal areas. Examples include, but are not limited to, changes in key personnel, information identified in the board meeting packages, or through other means.</li> </ul>

DATE & TIME	Scope of Monitoring and Intended Outcomes
<p style="text-align: center;"><b>Third Quarter April - June</b></p>	<ul style="list-style-type: none"> <li>• <b>Program Analyst will focus on planning efforts and preparation for CSBG refunding</b></li> <li>• Discuss planned use of CSBG funding for coming year based on Strategic Planning and Needs Assessment. Review strategic plan and needs assessment to ensure they are current or revisions are under way to inform program development and agency operations.</li>   <li>• Review 2nd Quarter PPR to see if planned outcomes for next year are valid estimates based on six months of experience. Verify that the PPR is correctly reporting the information needed to complete the annual report. Address any questions and provide technical assistance in updating Work Plan if planned outcomes need to be amended.</li>   <li>• Conduct eligibility review and obtain updated agency documents. Obtain a copy of agency policies and procedures as related to eligibility requirements. Confirm grantee maintains eligibility for CSBG funding. Verify that the grantee is still a viable organization (VRQ certification as part of refunding process) and maintains compliance with tripartite board composition. Update Albany and analyst’s files with revisions to any of grantees operating documents (PPP, fiscal manual, bylaws, Incorporation Papers, needs assessment, etc.)</li>   <li>• <b>Routine Items for Program Analyst Review (See Scope listed in Q1 above)</b></li>   <li>• <b>Joint Visit by Program Analyst and Fiscal Rep</b> (if not conducted in Q2)</li> </ul>

DATE & TIME	Scope of Monitoring and Intended Outcomes
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<p><b>Fourth Quarter July - September</b></p>	<ul style="list-style-type: none"><li>• <b>Program Analyst will focus on reconciling and closing out current contract and setting monitoring plan for next year</b></li><li>• Verify that all program and financial reports were submitted to guarantee full payment on the contract before 9/30. Verify agency received all payments due to them</li><li>• Discuss need for amendment with CFO and executive director based on outcomes reported in 3rd Quarter PPR and line items expended in 70% financial report. Determine if amendments are needed to accurately reflect program operations and use of funds</li><li>• Provide technical assistance regarding reporting requirements -Grantee will submit a 4th PPR as well as APR as part of the final reporting requirement as stated in the contract. Verify that the agency is continuing to collect the information on client characteristics and program outcomes needed to complete the annual report</li><li>• Create an Individual Monitoring Plan for next year based on required purposes as well as specific needs for training and technical assistance and CORE. The plan will be created to addresses the needs of the agency as well as meeting the contractual monitoring requirements (program and fiscal)</li><li>• <b>Routine Items for Program Analyst Review (See Scope listed in Q1 above)</b></li></ul>
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## Grantee Services Contact Reports (GSCR)

### Instruction for Completing the Grantee Services Contact Report (GSCR)

The GSCR is used to record and document significant contacts with grantees, including on-site visits, telephone calls (to address highly important issues), in-office visits, board meetings, and regional meetings. The GSCR is a public document which is shared with grantees and is maintained in the contract files for review by auditors. The GSCR must contain adequate information to document compliance with federal legislation, status of each functional area, and significant progress toward achieving the goals and indicators stated in the CSBG Work Plan. The GSCR may also document the assistance provided by the program analyst and must be stated in terms of outcomes or results achieved.

**Page 1** of the GSCR is a cover page to be used for any type of contact, but particularly for site visits. Page 1 asks for general and identifying information, such as grantee name, date of contact, contract type, federal fiscal year, contract number, duration of visit, and personnel or board members contacted. This page provides a variety of check boxes to identify the purposes of the visit and the documents attached to the report. (Check all that apply). The program analyst must sign and date this page once the report is completed and other pages/documents are attached.

**Pages 2, 3 & 4** of the GSCR are a summary of information obtained as a result of the contact. All sections require clear and objective information.

- Grantee Update with Executive Director or designee – provide detailed information regarding Fiscal, Governance, Administrative, Program, or other areas as obtained from executive director or designee. Note which staff provided information on each section. A template of questions is included for each section to spark discussion. Additional questions should be added to address information gleaned from board meeting minutes, progress reports, agency newsletters or other sources reviewed in preparation of the visit.
- Documents Reviewed – aligned with the grantee update, review documents associated with Fiscal, Governance, Administrative, Program, or Date Collection/Other areas. Address the template of questions and note all documents reviewed during the contact. Attach copies of updated eligibility documents if applicable (bylaws, personnel policies, needs assessment, strategic plan, fiscal/travel policies)
- Training and Technical Assistance Provided or Obtained – provide a brief description of how the need for T&TA was determined, a description of the T&TA provided or obtained, and the outcomes expected as a result of T&TA.
- Programs Monitored – a description of the service(s) provided and outcomes achieved by the program. It should include specific information on sources of funding, staffing, locations and times program/service is offered and other information that provides clarity to the reader. Progress or challenges should be explained.
- Analyst's Summary of Review and Observations – cite instance(s) of compliance and noncompliance, and areas that may require improvement; reference specific documents that support the observation or finding.
- Recommendations and/or Follow-up Activities, including the Timeframe and Expected Results – should contain recommendations for corrective actions as well as support offered to facilitate compliance; recommendations should be appropriate, feasible, reasonable, and include a time frame for implementation.
- Date and Purpose/Expected Results of Next Visit – describe briefly. The visit should correspond to the IMP.

**CSBG Grantee Services Contact Report**

**New York State Department of State  
Division of Community Services**

**Grantee:** \_\_\_\_\_

**Contract #:** \_\_\_\_\_ **FFY:** \_\_\_\_\_ **Contract Type:** \_\_\_\_\_

**Date of Contact:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **to** \_\_\_\_\_

**Type:**  Main Office On-Site  Telephone  Regional Meeting  
 Satellite Office On-Site  E-Mail/Fax  Desk Review (files/documents)  
 Other \_\_\_\_\_

**Grantee Personnel or Board Members Contacted (include Names and Titles):**  
 \_\_\_\_\_  
 \_\_\_\_\_

**Purpose of Contact:** (check all that apply)

- |   |   |
|---|---|
| <input type="checkbox"/> On-site visit Quarter 1              | <input type="checkbox"/> Provide Technical Assistance |
| <input type="checkbox"/> On-site visit Quarter 2              | <input type="checkbox"/> Follow up on CORE QIP        |
| <input type="checkbox"/> On-site visit Quarter 3              | <input type="checkbox"/> Review Eligibility Documents |
| <input type="checkbox"/> On-site visit Quarter 4              | <input type="checkbox"/> Review Refunding Documents   |
| <input type="checkbox"/> Attend Board Meeting                 | <input type="checkbox"/> Conduct Board File Review    |
| <input type="checkbox"/> Joint Site Visit with DOS Fiscal Rep |   |
| <input type="checkbox"/> Other _____                          |   |

