CELEBRATING 53 YEARS OF SUCCESS

THE AGRICULTURAL AND LABOR PROGRAM, INC

THE COURSE IS ALWAYS SET FROM THE CENTER OF ITS CORE

2021 Virtual Shared Governance Orientation Training

Saturday, February 27, 2021

Shared Governance Orientation and Training
February 27, 2021
9:00 A.M.

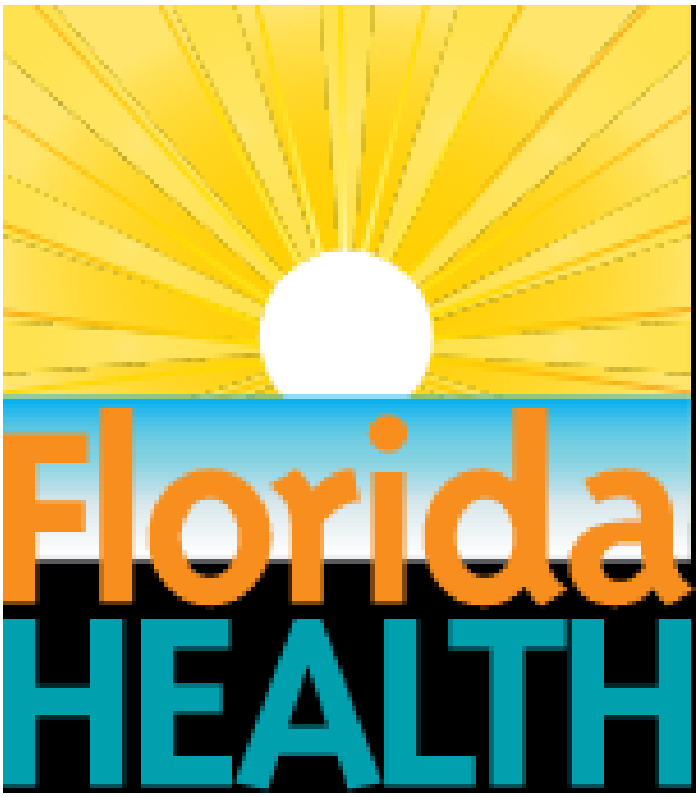
Agenda

Time	Activity	Presenter
8:45 AM – 9:00 AM	Welcome and Introduction of Attendees	William Holt, Chairperson Arlene Dobison, CEO
	Session I	
9:00 AM- 10:00 AM	COVID-19 and Vaccine Update Composition of Head Start Policy Council / ERSEA ROMA	Joy Jackson, MD Florida Department of Health Myrna Rodriguez, HDST/EHS Program Director Al Miller , Community Services Deputy Director
10:00 AM—10:15 AM	**Break**	
	Session II	
10:15 AM – 11:30 AM	Purpose: Why are you Here? CSBG Organizational Standards CSBG IM - 82 By-Laws Review: Attendance Requirements Regional Advisory Councils Roles and Responsibilities	Video Arlene Dobison William Holt
11:30 AM—12:00 PM	Questions and Answers Wrap Up	Arlene Dobison

CELEBRATING 53 YEARS OF SUCCESS
THE AGRICULTURAL AND LABOR PROGRAM, INC
THE COURSE IS ALWAYS SET FROM THE CENTER OF ITS CORE

