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Community Action Agencies

Sec. 17-470-1. Definitions

(a) "Commissioner" means the Commissioner of Human Resources.

(b) "Community Action Agency" means a public or private nonprofit agency which has previously been designated by and authorized to accept funds from the Federal Community Services Administration (CSA) for Community Action Agencies under the Economic Opportunity Act of 1964 or a successor agency established pursuant to section 17-467 of the Connecticut General Statutes.

(c) "Community Action Program" means a community based and operated program which:

(1) Includes or is designated to include a sufficient number of projects or components to provide a range of services and activities having a measurable and potentially major impact on the causes of poverty in the community or those areas of the community where poverty is a particularly acute problem.

(2) Organizes and combines its component projects and activities in a manner appropriate to carry out the provisions of Chapter 311 of the Connecticut General Statutes and these regulations.

(3) Conforms to any other criteria the Commissioner may prescribe consistent with the provisions of Chapter 311 of the Connecticut General Statutes and these regulations.

(d) "Community" means a municipality or a county, or any combination thereof, or a neighborhood or other area, irrespective of boundaries or political subdivisions, which provides a suitable organizational base and possesses the commonality of interest and need for a community action program.

(e) "Delegate Agency/Sub-contractor" means an organization which is given all or a significant portion of the responsibility for carrying out a program by a Community Action Agency.

(Effective March 5, 1986)

Sec. 17-470-2. Community action boards

(a) Each Community Action Agency shall administer its program through a community action board which shall consist of not more than fifty-one and not less than fifteen members and shall be so constituted that:

(1) One-third of the members of the board are elected public officials currently holding office, or their designees, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive public officials may be counted in meeting such one-third requirement.

(2) At least one-third of the members of the board are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served; and

(3) The remainder of the members of the board are officials or members of business, industry, labor, religious, welfare, education or other major groups and interests in the community.

(b) Each member of the board selected to represent a specific geographical area within a community shall reside in the area he represents. No person selected under subdivision (2) or (3) of subsection (a) as a member of the board shall serve on such board for more than five consecutive years, or more than a total of ten years.

(c) The responsibilities of the board shall include but not be limited to the following:

- (1) Appointment of the Executive Director of the agency;
 - (2) Determination of major personnel, fiscal, and program policies;
 - (3) Determination of overall program plans and priorities, including the provisions for evaluating progress against performance;
 - (4) Final approval of all program proposals and budgets;
 - (5) Enforcement of compliance with all conditions of all grants;
 - (6) Determination of rules of procedure for the Board;
 - (7) Selection of officers and the Executive Committee of the Board.
- (Effective March 5, 1986)

Sec. 17-470-3. Functions of community action agencies

The functions of a community action agency shall, subject to the provisions of Chapter 311 of the Connecticut General Statutes and the approval of the commissioner of human resources, include, but not be limited to:

(a) Planning systematically for and evaluating the program, including actions to develop information as to the problems and causes of poverty in the community, to determine how much and how effectively assistance is being provided to deal with those problems and causes, and to establish priorities among projects, activities, and areas as needed for the best and most efficient use of resources;

(b) Encouraging agencies engaged in activities related to the community action program to plan for, secure and administer assistance available under Chapter 311 of the Connecticut General Statutes or from other sources on a common or cooperative basis; providing planning or technical assistance to those agencies; and generally, in cooperation with community agencies and officials, undertaking actions to improve existing efforts to attack poverty, such as improving day to day communications, closing the service gaps, focusing resources on the most needy, and providing additional opportunities to low-income individuals for regular employment or participation in the programs or activities for which those community action agencies and officials are responsible;

(c) Initiating and sponsoring projects responsive to needs of the poor which are not otherwise being met, with particular emphasis on providing central or common services that can be drawn upon by a variety of related programs, developing new approaches or new types of services that can be incorporated into other programs, and filling gaps pending the expansion or modification of those programs; providing technical assistance and other support needed to enable the poor and neighborhood groups to secure on their own behalf available assistance from public and private sources; and

(d) joining with and encouraging business, labor and other private groups and organizations to undertake, together with public officials and agencies, activities in support of the community action program which will result in the additional use of private resources and capabilities, with a view to such things as developing new employment opportunities, stimulating investment that will have a measurable impact in reducing poverty among residents of areas of concentrated poverty, and providing methods by which residents of those areas can work with private groups, firms and institutions in seeking solutions to problems of common concern.