**Documents Attached:** (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment Documents             | <input type="checkbox"/> Bylaws                        | <input type="checkbox"/> Personnel Policies        |
| <input type="checkbox"/> Board List Certification Form   | <input type="checkbox"/> Program Attestation Form      | <input type="checkbox"/> Fiscal Policies           |
| <input type="checkbox"/> Board List                      | <input type="checkbox"/> Fiscal Attestation Form       | <input type="checkbox"/> Email Communications      |
| <input type="checkbox"/> Board Meeting Agenda            | <input type="checkbox"/> Program Progress Report (PPR) | <input type="checkbox"/> Fiscal Communications     |
| <input type="checkbox"/> Board Meeting Observations Form | <input type="checkbox"/> Refunding Documents           | <input type="checkbox"/> TDS/PARS                  |
| <input type="checkbox"/> Board Minutes                   | <input type="checkbox"/> Strategic Plan                | <input type="checkbox"/> Staffing/Turnover Reports |
| <input type="checkbox"/> Board Member Tracking Sheet     | <input type="checkbox"/> Needs Assessment              | <input type="checkbox"/> Misc. Program Reports     |
| <input type="checkbox"/> CORE QIP                        | <input type="checkbox"/> Financial Reports (Board)     | <input type="checkbox"/> Cost Allocation Plan/ICR  |
| <input type="checkbox"/> Other _____                     |  |  |

**Certification**

**By my signature below, I certify that I have reviewed this document and find it to be complete and in final form.**

1) \_\_\_\_\_ 2) \_\_\_\_\_  
 Program Analyst Date Supervisor Date

3) \_\_\_\_\_  
 Program Director or Bureau Manager Date

Submitted electronically for review and approval

## CSBG Grantee Services Contact Report

New York State Department of State  
Division of Community Services

Grantee: \_\_\_\_\_

Contract #: \_\_\_\_\_ FFY: \_\_\_\_\_ Contract Type: \_\_\_\_\_

Date of Contact: \_\_\_\_\_ Time: \_\_\_\_\_ to \_\_\_\_\_

**Agency Update with Executive Director or Designee** (Also note updates not addressed in Program Attestation):

Fiscal:

Governance:

Administrative  
(HR, IT, Facilities):Program &  
Planning:

Other:

**Governance factual findings based on documents reviewed and interviews:** Board Meeting Minutes (Identify the dates of the meetings held since the last site visit and describe the major topics of discussion at each meeting): Board Tracking Form (Attach an updated board tracking form. Identify findings as a result of documents reviewed and identify documents needed for board member compliance). Other:**Administrative factual findings based on documents reviewed and interviews:** Other: If changes to the bylaws or incorporation papers attach current versions.**Program/Planning factual findings based on documents reviewed and interviews:** PPR Review (Attach copy of PPR used in review with Grantee – note anomalies, not included within the narrative, that may present issues in subsequent quarters or APR reporting): Other:**Data Collection/Income Eligibility factual findings based on documents reviewed and interviews:** Data collection system/process (Describe the customer data reviewed - including process/system updates - to verify accuracy of the data collected and reported in the PPR/APR): Describe the process/documentation used for ensuring customers assisted with CSBG funds are checked for income eligibility: Other:**Program Attestation factual findings based on documents reviewed and interviews:**

**Program Attestation factual findings based on documents reviewed and interviews:**

- Follow up on issues noted with the form as submitted by the Grantee:
- Reviewed random sampling of:  PARS/TDS  Positions funded by CSBG are consistent with approved B-2
- Results of the above review conducted:
- Other:

**Fiscal and Fiscal Attestation factual findings based on documents reviewed and interviews:**

- Fiscal Attestation form was completed by the grantee and is attached for review by the DOS Fiscal Rep
- Informed grantee that information provided on the Fiscal Attestation Form will be verified by the DOS Fiscal Rep.
- Immediate action by the DOS Fiscal Rep is required based on the responses provided on the Fiscal Attestation form.
- Other:

**Other factual findings based on documents reviewed and interviews:****Training or Technical Assistance Provided or Offered (Describe):**

Provided a copy and reviewed the draft organizational standards with (person/title). Based on this discussion the grantee will require additional technical assistance to comply with the standards regarding (list the areas needed for future T&TA)

**Program Monitoring (Analyst's review of grantee program each quarter):****Comments and key findings:****Recommendations and/or follow-up activities (including the time frame and expected results):****Anticipated date of next site visit:**

**CSBG Grantee Services Contact Report**

**New York State Department of State  
Division of Community Services**

**Grantee:** \_\_\_\_\_

**Contract #:** \_\_\_\_\_ **FFY:** \_\_\_\_\_ **Contract Type:** \_\_\_\_\_

**Date of Contact:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **to** \_\_\_\_\_

**Documentation-Board Certification and Compliance with Grantee**

**CERTIFICATION OF BOARD LIST AND BOARD FILE REVIEW**

Bylaws used for this review were dated: \_\_\_\_\_

The board list used for review is dated: \_\_\_\_\_

**Membership Information as stated in the Grantee Bylaws:**

Size of board: _____		
Number by sector:	Public _____	Number of <b>vacancies</b> by sector:
	Low Income _____	Public _____
	Private _____	Low Income _____
Terms: _____		Private _____
Term Limit/years of service (if any): _____		Number of members that have exceeded the maximum number of years of service (as indicated by appointment documentation) : _____

**Board Member File Review:**

Findings/Observations (See attached Board Tracking Sheet):   
--

**Attached: Board list certified as part of review, current Bylaws, and any additional democratic selection procedure/policy for the selection of low income sector representative board members.**

Upon review of member files, bylaws, and procedures for democratic selection of low income sector representatives it is determined that the selection procedures are in accordance with the requirements of the federal CSBG Act. **(yes / no)**

<b>Meeting Information as stated in the Grantee Bylaws:</b>	<b>Meeting Information based on actual:</b>
Number/frequency of meetings to be held: _____	Number/frequency of meetings that were held: _____
Month when annual meeting is held: _____	Month annual meeting was held: _____
Number needed <u>for</u> quorum: _____	Number of meetings that <u>had</u> quorum: _____

**Board Meeting Minutes Reviewed**

A review of the meeting minutes for a one year period was conducted for the period of \_\_\_\_\_ (dd/mm/yy) through \_\_\_\_\_ (dd/mm/yy).

**Check the Topics Reported in the Minutes:**

- |  |   |
|--|---|
| <input type="checkbox"/> Program Planning & Evaluation             | <input type="checkbox"/> Strategic Planning                       |
| <input type="checkbox"/> Board Self-Assessment                     | <input type="checkbox"/> Succession/Business Contingency Planning |
| <input type="checkbox"/> Orientation or Training for Board Members | <input type="checkbox"/> Evaluation of Executive Director         |

Training (ROMA or Other)

Policy changes (describe):

Financial status (describe):

Issues impacting the organization's service delivery and/or programming (describe):

A review of meeting attendance recorded in the minutes indicates that \_\_\_\_\_ members missed the required number of meetings and are in jeopardy of removal based on the bylaws.

**Level of discussion and board member engagement at board meetings as reflected in the minutes reviewed**

**Comments and Findings** (include an assessment on the completeness of the minutes and member attendance)

**Follow up required or documentation needed for before certification can be issued**

**CERTIFICATION**

The board member files reviewed during this visit substantiate the board list dated \_\_\_\_\_ .  
 The meeting records for the one year period \_\_\_\_\_ to \_\_\_\_\_ demonstrate that the board met the required number of times with quorum present for \_\_\_\_\_ of these meetings.