COVID-19 and Vaccinations Update

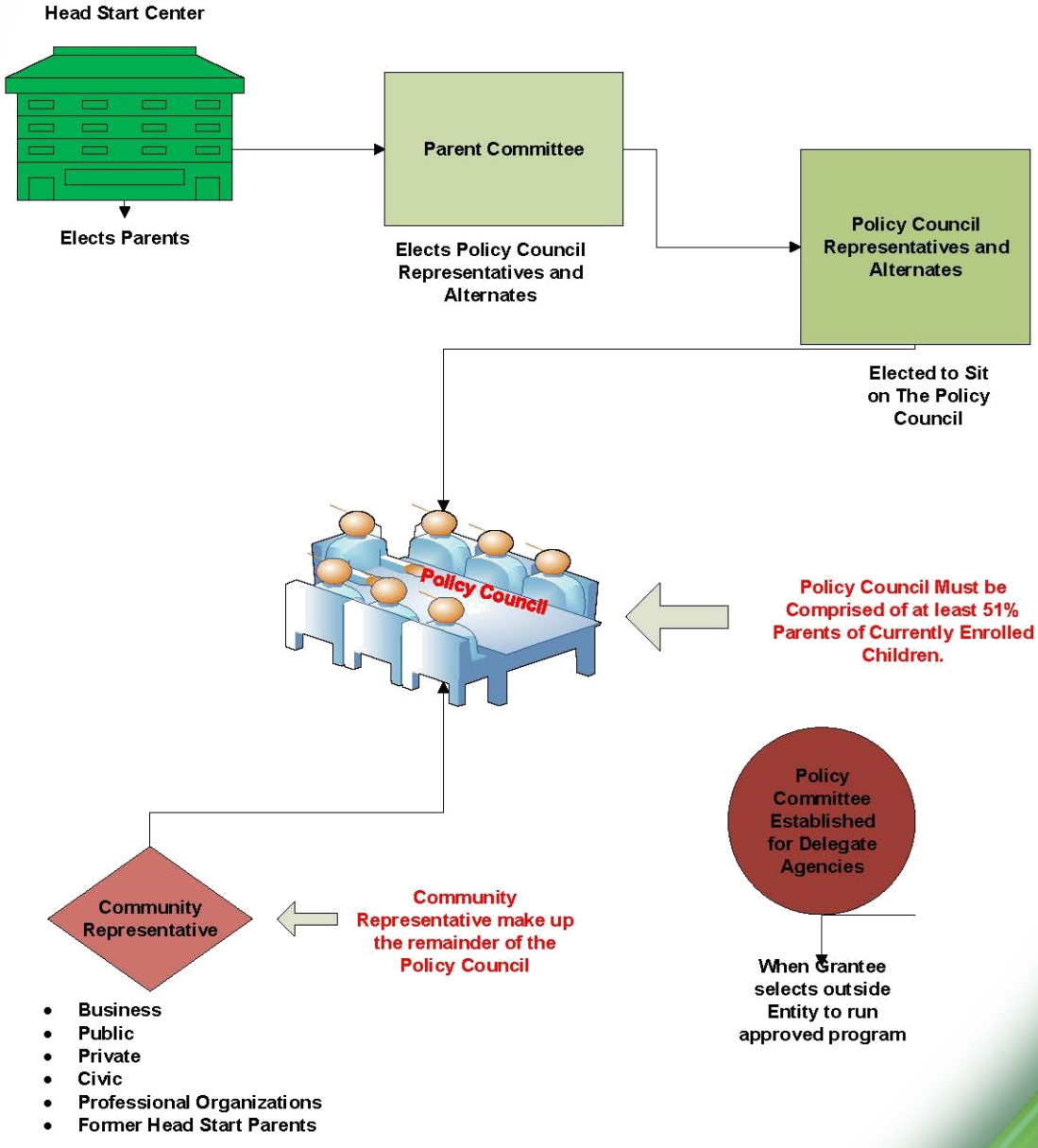
Joy Jackson , MD



Shared Governance Orientation: February 27, 2021

CELEBRATING 53 YEARS OF SUCCESS
THE AGRICULTURAL AND LABOR PROGRAM, INC
THE COURSE IS ALWAYS SET FROM THE CENTER OF ITS CORE

Composition of Head Start Policy Council



ERSEA

The Agricultural and Labor Program, Inc.
Helping People. Changing Lives.
community Action PARTNERSHIP
AMERICA'S POVERTY FIGHTING NETWORK

PROGRAM GOVERNANCE
Performance Standard Training
Subpart A – Eligibility, Recruitment, Selection, Enrollment, and Attendance
February 27, 2021

§ 1302.12 Determining, Verifying, and Documenting Eligibility

Leadership and Governance

Leadership and governance are the bedrocks of effective management. Head Start program leadership consists of three key entities: the Governing Body/Tribal Council, Policy Council, and management staff. The Governing Body/Tribal Council assumes legal and fiscal responsibility for the program. The Policy Council sets direction. Management staff oversees day-to-day operations. Together, they are a powerful force that provides leadership and strategic direction.