(Effective March 5, 1986)

Sec. 17-470-4. Authority of community action agencies

A community action agency shall have authority to enter into contracts with private and public nonprofit agencies, to receive and administer funds received pursuant to Chapter 311 of the Connecticut General Statutes, to receive and adminis-

ter funds and contributions from private and local public sources which may be used in support of a community action program, and to receive and administer funds under any federal or state assistance program pursuant to which a public or private nonprofit agency, organized in accordance with this chapter could act as grantee, contractor or sponsor of projects appropriate for inclusion in a community action program. Community action agencies and limited purpose agencies previously funded by the Community Services Administration, subject to federal law or regulation, shall be given first priority in the allocation of federal funds under the Community Services Block Grant Act or of any subsequent federal funds that were previously designated as Community Services Administration funds. Such funds shall be distributed through an agreement between the commissioner and the community action agencies. The agreement will be based on criteria that include the percentage of population that is at or below 150% of the Federal Poverty Guideline established by the Office of Management and Budget in each Community Action Agency service district; the demography of each Community Action Agency service area; the availability of funds; and the discretion of the Commissioner. If such agreement is not reached by four weeks before the block grant plan is to be submitted to the general assembly pursuant to section 4-28b, the governor and the commissioner shall make the final decision on distribution. In the event the community services block grant is eliminated, each community action agency shall also be given due consideration, subject to the restrictions of applicable law or regulations, in the distribution of federal, state or municipal funds that are available to support antipov-erty programs that have been administered by that agency on or after July 1, 1981. A community action agency, subject to the approval of its governing board, shall have authority to transfer funds received and to delegate powers to other agencies. (Effective March 5, 1986)

Sec. 17-470-5. Fiscal accountability of a community action agency

(a) The Community Action Agency will establish and will, for each approved program funded by the Commissioner, maintain in a bank or banks, which are members of the Federal Deposit Insurance Corporation, a separate and special fund which will be designated "Expenditures Account" with identifying number. The Community Action Agency will promptly deposit in such account all funds received pursuant to an approved program funded by the Commissioner.

(b) The Community Action Agency will, at or prior to opening any bank account, enter into an appropriate agreement with the bank in which such account is to be opened which makes effective certain rights of the Commissioner. An executed copy of the bank agreement must be submitted by the Community Action Agency to the Commissioner.

(c) The Commissioner may waive the requirements of Section 17-470-5 (a)-(b) herein in writing if he determines such waiver to be beneficial to the operation of the program based on previous administrative practice or a Community Action Agency is under the fiscal control of a municipality and not contrary to the best interests of the State.

(d) The Community Action Agency shall maintain books, records, documents, program and individual service records and other evidence of its accounting and billing procedures and practices, which sufficiently and properly reflect all direct and indirect costs of any nature incurred in the performance of this regulation. These records shall be subject at all reasonable times to monitoring, inspection, review or audit by authorized employees or agents of the Commissioner or the State or

interested Federal agencies. The Community Action Agency shall collect fiscal statistical data and submit fiscal statistical reports at times and in the manner prescribed by the Commissioner. The Community Action Agency will retain all such books, records, other financial and program and individual service documents concerning this regulation for a period of three (3) years after a completed audit.

(e) In the event the Commissioner has advanced funds to the Community Action Agency, the Community Action Agency shall at the end of the contract period, or earlier if the contract is terminated, pay back to the Commissioner, in full, any unexpended advanced funds; or such unexpended advanced funds may at the discretion of the Commissioner be carried over and used as part of the next advance if a new similar agreement with the Community Action Agency is executed. The same provisions will hold true with regard to any other monies owed to the Commissioner including audit exceptions. The Community Action Agency will remit to the Department of Human Resources that portion of such unexpended funds which is due and owing to the Department of Human Resources as determined by the Commissioner.

(f) Audits of programs administered by community action agencies, as defined in section 17-460, shall be conducted in a comprehensive fashion and the number of such audits conducted with respect to programs administered by a single community action agency shall be limited to the minimum required by state or federal law. Where permitted by Section 7-396a of the Connecticut General Statutes, a single independent audit shall be conducted on a yearly basis for each community action agency.

(Effective March 5, 1986)

Sec. 17-470-6. Community participation

Each Community Action Agency shall establish procedures to assure maximum feasible participation of neighborhood based organizations, residents of the community and members of the groups served to assist such agency in prioritizing, planning, conducting and evaluating components of the community action program. Agency priorities established under section 17-470-7 shall not be modified without substantial documentation of changed circumstances and, when practical, the approval of the parties involved in setting those priorities.