\_\_\_\_\_  
 Program Analyst Printed Name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

**CSBG Grantee Services Contact Report**

**New York State Department of State  
Division of Community Services**

**Grantee:** \_\_\_\_\_

**Contract #:** \_\_\_\_\_ **FFY:** \_\_\_\_\_ **Contract Type:** \_\_\_\_\_

**Date of Contact:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **to** \_\_\_\_\_

Documentation-Board Meeting

**BOARD MEETING OBSERVATIONS**

**Meeting Called to Order:** \_\_\_\_\_ (time) **Meeting Adjourned:** \_\_\_\_\_ (time)

**Meeting Chaired By:** \_\_\_\_\_ (name/title)

**Total Number of Seated Board Members:** \_\_\_\_\_ **Total Number Needed for Quorum:** \_\_\_\_\_  
**Total Number Present:** \_\_\_\_\_ **Quorum was met (yes or no):** \_\_\_\_\_

1. Was meeting notice, agenda, and minutes distributed prior to the meeting?  Yes  No  
 How far in advance? \_\_\_\_\_

2. Was attendance taken?  Yes  No

Title of person responsible for keeping attendance records: \_\_\_\_\_

3. Were the minutes of the previous meeting reviewed and approved?  Yes  No

Were corrections needed to previous minutes?  Yes  No

4. Executive Director Report  
 Presentation of Report:  Written  Oral  Report Attached

5. Financial Report  
 Presentation of Report:  Written  Oral  Report(s) Attached

Who presented report: \_\_\_\_\_

Was a financial report prepared and distributed?  Yes  No

Information provided to the board:  Line of Credit  Revenue & Expenditures  Agency-wide budget

6. Committee Reports – List of reports presented:  Report(s) attached

7. Program Reports – List of reports presented:  Report(s) attached

8. Summary of Discussions and/or Actions Taken: (e.g. highlight of reports presented, discussion of CSBG related issues, board member appointments, election of officers, special presentation, operational changes, changes or loss in funding, etc.)

9. Staff present/Others present:



**Low-Income Sector Members**

#	NAME	Date of App't	Date Term Ends	Documents				Verified Y/N	Comments (If unable to verify, please explain)
				Appt Meeting Minutes	Bio/App (Residence)	Democratic Selection	Conflict of Interest		
1									
2									
3									
4									
5									
6									
7									
8									

Analyst findings – Verified # of members: Public \_\_\_ Private \_\_\_ Low-income \_\_\_  
 Findings, recommendations and follow-up are included on the GSCR form.

# Fiscal Monitoring Frequency Assessment Worksheet – Tool

## Department of State

### CSBG Fiscal Monitoring Frequency Assessment Worksheet

<b>Grantee Name:</b>
<b>Assessment Date:</b>
<b>Assessment Prepared By:</b>

#### General Instructions:

- 1) If the risk rating is anything other than "Low", a narrative explanation is required in the comments section. For some sections, information is required in the comment section for all risk ratings. If this is the case, it is stated in the instructions for that indicator.
- 2) Place an X in the box next to the applicable Guidance and the corresponding rating will automatically fill. This rating will automatically carry to the assessment form.

	Indicator	Documents to Review	Instructions/Required Comments	Guidance	Rating
<b>Agency Management</b>					
	Previous CORE Outcome	<ul style="list-style-type: none"> <li>- QIP</li> <li>- Most recent CORE review</li> <li>- Other</li> </ul>	Include the number of recommendations addressed, progressing and not addressed. Provide detail for compliance issues not addressed	- No Recommendations	- Low
				- Recommendations fully addressed	- Low-Medium
				- Recommendations in progress	- Medium
				- Recommendations not addressed	- Medium - High
				- Compliance Recommendations not addressed	- High
				- Other	
	NOD	- NOD	If a Notice of Deficiency has been issued review	- No NOD issued	- Low
				- NOD issued within past 12 months, fully rectified	- Low-Medium
				- NOD issued within past 12 months, corrective action in progress	- Medium
				- NOD issued within past 12 months, corrective action not started	- Medium - High
				- NOD issued within the past 12 months, grantee has no ability to address	- High
				- Other	
	Other Funding Source Reviews	<ul style="list-style-type: none"> <li>- Fiscal Attestation form</li> <li>- Other</li> </ul>	Review the most recent audit findings and the last quarterly fiscal attestation form.	- All clean - no findings or disallowed costs	- Low
				- Minor findings or disallowed costs	- Low-Medium
				- Major findings or disallowed costs	- Medium
				- Notice of deficiency issued by another funder	- Medium - High
				- Funding terminated by another funder	- High
				- Other	

Accounting Office Functions:							
Bank statement reconciliation	- Bank statements with reconciliation - Fiscal Attestation	Review the bank statements and corresponding reconciliations for all accounts in which CSBG funds are held.	-	Within 5 days of receipt, fully reconciled	-	Low	
			-	Within 30 days of receipt, fully reconciled	-	Low-Medium	
			-	More than 30 days after receipt or not fully reconciled	-	Medium	
			-	More than 1 month not reconciled	-	Medium - High	
			-	More than 3 months not reconciled	-	High	
			-	Other			
Valid time distribution system	- Sample of PAR's - Other	Review a sample of PAR's for CSBG employees for two consecutive pay periods	-	PAR's in accordance with A-122 for all CSBG staff not in indirect cost pool	-	Low	
			-	PAR's for more than 66% of CSBG staff not in indirect cost pool	-	Low-Medium	
			-	PAR's for 33% to 66% of CSBG staff not in indirect cost pool	-	Medium	
			-	PAR's for less than 33% of CSBG staff not in indirect cost pool	-	Medium - High	
			-	No PAR's	-	High	
			-	Other			
Financial Stability Indicators:							
Current Ratio	- Current Ratio - Balance Sheet - Other	Include the ratio and date in the comments. The most recent, reliable ratio should be used. If the ratio is below 1, perform a 3 year trend analysis	-	>1	-	Low	
			-	1	-	Low-Medium	
			-	.99-.90	-	Medium	
			-	.89-.80	-	Medium - High	
			-	<.80	-	High	
			-	Other			
Line of Credit Usage	- Line of credit activity from bank statements - Other	review the line of credit activity from a financial institution document (statement, internet printout,...) Do not use information the grantee generates	-	Do not use	-	Low	
			-	Use for short term, paid within 30 days	-	Low-Medium	
			-	Long term usage, covering operating costs	-	Medium	
			-	Outstanding over 1 year, repayment plan identified	-	Medium - High	
			-	Outstanding over 1 year, no ability to repay	-	High	
			-	Other			
Aged Accounts Payable	- Current A/P schedule - Other	Include the aging schedule in the comments. If the grantee does not age, it must be done by the FFR and reported here, as such.	-	All current	-	Low	
			-	75% - 99% current	-	Low-Medium	
			-	50% - 74% current or between 25% and 50% over 60 days	-	Medium	
			-	less than 50% current or more than 50% over 60 days	-	Medium - High	
			-	more than 50% over 90 days	-	High	