2

HEAD START PERFORMANCE STANDARDS

- Part 1301 – Program Governance
  - § 1301.1 Purpose
  - § 1301.2 Governing Body
  - § 1301.3 Policy council and policy committee
  - § 1301.4 Parent Committees
  - § 1301.5 Training: An agency MUST provide appropriate training and technical assistance or orientation to the governing body, any advisory committee members, and the policy council, including training on program performance standards and training indicated in 1302.12(m) to ensure the members understand the information they receive and can effectively oversee and participate in the program in the Head Start agency.
  - § 1301.6 Impasse procedures
- Part 1302 – Program Overview
  - §1302 Subpart A – Eligibility, Recruitment, Selection, Enrollment, and Attendance
    - §1302.10 Purpose
    - §1302.11 Determining community strengths, needs, and resources
    - 1302.12 Determining, verifying, and documenting eligibility.

3

ERSEA

1302.12 Determining, verifying, and documenting eligibility.

(a) *Process overview.*

(1) Program staff must:

(i) Conduct an in-person interview with each family, unless paragraph (a)(2) of this section applies;

(ii) Verify information as required in paragraphs (h) and (i) of this section; and,

(iii) Create an eligibility determination record for enrolled participants according to paragraph (k) of this section.

(2) Program staff may interview the family over the telephone if an in-person interview is not possible or convenient for the family.

(3) If a program has an alternate method to reasonably determine eligibility based on its community assessment, geographic and administrative data, or from other reliable data sources, it may petition the responsible HHS official to waive requirements in paragraphs (a)(1)(i) and (ii) of this section.

(b) *Age requirements.*

(1) For Early Head Start, except when the child is transitioning to Head Start, a child must be an infant or a toddler younger than three years old.

(2) For Head Start, a child must:

(i) Be at least three years old or, turn three years old by the date used to determine eligibility for public school in the community in which the Head Start program is located; and,

(ii) Be no older than the age required to attend school.

(3) For Migrant or Seasonal Head Start, a child must be younger than compulsory school age by the date used to determine public school eligibility for the community in which the program is located.

(c) *Eligibility requirements.*

(1) A pregnant woman or a child is eligible if:

(i) The family's income is equal to or below the poverty line; or,

(ii) The family is eligible for or, in the absence of child care, would be potentially eligible for public assistance; including TANF child-only payments, or,

(iii) The child is homeless, as defined in part 1305; or,

(iv) The child is in foster care.

(2) If the family does not meet a criterion under paragraph (c)(1) of this section, a program may enroll a child who would benefit from services, provided that these participants only make up to 10 percent of a program's enrollment in accordance with paragraph (d) of this section.

(d) *Additional allowances for programs.*

(1) A program may enroll an additional 35 percent of participants whose families do not meet a criterion described in paragraph (c) of this section and whose incomes are below 130 percent of the poverty line, if the program:

(i) Establishes and implements outreach, and enrollment policies and procedures to ensure it is meeting the needs of eligible pregnant women, children, and children with disabilities, before serving pregnant women or children who do not meet the criteria in paragraph (c) of this section; and,

(ii) Establishes criteria that ensure pregnant women and children eligible under the criteria listed in paragraph (c) of this section are served first.