(Effective March 5, 1986)

Sec. 17-470-7. Program priorities

The priorities of a Community Action Program may include, but not be limited to, component projects designed to assist eligible participants, including the elderly poor, in attaining the following objectives:

- (1) To secure and retain meaningful employment;
- (2) To obtain adequate education;
- (3) To provide for education and care of young children;
- (4) To make better use of available income;
- (5) To provide and maintain adequate housing and a suitable living environment;
- (6) To provide information and education, and access to healthful nutrition;
- (7) To obtain services for the prevention of and rehabilitation from drug abuse and alcoholism;
- (8) To obtain emergency assistance to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing, energy and unemployment-related assistance;
- (9) To remove obstacles and solve personal and family problems which block the achievement of self-sufficiency;

- (10) To achieve greater participation in the affairs of the community;
 - (11) To make more frequent and effective use of other programs related to the purposes of Chapter 311 of the Connecticut General Statutes; and
 - (12) To stimulate and take full advantage of capabilities for self-advancement.
- (Effective March 5, 1986)

Sec. 17-470-8. Delegation of authority

(a) Where consistent with sound and efficient management and subject to federal law and regulations and these regulations a Community Action Agency may delegate the administration of component projects to delegate agency/sub-contractors. When a Community Action Agency places responsibility for major policy determinations with respect to the character, funding, extent and administration of, and budgeting for, programs to be carried on in a particular geographic area within the community in subsidiary board, council, or similar agency, such board, council or agency shall be broadly representative of such area. The Community Action Agency shall be responsible to the Commissioner for ensuring that the delegate agency sub-contractor will comply with the terms and conditions of the regulation. The Community Action Agency will execute an agreement with the delegate agency/sub-contractor in the manner and form prescribed by the Commissioner. The Community Action Agency may require additional contract provisions to ensure compliance with applicable statutes, regulations or by-laws as it sees fit to impose.

(b) Representatives of community action agencies shall be recognized as knowledgeable on issues affecting low income, elderly and handicapped citizens for the purposes of sharing information with governmental bodies considering such issues.

(Effective March 5, 1986)

Sec. 17-470-9. Process to revoke a community action agency designation

A Community Action Agency shall lose its designation to serve a political subdivision, or a group of political subdivisions, only if the Commissioner finds after adequate notice, a written statement of reasons and a fair hearing held in the community served by the agency that such agency has materially failed to comply with Chapter 311 of the Connecticut General Statutes and these regulations. The procedure to revoke a Community Action Agency's designation is as follows:

(a) The Commissioner will inform the Executive Director of the Community Action Agency in writing if he has reason to believe that the Community Action Agency is in non-compliance with these regulations or Chapter 311 of the Connecticut General Statutes. The communication will advise the Community Action Agency on what course of action will be required to come into compliance.

(b) The Community Action Agency will have thirty (30) days to respond in writing to the requirements prescribed by the Commissioner.

(c) The failure or refusal of the Community Action Agency to come into compliance with the policy as prescribed by the Commissioner within thirty (30) days of the initial communication will result in a notice sent to the Chairman of the Board. This notice will inform the chairman that the Community Action Agency is not in compliance and will contain a written statement of the specific reasons for the Commissioner's finding of noncompliance, and will outline what specific course of action will be required to come into compliance.

(d) If a best effort by the Community Action Agency to come into compliance has not occurred within the second 30 day time period, the Commissioner will send a notice of his intent to hold a hearing. This letter will be sent to the executive

director and the chairman of the board by registered mail and will include the place and time for the hearing.

(e) The Commissioner's decision on the hearing will be provided within 30 days.

(f) If the decision of the Commissioner is adverse to the agency, the Commissioner may provide financial assistance to other public or private non profit agencies to aid them in establishing a community action agency in the area no longer served.

(Effective March 5, 1986)

Sec. 17-470-10. Financial assistance

The Commissioner may provide financial assistance to Community Action Agencies for planning, conducting, administering and evaluating Community Action Programs and component projects.

(Effective March 5, 1986)

Sec. 17-470-11. Civil rights

All Community Action Agencies, other agencies, contractors and boards thereof included in the provisions of this regulation, shall comply with federal, state and local civil rights laws.

(Effective March 5, 1986)

Sec. 17-470-12. Administrative requirements

To the extent that Community Action Agencies as defined in Section 17-470-1 of these regulations, are also Human Resources Development Agencies, as defined in Section 8-221 of the Connecticut General Statutes, further administrative requirements, including those governing provision of state financial assistance by the Commissioner are available at and may be obtained from the Office of the Commissioner of the Department of Human Resources.

(Effective March 5, 1986)