				-	Other		
<b>Independent Audit:</b>							
Findings and questioned costs	- Annual Audit - Other	Include the fiscal year end in the comments. If there are findings, questioned costs, material weaknesses or significant deficiencies, indicate the number of each. If any of the above are in two consecutive audits, note it here. Note if there is an qualified or modified opinion	-	No findings or questioned costs	-	Low	
			-	Findings, no questioned costs	-	Low-Medium	
			-	Questioned costs	-	Medium	
			-	Qualified/Modified opinion w/no CSBG impact	-	Medium - High	
			-	Qualified/Modified opinion with CSBG impact	-	High	
			-	Other			
Audit submission	- Annual Audit - Other	Include the due date and submission date in the comments. If it was late, review two previous audits for a trend.	-	Submitted in 6 months	-	Low	
			-	Submitted by due date	-	Low-Medium	
			-	Submitted within 5 days of due date	-	Medium	
			-	Submitted more than 5 days late	-	Medium - High	
			-	Not submitted	-	High	
			-	Other			
<b>Fiscal Representatives Determination</b>							
Fiscal Rep concerns	- Personal knowledge by assigned fiscal field rep - Other	This should be based on the assigned FFR's personal experiences with the grantee	-	No items of concern noted	-	Low	
			-	Items of concern noted within last 12 months, fully addressed	-	Low-Medium	
			-	Items of concern noted within last 12 months, corrective action in progress	-	Medium	
			-	Items of concern noted within last 12 months, no corrective action implemented	-	Medium - High	
			-	Items of concern noted within last 12 months, grantee unable to address	-	High	
			-	Other			

The information and analysis herein is for the purpose of providing non-binding advice to the Department of State Bureau of Fiscal Management. The Department of State Bureau of Fiscal Management reserves the right to increase or decrease the number of fiscal site visits conducted during the course of any year, in its discretion, in response to circumstances presented and based upon the availability of administrative resources. This document is intended solely for intra-agency deliberative purposes, and should not be used for any other purpose.

**Department of State**  
**CSBG Fiscal Monitoring Frequency Assessment**

<b>Grantee Name:</b>					
<b>Assessment Date:</b>					
<b>Assessment Prepared By:</b>					
Indicator	Comments		Rating	Value	Score
<b>Agency Management:</b>					
Previous CORE Outcome		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	
		-	Medium - High	3	
		-	High	4	
NOD		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	
		-	Medium - High	3	
		-	High	4	
Other Funding Source Reviews		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	
		-	Medium - High	3	
		-	High	4	
<b>Accounting Office Functions:</b>					
Bank statement reconciliation		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	
		-	Medium - High	3	
		-	High	4	
Valid time distribution system		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	
		-	Medium - High	3	
		-	High	4	
<b>Financial Stability Indicators:</b>					
Current Ratio		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	
		-	Medium - High	3	
		-	High	4	
Line of Credit Usage		-	Low	0	#N/A
		-	Low-Medium	1	
		-	Medium	2	

		- Medium - High	3	
		- High	4	
Aged Accounts Payable		- Low	0	#N/A
		- Low-Medium	1	
		- Medium	2	
		- Medium - High	3	
		- High	4	
<b>Independent Audit:</b>				
Findings and questioned costs		- Low	0	#N/A
		- Low-Medium	1	
		- Medium	2	
		- Medium - High	3	
		- High	4	
Audit submission		- Low	0	#N/A
		- Low-Medium	1	
		- Medium	2	
		- Medium - High	3	
		- High	4	
<b>Fiscal Representatives Determination</b>				
Fiscal Rep concerns		- Low	0	#N/A
		- Low-Medium	1	
		- Medium	2	
		- Medium - High	3	
		- High	4	
				#N/A

Recommended minimum number of fiscal visits per year:

#N/A  
# of Visits

Total score is 0-5	2
Total score is 6-15	3
Total score is over 15	4

The information and analysis herein is for the purpose of providing non-binding advice to the Department of State Bureau of Fiscal Management. The Department of State Bureau of Fiscal Management reserves the right to increase or decrease the number of fiscal site visits conducted during the course of any year, in its discretion, in response to circumstances presented and based upon the availability of administrative resources. This document is intended solely for intra-agency deliberative purposes, and should not be used for any other purpose.

## Individual Monitoring Plans

## Individual Monitoring Plan by the Fiscal Field Representative

Timeframe	Scope of Monitoring and Intended Outcomes
<p><b>After receipt of 20%, 45% or 70% Periodic Financial Report</b></p>	<p><b>Fiscal Field Representative will conduct desk review for each periodic financial report to determine compliance with contractual requirements:</b></p> <ul style="list-style-type: none"> <li>• Review the periodic financial report for accuracy, completeness, and compliance with the executed contract.</li> <li>• Complete the “Financial Report Review” Sheet.</li> </ul> <p><b>Fiscal Field Representative may conduct a site visit based on receipt of any or all of the reports and will focus on compliance with contractual and statutory requirements, and review of reported expenditures and supporting records. Specific information to be reviewed is determined at the time of the visit. Site visits may include the following activities:</b></p> <ul style="list-style-type: none"> <li>• Agency Update: Meet with the agency’s finance director to learn about changes, challenges, and improvements in fiscal functions.</li> <li>• Expenditure Review: Trace expenditures per grantees records to expenditures reported on Periodic Financial Report and follow-up on discrepancies to verify that the accounting system satisfies the 2 CFR Part 215.21 requirements (Standards for Financial Management Systems) and that expenditures were properly reported based on the accounting records of the agency.</li> <li>• Personal Service Review: <ul style="list-style-type: none"> <li>○ Test a sampling of activity reports for staff to verify that the records satisfy the 2 CFR Part 30 Appendix B Requirements for “Support of Salaries and Wages.”</li> <li>○ Review payroll payments and corresponding tax liability payments to verify that employees and corresponding tax liabilities are being paid in full pursuant to New York State and IRS requirements.</li> </ul> </li> <li>• Review bank account statements and corresponding reconciliation(s) for all accounts holding CSBG funds to verify that the bank accounts are fully reconciled in a timely manner to satisfy the 2 CFR Part 215.21 requirements (Effective Control and Accountability of Funds).</li> <li>• Conduct internal control reviews or expenditure samplings to verify compliance with various contractual and statutory requirements. Reviews can include, but are not limited to, any of the following: Fiscal Policy and Procedures manuals, Revenue and Expenditure Reports, General Ledger transaction detail, balance sheet, payroll register and time distribution reports, time sheets, indirect cost agreement, indirect cost pool, paid invoices, cancelled checks, disbursement documentation, third party verifications, local share documentation, line of credit activity, purchase orders, employee expense (travel) reports, procurement documentation, insurance policies, state and federal filings, finance committee minutes, board packets and any additional items deemed necessary by the fiscal field representative or requested by the program analyst.</li> <li>• Follow-up on CORE Quality Improvement Plan to document progress/challenges in addressing CORE recommendations (if applicable).</li> <li>• Provide technical assistance as requested/required. Document assistance provided and outcome for the grantee (if applicable).</li> <li>• Joint visit(s) with the assigned program analyst can be combined with any of the above reviews. Target dates for joint visits will be from January through June; scheduling to be based on mutually acceptable timeframes. Joint site visit scheduling does not take priority over at-risk agency monitoring.</li> </ul>