4

(2) If a program chooses to enroll participants who do not meet a criterion in paragraph (c) of this section, and whose family incomes are between 100 and 130 percent of the poverty line, it must be able to report to the Head Start regional program office:

(i) How it is meeting the needs of low-income families or families potentially eligible for public assistance, homeless children, and children in foster care, and include local demographic data on these populations;

(ii) Outreach and enrollment policies and procedures that ensure it is meeting the needs of eligible children or pregnant women, before serving over-income children or pregnant women;

(iii) Efforts, including outreach, to be fully enrolled with eligible pregnant women or children;

(iv) Policies, procedures, and selection criteria it uses to serve eligible children;

(v) Its current enrollment and its enrollment for the previous year;

(vi) The number of pregnant women and children served, disaggregated by the eligibility criteria in paragraphs (c) and (d)(1) of this section; and,

(vii) The eligibility criteria category of each child on the program's waiting list.

(e) *Additional allowances for Indian tribes*.

(1) Notwithstanding paragraph (c)(2) of this section, a tribal program may fill more than 10 percent of its enrollment with participants who are not eligible under the criteria in paragraph (c) of this section, if:

(i) The tribal program has served all eligible pregnant women or children who wish to be enrolled from Indian and non-Indian families living within the approved service area of the tribal agency;

(ii) The tribe has resources within its grant, without using additional funds from HHS intended to expand Early Head Start or Head Start services, to enroll pregnant women or children whose family incomes exceed low-income guidelines or who are not otherwise eligible; and,

(iii) At least 51 percent of the program's participants meet an eligibility criterion under paragraph (c)(1) of this section.

(2) If another program does not serve the approved service area, the program must serve all eligible Indian and non-Indian pregnant women or children who wish to enroll before serving over-income pregnant women or children.

(3) A program that meets the conditions of this paragraph (e) must annually set criteria that are approved by the policy council and the tribal council for selecting over-income pregnant women or children who would benefit from program services.

(4) An Indian tribe or tribes that operates both an Early Head Start program and a Head Start program may, at its discretion, at any time during the grant period involved, reallocate funds between the Early Head Start program and the Head Start program in order to address fluctuations in client populations, including pregnant women and children from birth to compulsory school age. The reallocation of such funds between programs by an Indian tribe or tribes during a year may not serve as a basis for any reduction of the base grant for either program in succeeding years.

(f) *Migrant or Seasonal eligibility requirements*. A child is eligible for Migrant or Seasonal Head Start, if the family meets an eligibility criterion in paragraphs (c) and (d) of this section; and the family's income comes primarily from agricultural work.

5

(g) *Eligibility requirements for communities with 1,000 or fewer individuals.*

(1) A program may establish its own criteria for eligibility provided that it meets the criteria outlined in section 645(a)(2) of the Act.

(2) No child residing in such community whose family is eligible under criteria described in paragraphs (c) through (f) of this section, may be denied an opportunity to participate in the program under the eligibility criteria established under this paragraph (g).

(h) *Verifying age.* Program staff must verify a child's age according to program policies and procedures. A program's policies and procedures cannot require families to provide documents that confirm a child's age, if doing so creates a barrier for the family to enroll the child.

(i) *Verifying eligibility.*

(1) To verify eligibility based on income, program staff must use tax forms, pay stubs, or other proof of income to determine the family income for the relevant time period.

(i) If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, program staff may accept written statements from employers, including individuals who are self-employed, for the relevant time period and use information provided to calculate total annual income with appropriate multipliers.

(ii) If the family reports no income for the relevant time period, a program may accept the family's signed declaration to that effect, if program staff describes efforts made to verify the family's income, and explains how the family's total income was calculated or seeks information from third parties about the family's eligibility, if the family gives written consent. If a family gives consent to contact third parties, program staff must adhere to program safety and privacy policies and procedures and ensure the eligibility determination record adheres to paragraph (k)(2) of this section.

(iii) If the family can demonstrate a significant change in income for the relevant time period, program staff may consider current income circumstances.

(2) To verify whether a family is eligible for, or in the absence of child care, would be potentially eligible for public assistance, the program must have documentation from either the state, local, or tribal public assistance agency that shows the family either receives public assistance or that shows the family is potentially eligible to receive public assistance.

(3) To verify whether a family is homeless, a program may accept a written statement from a homeless services provider, school personnel, or other service agency attesting that the child is homeless or any other documentation that indicates homelessness, including documentation from a public or private agency, a declaration, information gathered on enrollment or application forms, or notes from an interview with staff to establish the child is homeless; or any other document that establishes homelessness.

(i) If a family can provide one of the documents described in this paragraph (i)(3), program staff must describe efforts made to verify the accuracy of the information provided and state whether the family is eligible because they are homeless.

(ii) If a family cannot provide one of the documents described in paragraph (i)(3) to prove the child is homeless, a program may accept the family's signed declaration to that effect, if, in a written statement, program staff describe the child's living situation that meets the definition of homeless in part 1305 of this chapter.

(iii) Program staff may seek information from third parties who have firsthand knowledge about a family's living situation, if the family gives written consent. If the family gives consent to contact third parties, program staff must adhere to program privacy policies and procedures and ensure the eligibility determination record adheres to paragraph (k) of this section.

6

ERSEA

(4) To verify whether a child is in foster care, program staff must accept either a court order or other legal or government-issued document, a written statement from a government child welfare official that demonstrates the child is in foster care, or proof of a foster care payment.

(j) *Eligibility duration*.

(1) If a child is determined eligible under this section and is participating in a Head Start program, he or she will remain eligible through the end of the succeeding program year except that the Head Start program may choose not to enroll a child when there are compelling reasons for the child not to remain in Head Start, such as when there is a change in the child's family income and there is a child with a greater need for Head Start services.

(2) Children who are enrolled in a program receiving funds under the authority of section 645A of the Act remain eligible while they participate in the program.

(3) If a child moves from an Early Head Start program to a Head Start program, program staff must verify the family's eligibility again.

(4) If a program operates both an Early Head Start and a Head Start program, and the parents wish to enroll their child who has been enrolled in the program's Early Head Start, the program must ensure, whenever possible, the child receives Head Start services until enrolled in school, provided the child is eligible.

(k) *Records*.

(1) A program must keep eligibility determination records for each participant and ongoing records of the eligibility training for staff required by paragraph (m) of this section. A program may keep these records electronically.

(2) Each eligibility determination record must include:

(i) Copies of any documents or statements, including declarations, that are deemed necessary to verify eligibility under paragraphs (h) and (i) of this section;

(ii) A statement that program staff has made reasonable efforts to verify information by:

(A) Conducting either an in-person, or a telephone interview with the family as described under paragraph (a)(1)(i) or (a)(2) of this section; and,

(B) Describing efforts made to verify eligibility, as required under paragraphs (h) through (i) of this section; and, collecting documents required for third party verification that includes the family's written consent to contact each third party, the third parties' names, titles, and affiliations, and information from third parties regarding the family's eligibility.

(iii) A statement that identifies whether:

(A) The family's income is below income guidelines for its size, and lists the family's size;

(B) The family is eligible for or, in the absence of child care, potentially eligible for public assistance;

(C) The child is a homeless child or the child is in foster care;

(D) The family was determined to be eligible under the criterion in paragraph (c)(2) of this section; or,

(E) The family was determined to be eligible under the criterion in paragraph (d)(1) of this section.

(3) A program must keep eligibility determination records for those currently enrolled, as long as they are enrolled, and, for one year after they have either stopped receiving services; or are no longer enrolled.

7

ERSEA

(l) *Program policies and procedures on violating eligibility determination regulations.* A program must establish written policies and procedures that describe all actions taken against staff who intentionally violate federal and program eligibility determination regulations and who enroll pregnant women and children that are not eligible to receive Early Head Start or Head Start services.