Timeframe	Scope of Monitoring and Intended Outcomes
<p><b>Upon receipt of the UFS/FFR</b></p>	<p><b>Fiscal Field Representative will conduct desk review to determine compliance with contractual requirements:</b></p> <ul style="list-style-type: none"> <li>• Review Unaudited Financial Statement (UFS) for accuracy and completeness and determine carryover/refund amount, if any is warranted.</li> <li>• Complete the “Review of UFS” sheet and the “Unaudited Financial Statement Review Letter”</li> </ul> <p><b>Fiscal Field Representative will conduct on-site review (after desk review), as follows:</b></p> <ul style="list-style-type: none"> <li>• Trace amounts reported on UFS to expenditures per grantee reports to verify that the accounting system satisfies the 2 CFR Part 215.21 requirements for “Standards for financial management systems” and that expenditures were properly reported based on the accounting records of the agency.</li> <li>• Review expenditure detail reports to spot check expenditure dates and verify they are within the annual contract period.</li> <li>• Review paid invoices for Accounts Payable listed in Exhibit 3 to verify all obligations have been properly liquidated pursuant to 2 CFR Part 215.71 (Closeout Procedures).</li> <li>• Review procurement records for any asset listed on Exhibit 4 to ensure compliance with 2 CFR Part 215 (Procurement Standards).</li> </ul>

Timeframe	Scope of Monitoring and Intended Outcomes
<p><b>Upon Receipt of Independent Audit (A-133)</b></p>	<p><b>Fiscal Field Representative will conduct desk review within six months of receipt of A-133 audit:</b></p> <ul style="list-style-type: none"> <li>• Review the Independent Audit in conjunction with the corresponding management letter. Prepare the audit closeout letter and select the appropriate course of action.</li> <li>• Verify the correct Catalog of Federal Domestic Assistance (CFDA) and contract numbers are shown in the Schedule of Expenditures of Federal Awards (SEFA).</li> <li>• Reconcile expenditures reported on the SEFA to expenditures reported to DOS for the period. If necessary, follow-up with the grantee for assistance with the reconciliation pursuant to OMB Circular A-133 Subpart C (Auditee Responsibilities). Prepare the contract/grant closeout letter and review sheet for each applicable contract/grant</li> <li>• Follow-up with the grantee on any deficiencies, weaknesses or questioned costs within 6 months of receipt of audit. Continue follow-up throughout the contract period regarding audit findings.</li> </ul>

## Grantee Services Contact Report - Fiscal (GSCR-F)

### Instruction for Completing the Grantee Services Contact Report – Fiscal (GSCR-F)

**Page 1** of the GSCR-F is used for general and identifying information, such as grantee name, date of contact, contract type, federal fiscal year, contract number, duration of visit, and personnel or board members contacted. This page provides a variety of check boxes to identify the purposes of the visit (Check all that apply). The first informational box should be completed to indicate if there were any findings noted during the visit, and if so, if they noted Non-Compliance.

**Page 2** of the GSCR-F is used to report all documents reviewed by area of functionality. The name of the document and applicable filing date and filing period should be noted. The code will indicate which contract the document pertains to. This code will correspond to the codes on page 1.

**Page 3** of the GSCR-F is used to identify and comment on any findings noted. The appropriate check boxes should be selected and “N/R” should be inserted in areas not reviewed during the visit. A brief statement should be made to describe the finding noted. If a Non-Compliance finding has been noted, a citation of the regulation should be included in the box. A more detailed explanation of the finding(s) should be provided in the Summary of Review, Findings and Observations. The Summary of Communications with Grantee Personnel should be used to include information of importance obtained during conversation. The name and title of the grantee personnel should be included.

**Page 4** of the GSCR-F begins the summary of review, findings and observations. Detailed information regarding the review conducted should be included in this section. More detail regarding findings noted should be included. Recommendations should be made to address any findings noted. If specific follow-up activities are known, they should be listed here. Any training or technical assistance provided or obtained should be described here. The anticipated timeframe and purpose and expected results of the next visit should be listed. A list of documents collected should be included.

The GSCR-F is completed by the fiscal field representative in a timely manner. The report and any attachments are submitted to the supervisor for review and sign off via e-mail. The supervisor reviews the GSCR-F and attachments carefully for content and accuracy. If there are no findings noted or findings that do not indicate Non-Compliance, the supervisor requests revisions or signs off to indicate approval and returns to fiscal field representative via email. If a Non-Compliance finding has been noted, the GSCR-F must be forwarded to the CAU Supervisor for review and sign off. Once appropriate approvals have been received, the fiscal field representative converts the documents to PDF and emails to the following:

- Grantee Finance Director
- Grantee Executive Director
- Grantee Board Chair
- Assigned DCS Program Analyst
- DCS Administrative Staff
- DCS Supervisor
- DCS Bureau Manager
- Legal (Non- Compliance Finding)




Revenue and Expenditure Reports	Report Name	Report Date	Report Period	Code

Payroll Reports	Report Name	Report Date	Report Period	Code

Expenditure/Transaction Reports	Report Name	Report Date	Report Period	Code

Internal Control Reviews	Document Name	Date	Period	Code

Bank Statement Reviews	Institution Name, Last 4 of account #	Date	Period Covered	Code

Other Documents	Description	Date	Period Covered	Code

<b>FINDINGS: (Note: Insert N/R (Not Reviewed) for any categories not reviewed at this site visit)</b>	
<input type="checkbox"/> No Findings	
<input type="checkbox"/> Disallowance/Questioned Cost Transaction: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Financial Reporting Finding: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Disallowance/Questioned Cost Transaction: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Program/Budget Compliance: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Program Income Finding: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Contract Compliance Finding: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Local Share Finding: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Bid Procedure Finding: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Internal Control Weakness: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Record Keeping Weakness: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> (Un) Audit Reconciliation: Comments:	<input type="checkbox"/> Non-Compliance Finding
<input type="checkbox"/> Other: Comments:	<input type="checkbox"/> Non-Compliance Finding

<b>Summary of Communication with Grantee Personnel (include name and title):</b>

<b>Summary of Review, Findings and Observations:</b>





CORE (cover page and table of contents only)

**STATE OF NEW YORK  
DEPARTMENT OF STATE  
DIVISION OF COMMUNITY SERVICES**

**COMMUNITY SERVICES BLOCK GRANT  
COMPREHENSIVE ORGANIZATIONAL REVIEW AND  
EVALUATION  
FFY 2012 – 2014**

**MANAGEMENT QUESTIONS**

TYPE OF DOCUMENT:

- WORKING DRAFT (DOS-DCS USE ONLY)  
 DISCUSSION DRAFT  
 FINAL DRAFT

**FINAL REPORT**

Grantee: \_\_\_\_\_

On-Site Dates: \_\_\_\_\_ to \_\_\_\_\_

Draft/Report Date: \_\_\_\_\_

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## **CSBG IM No. 116 Corrective Action, Termination, or Reduction of Funding**

May 1, 2012

Information Memorandum

U.S. Department of Health and Human Services  
Administration for Children and Families  
Office of Community Services  
Division of State Assistance  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447

**Transmittal No. 116 Date: December 4, 2009 (Revised April 2, 2010)**

TO: State Community Services Block Grant Program (CSBG) Administrators, U.S.  
Territory CSBG Program Administrators, State CSBG Financial Officers