(m) *Training on eligibility.*

(1) A program must train all governing body, policy council, management, and staff who determine eligibility on applicable federal regulations and program policies and procedures. Training must, at a minimum:

(i) Include methods on how to collect complete and accurate eligibility information from families and third party sources;

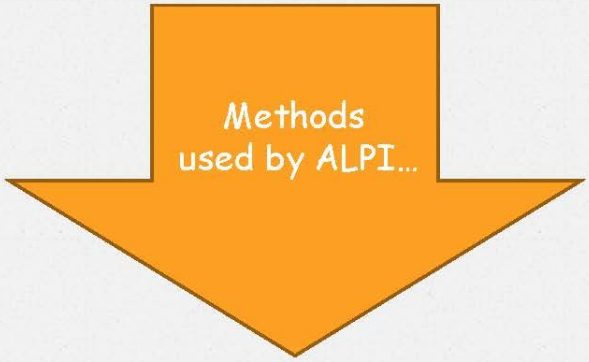
(ii) Incorporate strategies for treating families with dignity and respect and for dealing with possible issues of domestic violence, stigma, and privacy; and,

(iii) Explain program policies and procedures that describe actions taken against staff, families, or participants who attempt to provide or intentionally provide false information.

(2) A program must train management and staff members who make eligibility determinations within 90 days of hiring new staff.

(3) A program must train all governing body and policy council members within 180 days of the beginning of the term of a new governing body or policy council.

(4) A program must develop policies on how often training will be provided after the initial training.



8

ERSEA

How We Determine Eligibility…

OVERVIEW

ALPI has developed, established and maintained methods and processes to ensure that the neediest families and their children are recruited by utilizing data from the community assessment that reflects the community strengths, needs and priorities. These methods and processes are designed in a policy and procedures format to provide detailed and/or step by step processes.

The following information represents ALPI's methods and processes:

- Eligibility, collection of data, and accuracy information from families and third party sources.
  a. Intake – An intake is conducted by interviewing the parent(s) and collecting the eligibility information that includes the following:

Age requirement-

- For Early Head Start, a child must be an infant or a toddler younger than three years old.
- For Head Start, a child must be at least three years old or turn three by September 1st of that year and no older than the age required to attend school.

Eligibility Requirement-

- A pregnant women or a child is eligible if:
- The family income is equal to or below the poverty line or
- The family is eligible for or receives public assistance (SSI) or TANF (child only payments) or
- The child is homeless or
- The child is in foster care.
- If a family doesn't meet the above criterion, the program may enroll a child who will benefit from services but exceeds the income poverty line but are below 130 percent. (Only up to 10% of **enrolled** families can fall in this category)

Verifying Eligibility-

- To verify eligibility based on income, staff will use tax forms, pay stubs or other proof of income to determine family income for the **relevant time period.** (Staff may also use other proof as written statements from employers, self declarations, etc.)
- For families that receive public assistance, staff must have documentation from either the state or local public assistance agency that shows family is either receiving assistance or eligible for.
- For families that are homeless, staff may accept a written statement from a homeless services provider, school personnel or other service agency attesting that the child is homeless (all families will complete a Homeless verification form)
- For families in foster care, staff must accept either a court order or other legal government issued document, a written statement from a government welfare official that shows child in foster care or proof of foster care payments.

ERSEA

How We Prioritize Eligibility…

ALPI uses a Selection Criteria Scale that is updated and approved annually. The following is a SAMPLE of the Scale:

ELIGIBILITY TYPE	Mark all that Apply
Homeless (as defined by McKinney-Vento Act)	120
Foster Child	120
Public Assistance (TANF/SSI)	120
Below or at the HHS poverty guidelines	120
INCOME	POINTS
Income is between 100% - 130% of the HHS poverty guidelines	45
Income is over 130% of the HHS poverty guidelines	35
AGE (By Compulsory School Age) – Head Start	
Age 4 by September 1, 2017	85
Age 3 by September 1, 2017	75
AGE (By Compulsory School Age) – Early Head Start	
Birth to 36 months	85
OTHER FACTORS	
Single, Working Parent	45
Transition from Early Head Start	20
Sibling currently enrolled in program	15
Legal Guardianship	10
Teen Parent (At time of application)	5
DISABILITY (Must be Documented)	
Documented disability, diagnosed with IEP from LEA- (HS)	95
Referred by Part C- Disability IFSP- (EHS)	95
Total Points	

10

ERSEA

How We Maintain Records…

Eligibility Duration-

- When a child is deemed eligible for services, the child remains eligible through the end of the succeeding program year except in the Head Start program, **the staff may choose not to enroll a child when there are compelling reasons for the child not to remain in the program such as a change in family's income or there is a child with a greater need.**
- When a child is enrolled in Early Head Start and moves to Head Start, the staff must re-verify the family's income again to determine eligibility.

Records-

- A program must keep eligibility determination records for each child enrolled in the program. Each record must include:
  - Copies of any documents used to determine eligibility (income)
  - A statement verifying a in-person or telephone interview was conducted
  - Efforts made to verify eligibility (third-party verification, family consents, etc.)
  - A statement that identifies what way the family was eligible (income, public assistance, homeless, foster care)
- All records must be kept on currently enrolled children and maintained for one year after they have stopped receiving services or are no longer enrolled.

Maintenance of data/records collected –

- Eligibility and enrollment information collected through the intake and enrollment process/method is maintained at an automated and manual recordkeeping system, that is designed to manage dynamic processes and mechanisms to maintain an effective and efficient recordkeeping system that captures and produces timely and accurate agency and program information regarding families and children.
- Program Resources and Outcomes Management Information System (PROMIS) is utilized to maintain eligibility, verification, and track children and families. Information includes, but is not limited to the following: name, income, family size, verification, demographic, enrollment, health, screenings and results, family needs assessment, drops, transfers, replacements, attendance, home visits, follow up, services rendered, etc.
- Data/records collected are confidential and align with agency Standards of Conduct.

ERSEA

How We Work with Families…

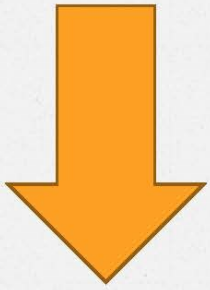
Treatment of families –

- Family Services Staff through the New Employee Orientation receive at a minimum three (3) days of orientation following with onsite mentoring and coaching processes serving as training and technical assistance. This process includes but are not limited to:
  - Eligibility determination
  - Recordkeeping system (automated and manual)
  - Confidentiality
  - Interview strategies for treating families with dignity and respect for dealing with possible issues of domestic violence, stigma, and privacy
  - Community resources and referral processes.
- Family Services Staff receives annual refreshment trainings as part of the Professional Development Plan.

Polices and Procedures –

ALPI's Personnel Policies and Procedures, Policy 265 Standards of Conduct are aligned with the performance standards section 1302.12(m)(iii) regarding actions taken against staff, families, or participants who attempt to provide or intentionally provide false information.

To enhance these policies and procedures and to ensure that staff and parents adhere to these policies; the following forms are presented to the staff as part of the orientation process and to the parents as part of the intake process:



12

ERSEA

Agricultural and Labor Program, Inc.
Head Start/Early Head Start Program
FRAUD AFFIDAVIT

STATEMENT:

In accordance with 1302.12 (l): Program policies and procedures on violating eligibility determination regulations. A program must establish written policies and procedures that describe all actions taken against staff who intentionally violate federal and program eligibility determination regulations and who enroll pregnant women and children that are not eligible to receive Early Head Start or Head Start services *(Head Start Performance Standards).*

Therefore, this is to certify that as an employee (Family Services Staff) of the Agricultural and Labor Program, Inc., I will adhere to all the Federal and Program Eligibility determination regulations in order to enroll pregnant women and children for Head Start and Early Head Start. It is also understood that no special privileges will be given to staff and/or our families.