SUBJECT: Guidance on Corrective Action, Termination or Reduction of Funding for CSBG Eligible Entities

PURPOSE: To ensure a consistent understanding of legal requirements and procedures for termination or proportional reduction of funding to eligible entities receiving CSBG funds

### **RELATED REFERENCES:**

Community Services Block Grant Act (Public Law 105-285, the Community Opportunities, Accountability, and Training and Educational Services Act of 1998); U.S. Code of Federal Regulations (45 CFR, Section 96.92). This Information Memorandum (IM) provides background on statutory and regulatory requirements for terminating organizational eligibility or otherwise reducing the share of funding allocated to any CSBG-eligible entity. A step-by-step description is provided outlining necessary actions and considerations for terminating or reducing funds to a CSBG-eligible entity for cause. A sample tool is provided for State documentation of State actions. Although described as a series of discrete steps, some activities described in this IM can be implemented concurrently. States are encouraged to review internal monitoring, corrective action, and hearing procedures to assure compliance with the CSBG Act and applicable regulations cited in this memorandum. In addition, States are strongly encouraged to develop tools and procedures for timely action in circumstances requiring corrective action, reduction, or termination of funding to assure accountability and prevent waste, fraud, or abuse of CSBG funds.

**Note:** The IM is intended as a guidance tool to support State implementation of requirements of specific sections of the CSBG Act. Key sections of the CSBG Act are referenced throughout the IM. It is strongly recommended that the referenced sections of the CSBG Act be read along with this guidance in order to assure an understanding of the specific language of the statute. The CSBG Act may be obtained online at the OCS website.

### **Background**

CSBG funds are awarded to States, U.S. Territories, and eligible Tribal governments and Tribal Organizations based on a statutorily defined formula outlined in the CSBG Act. States are required under the CSBG Act to distribute at least 90 percent of block grant funds to specific eligible entities within the State to support services focused on the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families in rural and urban areas to become fully self-sufficient.

States may retain up to ten percent of grant funds for administrative expenses (which may not exceed the greater of \$55,000 or five percent of the total State award) and other discretionary activities. For example, if a State receives a CSBG allocation of \$10 million, the State may retain up to \$1 million for discretionary activities, but may not use more than \$500,000 of these funds for administrative expenses.

Eligible entities are non-profit or public agencies that meet the requirements of Section 673(1)(A) and Section 676B of the CSBG Act. Nonprofit eligible entities must administer the CSBG program through a tripartite board, one-third of whom must be elected public officials or their representatives, not-less than one-third of whom must be democratically-selected representatives of low-income families and individuals in the neighborhoods served, and the remainder of whom are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served.

Public eligible entities must also have a tripartite board, which must assure that no fewer than one-third of the members are democratically-selected representatives of low-income individuals and families in the neighborhood served, reside in the neighborhood served, and are able to participate actively in the development, planning, implementation, and evaluation of programs funded through the CSBG grants. States may also specify an alternate mechanism to assure decision-making and participation by low-income individuals in the development, planning, implementation, and evaluation of public entity programs funded under the CSBG grant.

The majority of eligible entities in the CSBG program are Community Action Agencies or public agencies with a longstanding involvement in the CSBG program. The list of eligible entities within a State is generally consistent from year-to-year. States may add or remove organizations from the list of eligible entities but must do so consistent with procedures outlined in the CSBG Act. States award funds to eligible entities based on State-defined formulas. However, any changes that adversely affect the proportional share of funding awarded to an eligible entity must be conducted in accordance with the CSBG Act.

#### **Proportional Share Requirements for Eligible Entities**

The CSBG Act requires that as a part of the annual submission of an application and plan for CSBG funding, States must assure that any eligible entity in the State that received funding in the previous fiscal year through a Community Services Block Grant will not have its funding terminated, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction. The CSBG Act also specifies that a State's determination is subject to Federal review by the Department of Health and Human Services. The time lines and procedures for Federal review are discussed later in this IM.

An eligible entity's "proportional share" refers to the amount of non-discretionary grant funds awarded to that entity compared to the amount of non-discretionary grant funds awarded to all eligible entities in the State. For example, if an eligible entity received \$1 million in non-discretionary grant funds in the prior year and the total of all non-discretionary grant funds awarded to all eligible entities in the State in the prior year was \$10 million, the eligible entity's proportional share would be ten percent.

#### **Cause for Changes of Proportional Share to Eligible Entities**

Under Section 676(c) of the CSBG Act, there are two major causes for changing the proportional share of funding awarded to eligible entities.

*Statewide Redistribution of Funds* - The first, and most common, cause for changing the proportional share of funding to eligible entities is not related to performance deficiencies of a specific organization. Under Section 676(c)(1)(A) of the CSBG Act, States may implement a Statewide redistribution of funds to respond to the results of the most recently available census data or other appropriate data, the designation of a new eligible entity, or severe economic dislocation. Statewide changes to the distribution formulas require a public hearing. The CSBG Act requires at least one legislative hearing every three years in conjunction with the development of the State plan and States may utilize this legislative hearing to consider changes to distribution formulas. States may also conduct special administrative hearings in response to specific demographic or economic changes, or the designation of a new eligible entity to address an unserved area.

*Failure to Comply with State Plan, Standard or Requirement* - The second cause for reducing funding or terminating eligibility for CSBG funding is related to deficiencies in the activities of an individual eligible

entity. Under Sections 676(c)(1)(B) and 676(c)(2) of the CSBG Act, States may reduce funding or terminate eligibility for CSBG funding based on an eligible entity's failure to comply with the terms of an agreement or a State plan, or to meet a State requirement, to provide services, or to meet appropriate standards, goals, and other requirements established by the State, including performance objectives.

### **State Monitoring and Review**

Section 678B(a) of the CSBG Act requires that States conduct monitoring visits and a full on-site review of each eligible entity at least once during each three-year period. The CSBG Act also requires that States conduct an on-site review of each newly-designated entity immediately after the completion of the first year in which the entity receives CSBG funds.

States are required under the regular CSBG program to conduct follow-up reviews including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State. The CSBG Act also requires that States conduct other reviews as appropriate, including reviews of entities with programs that have had other Federal, State, or local grants other than assistance provided under CSBG terminated for cause.

It is an expectation of the Office of Community Services (OCS) that State CSBG Lead Agencies will conduct reviews when informed that an eligible entity has grant funds terminated for cause under a related program, such as Head Start, the Low Income Home Energy Assistance Program (LIHEAP), the Weatherization Assistance Program, or other Federal programs. State CSBG Lead Agencies should include questions in routine monitoring visits and contacts about whether an eligible entity has had grant funds terminated for cause in any Federal, State, or local programs other than CSBG. State CSBG Lead agencies are expected to review the cause of termination for other Federal programs to assure that comparable issues do not exist for CSBG funds.

It is also the expectation of OCS that State CSBG Lead Agencies will thoroughly investigate any instances of "whistleblower" complaints or allegations of fraud or abuse of CSBG funds or funds from closely-related programs. In any instances in which complaints or allegations of fraud are considered credible and raise significant "red flags," OCS should be informed of findings and may assist with additional compliance review or referral to appropriate investigative authorities.

Note: Allegations of fraud or abuse may also be referred directly to the HHS hotline maintained by the Office of the Inspector General using the following contact information: 1-800-HHS-TIPS (1-800-447-8477) <http://oig.hhs.gov/fraud/hotline/>

### **Determination of Performance Deficiencies or Failure to Comply with State Requirement**

Based on routine State monitoring, reviews, or investigations related to specific complaints or allegations, the State CSBG office may determine that an eligible entity has failed to comply with the terms of an agreement or a State plan, or to meet a State requirement. The State's determination may be based on the agency's failure to provide CSBG services, or to meet appropriate standards, goals, and other requirements established by the State, including performance objectives. The State should document the basis for such determination and the specific deficiency or deficiencies that must be corrected.

### **Communication of Deficiencies and Corrective Action Requirements**

When a State CSBG Lead Agency has determined that an eligible entity has a specific deficiency, the State must communicate the deficiency to the eligible entity and require the eligible entity to correct the deficiency. To establish compliance with the requirements of the CSBG Act, records of correspondence or other communications related to an enforcement action against an eligible entity should be maintained.

### **Technical Assistance to Correct Deficiencies**

The State must offer training and technical assistance, if appropriate, to help an eligible entity correct identified deficiencies or failures to meet State requirements. Technical assistance may be offered

concurrently with the notification of a deficiency or deficiencies and should focus on the specific issues of the eligible entity to the extent possible.

The CSBG Act requires that the State prepare and submit to the Secretary a report describing the training and technical assistance offered. Alternately, if the State determines that training and technical assistance are not appropriate, the State must prepare and submit a report to the Secretary stating the reasons that technical assistance is not appropriate.

Some examples of situations in which a State may determine that technical assistance is not appropriate may include, but are not limited to, the following:

- A deficiency for which the eligible entity has the expertise and skills available within the organization to make corrective actions without assistance;
- A deficiency for which the State has previously provided technical assistance and the eligible entity has failed to institute corrective actions;
- Multiple, widespread, and/or repeated deficiencies that cannot feasibly be addressed through technical assistance;
- A deficiency that involves evidence of fraudulent reporting or use of funds, or other evidence of criminal wrongdoing.

### **Quality Improvement Plan**

Section 678C (a)(4) of the CSBG Act allows for State discretion in the implementation of a quality improvement plan by an eligible entity to correct an identified deficiency or deficiencies. The Act specifies that States must consider the seriousness of the deficiency and the time reasonably required to correct the deficiency.

Examples of instances in which a State may exercise discretion on whether a quality improvement plan is appropriate or necessary may include, but are not limited to the following:

- A deficiency for which an eligible entity has previously instituted a corrective action plan and has repeated findings;
- A deficiency that involves evidence of fraudulent reporting or use of funds, or other evidence of criminal wrongdoing and therefore presents a risk requiring immediate action.

If a State determines that an eligible entity should be allowed to develop and implement a quality improvement plan, the CSBG Act requires the State to allow the eligible entity to develop and implement their plan within 60 days after being informed of a deficiency. States are encouraged to review quality improvement plans and issue decisions on whether the plans are approved as quickly as possible within the 30-day time frame. The quality improvement plan should identify actions that will be taken to correct the deficiency within a reasonable period of time as determined by the State. States may exercise discretion based on the specific circumstances.

If a quality improvement plan is allowed, the State must review and issue a decision on whether to approve the plan not later than 30 days after receiving the plan from an eligible entity. If the State does not accept the plan, the State must specify the reasons why the proposed plan cannot be approved.

### **Opportunity for a Hearing**

A key statutory requirement for funding termination or reductions, as outlined in Section 678C (a)(5) of the CSBG Act is that States must provide adequate notice and opportunity for a hearing prior to terminating organizational eligibility for CSBG funding or otherwise reducing the proportional share of funding to an entity for cause. The CSBG Act does not include any State or Federal authority to waive the requirement of an opportunity for a hearing. Hearing procedures should be consistent with any applicable State policies, rules or statutory requirements.

Pursuant to Section 678C(b) of the CSBG Act, OCS shall, upon request, review any final State determination to terminate or reduce funding of an eligible entity. In order to conduct such review, the requestor and State

should submit to OCS all necessary documentation relating to the determination, including, for example, transcripts of the hearing and any documentation used in reaching the State's decision. For the purposes of any Federal review, it is suggested that States provide the following information to OCS:

- A copy of the notice provided in advance of the hearing that includes the date of the notice and the date of the hearing;
- The name of the presiding hearing official;
- The name(s) of official(s) or individual(s) responsible for determination of hearing findings or decisions (e.g. the CSBG State Official);
- The names of the individuals participating in the hearing; and
- Documentation of evidence presented at the hearing.

### **State Proceedings to Terminate or Reduce Funding**

After providing an opportunity for a hearing, if the State finds cause for termination or reduction in funding, the State may initiate proceedings to terminate the designation of or reduce the funding to an eligible entity unless the entity corrects the deficiency. If a State CSBG Lead Agency determines that funding will be reduced or that eligibility for CSBG funds will be terminated, the State must notify both the eligible entity and the OCS of the decision.

### **Opportunity for Federal Review**

A Federal review of the State decision to reduce or terminate funding may be initiated through a request from the affected organization. In accordance with 45 CFR § 96.92, an eligible entity has 30 days following notification by the State of its final decision to request a review by the Secretary of the Department of Health and Human Services (HHS).

If a request for a review has been made, the State may not discontinue present or future funding until the Department responds to the request. Requests for Federal review must be received by OCS within 30 days of notification of a State decision. If no request for review is made within the 30-day limit, the State's decision will be effective at the expiration of the time.

Section 678C(b) of the CSBG Act specifies that a review by the Department of Health and Human Services shall be completed no later than 90 days after the Department receives from the State all necessary documentation relating to the determination to terminate the designation or reduce the funding. If the review is not completed within 90 days, the Act specifies that the determination of the State shall become final at the end of the 90th day.

### **Expedited Federal Review and Technical Assistance**

While the CSBG Act specifies that a Federal review of State documentation for terminating the designation or reducing funding to an eligible entity must be completed within 90 days, an expedited Federal review may be possible in some instances. This is particularly true in circumstances in which the State has consulted closely with OCS before and during proceedings and has provided documentation at each step of the process as described above. In some instances, particularly those involving potential waste, fraud and abuse, an on-site Federal review may be arranged to expedite the review of documentation and assist with CSBG procedures and requirements. A documentation tool outlining information required for Federal review is included as an attachment to this guidance.

### **Address to Request Federal Review**

Information on how to request a Federal review should be provided to all eligible entities that are subject to a termination or reduction of funding hearing and decision. To ensure that requests are received in time for Federal review, it is strongly recommended that requests be sent via overnight mail with a signed certification of receipt. Requests for review must be sent to the attention of the Division of State Assistance in the Office of Community Services at the following address:

U.S. Department of Health and Human Services  
 Administration for Children and Families  
 Office of Community Services  
 Division of State Assistance  
 Attention: Community Services Block Grant Program  
 370 L'Enfant Promenade S.W., 5th Floor West  
 Washington, D.C. 20447

Overnight mail submissions may be sent directly to the assigned Office of Community Services' CSBG Program Services - Regional Contacts to provide notification that a request has been submitted. This contact information is available on the CSBG program website.

#### **Potential for Direct Federal Assistance to an Eligible Entity**

Section 678C(c) of the CSBG Act specifies that whenever a State terminates or reduces the funding of an eligible entity prior to the completion of a required State hearing and other statutorily-required considerations and procedures as outlined in this document, the Department of Health and Human Services is authorized to provide financial assistance directly to the eligible entity until the State violation of the CSBG Act requirements is corrected. In such instances, the State's CSBG allocation under the block grant would be reduced by the amount provided to the eligible entity.

#### **State Award of Funds to a New Eligible Entity**

In the event that the State terminates the designation of an organization as an eligible entity, or otherwise reduces funds, any resulting funding may be awarded only to an organization that is an eligible entity for CSBG funds. Section 676A of the CSBG Act outlines procedures for designation and re-designation of eligible entities in un-served areas. In accordance with the CSBG Act, a State may solicit applications and designate as an eligible entity either:

- A private nonprofit organization that is geographically located in the un-served area that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency and meets the requirements of the CSBG Act; or
- A private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the un-served area and is already providing related services in the un-served area.

States must grant the designation to an organization of demonstrated 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. If no private, nonprofit organization is identified or determined to be qualified as an eligible entity to serve the area, the State may designate an appropriate political subdivision of the State to serve as an eligible entity for the area.

Any nonprofit or public agency receiving CSBG funds must meet the tripartite board requirements specified in Section 676B of the CSBG Act. The process of soliciting applications to select a new eligible entity may take place during the period in which the Department of Health and Human Services is reviewing a State decision to terminate an organization's eligibility for CSBG funds. However, the State may not award the funds to a new eligible entity until the Department confirms the State's finding for cause or the 90-day period for Federal review has passed.

#### **Additional Options to Protect Federal Funds**

Although the CSBG Act provides for a specific process for terminating an organization's status as an eligible entity or otherwise reducing an entity's proportional share of funding, States have considerable additional authority to assure appropriate expenditures of Federal funds. Where State laws and procedures permit, States may consider use of cost-reimbursement funding approaches to assure a detailed review of actual expenditures and State approval prior to reimbursement. In some instances, particularly when substantial risks have been identified, States may consider cost reimbursement strategies for some or all funds during a

period of corrective action or implementation of a Quality Improvement Plan. While cost reimbursement procedures may be used to assure appropriate expenditure of funds, payment to eligible entities must be made within a reasonable period of time after submission of the reimbursement request and necessary documentation. The Office of Community Services encourages consideration of all applicable State laws and procedures in circumstances in which credible allegations of waste, fraud, or abuse of funds are under formal investigation, but not yet conclusively documented. This may include circumstances in which the office has received whistle-blower complaints, referrals from a State or Federal investigative office, or evidence of misuse of funds in a related Federal or State program.

### **Conclusion**

The appropriate use of CSBG funds is a shared responsibility between the Office of Community Services, State CSBG Lead Agencies, and eligible entities at the community level. The CSBG Act provides protections and responsibilities for organizations at each level. While the procedures for terminating eligibility or reducing funding for cause related to a deficiency are expected to apply to only a small percentage of eligible entities, all State and Federal officials involved with the CSBG program must be familiar with required procedures. It is strongly recommended that State CSBG Lead Agencies work closely with the Office of Community Services at each stage of the process to assure appropriate documentation of the process. The Office of Community Services will work closely with State CSBG Lead Agencies to assure due process for any affected organizations, to assure that procedures are executed efficiently and correctly in instances where warranted to prevent waste, fraud and abuse, and to promote the appropriate and effective use of funds to alleviate the causes and conditions of poverty in communities nationwide.

In the supplemental appropriation for the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), States were instructed to award 99% of appropriated funds to eligible entities.

Procedures for designating a new eligible entity are outlined in Section 676A of the CSBG Act.

## APPENDIX I: Grantee A-133 Audit Reports

<b>Agency</b>	<b>FYE</b>	<b>Audit Received</b>
ABC Monroe	9/30/2012	6/28/2013
Adirondack CAP Inc.	5/31/2013	2/28/2014
Albany County Opportunity Inc.	2/29/2013	12/6/2013
Allegany County	2/29/2013	12/4/2013
Cattaraugus Community Action	12/31/2012	8/1/2013
Cayuga/Seneca CAA	7/31/2013	12/4/2013
Chautauqua Opportunities Inc.	10/31/2012	7/26/2013
Columbia Opportunities	10/31/2012	8/2/2013
CEO Greater Capital District	3/31/2013	11/8/2013
CACHE	3/31/2012	6/7/2013
CA of Greene County Inc.	3/31/2013	9/16/2013
CA of Orleans and Genesee	1/31/2013	8/20/2013
CAO of Erie County Inc.	2/29/2013	12/4/2013
CAPC of Jefferson County	9/30/2012	3/28/2013
CAP for Madison	9/30/2012	5/24/2013
Cortland County CAP	12/31/2012	7/26/2013
Delaware Opportunities Inc.	2/29/2013	11/21/2013
Dutchess County CAA Inc.	12/31/2012	5/31/2013
EOC of Nassau County Inc.	7/31/2013	2/25/2014
EOC of Suffolk	12/31/2012	9/30/2013
EOP of Chemung	6/30/2013	3/11/2014
Fulmont CAA	9/30/2012	2/7/2012
JCEO of Clinton and Franklin	1/31/2013	7/25/2013
Lewis County Opportunities	12/31/2012	5/24/2013
Livingston County Board of Supervisors (CIC)	12/31/2012	9/26/2013
Mohawk Valley CAA	7/31/2013	2/24/2014
DYCD	6/30/2013	4/3/2014
Newburgh CAC	6/30/2012	N/A
Niagara Community Action Agency Inc.	10/31/2012	4/8/2013
Opportunities for Broome Inc.	12/31/2012	7/1/2013
Opportunities for Chenango Inc.	12/31/2012	7/1/2013
Opportunities for Otsego Inc.	3/31/2013	10/11/2013
Oswego County Opportunities Inc.	12/31/2012	5/1/2013
Pathstone Corporation	9/30/2012	6/28/2013
PEACE	1/31/2013	5/24/2013
Pro Action of Steuben and Yates	12/31/2012	4/24/2013
RECAP	2/29/2013	11/21/2013
Saratoga County EOC	12/31/2012	9/30/2013
Schenectady CAP	12/31/2012	9/30/2013
Schoharie CAP	12/31/2012	9/26/2013
St. Lawrence CDP	12/31/2012	5/24/2013
Tioga Opportunities	12/31/2012	9/16/2013

Tompkins CA	3/31/2013	12/16/2013
Ulster County CAC	11/30/2012	8/26/2013
Warren Hamilton ACEO	11/30/2012	6/28/2013
Washington County EOC	3/31/2013	10/21/2013
Wayne CAP	12/31/2012	9/16/2013
Westchester COP	7/31/2012	5/13/2013
Wyoming County CA	9/30/2012	3/19/2013
Yonkers CAP	7/31/2012	4/23/2013

FOR BACK COVER

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