ACTIONS CONSTITUTING FRAUD ARE NOT LIMITED TO:

- Intentionally omitting one parents income in a two working parent's home
- Coaching parents to intentionally complete/omit information to be eligible for the program
- Falsely claiming to have no income (Completion of Zero Income Affidavit)
- Creation of fictitious family members in order to make family size larger
- Completing applications on known family members, self and/or that may live in the same household as employee
- Accepting bribes from families of material or monetary value in exchange for eligibility in the program
- Deliberately falsifying documents to make a family eligible for the program.

I HAVE READ AND UNDERSTAND THE ABOVE STATEMENT REGUARDING ELIGIBILITY AND FRAUD. I AM ALSO AWARE THAT ANY VIOLATION OF THE MENTIONED POLICY WILL DEEM FOR FURTHER DISCIPLINARY ACTIONS TO BE TAKEN BASED ON THE AGENCY POLICY #265 STANDARDS OF CONDUCT.

_____ _____

Staff Signature Date

13

Agricultural and Labor Program, Inc.
Head Start/Early Head Start Program
FRAUD POLICY

STATEMENT:

In accordance with 1302.12 (l): Program policies and procedures on violating eligibility determination regulations. A program must establish written policies and procedures that describe all actions taken against staff who intentionally violate federal and program eligibility determination regulations and who enroll pregnant women and children that are not eligible to receive Early Head Start or Head Start services *(Head Start Performance Standards)*.

POLICY:

All individuals/families that intentionally violate Federal and Program Eligibility determination regulations in order to enroll pregnant women and/or children that are NOT eligible to receive Head Start/Early Head Start services will be immediately removed from the wait list and/or services immediately terminated if already enrolled in the program.

ACTIONS CONSTITUTING FRAUD ARE NOT LIMITED TO:

- Omission of one parents income in a two working parent's home.
- Falsely claiming to be Homeless
- Falsely claiming to have no income (Completion of Self Declaration Form).
- Creation of fictitious family members in order to make family size larger.
- Classifying as a single parent when both parents are living in the same household and supporting child.
- Falsely claiming to live within our service area
- Bribery of agency employees with material or monetary value in exchange for eligibility in the program.

I understand that failure to provide information regarding my eligibility and/or providing false, fraudulent and misleading information may result in termination from the Agricultural and Labor Program, Inc. Head Start/Early Head Start Program. The agency confidentiality and ongoing monitoring policies and procedures apply.

I HAVE READ AND UNDERSTAND THE ABOVE POLICY REGUARDING ELIGIBILITY FRAUD:

_____ _____
Parent/Guardian Signature Date

_____ _____
Staff Date

14

ERSEA

How We Train…

Staff Training –

ALPI provides training to management staff and family services staff who make eligibility determination for new employees during the new employee's orientation (prior to working with families) and annually to all family services staff as part of the professional development and the annual training and technical assistance plan.

Governing Body and Policy Council Training –

- ALPI annually seats the newly elected governing body during the agency corporate luncheon in January of each year
- The governing body annually receives training during the governing body orientation in February of each year to include but are not limited to:
  - Legal and fiscal responsibilities
  - Composition
  - Duties and responsibilities
  - Advisory committees
  - Performance Standards
  - ERSEA Requirements
- ALPI's Head Start and Early Head Start Program annually seats the newly elected policy council during the month of October of each year
- The policy council annually receives training during the policy council orientation in October of each year to include but are not limited to:
  - Policy council responsibilities
  - Composition
  - Duties and responsibilities
  - Term
  - Reimbursement
  - Performance Standards
  - ERSEA Requirements

Governing Body and Policy Council Ongoing Training –

The governing body and policy council receive ongoing training after the initial training in various methods to include but are not limited to: region conferences, state conferences, agency trainings, etc.

15

ERSEA

References

- ECLKC – Early Childhood Learning & Knowledge Center
- ACF.HHS.Gov – Administration for Children and Families – Health and Human Services
- Head Start Performance Standards
- Head Start Act.
- ALPI's Policies and Procedures

16

ROMA

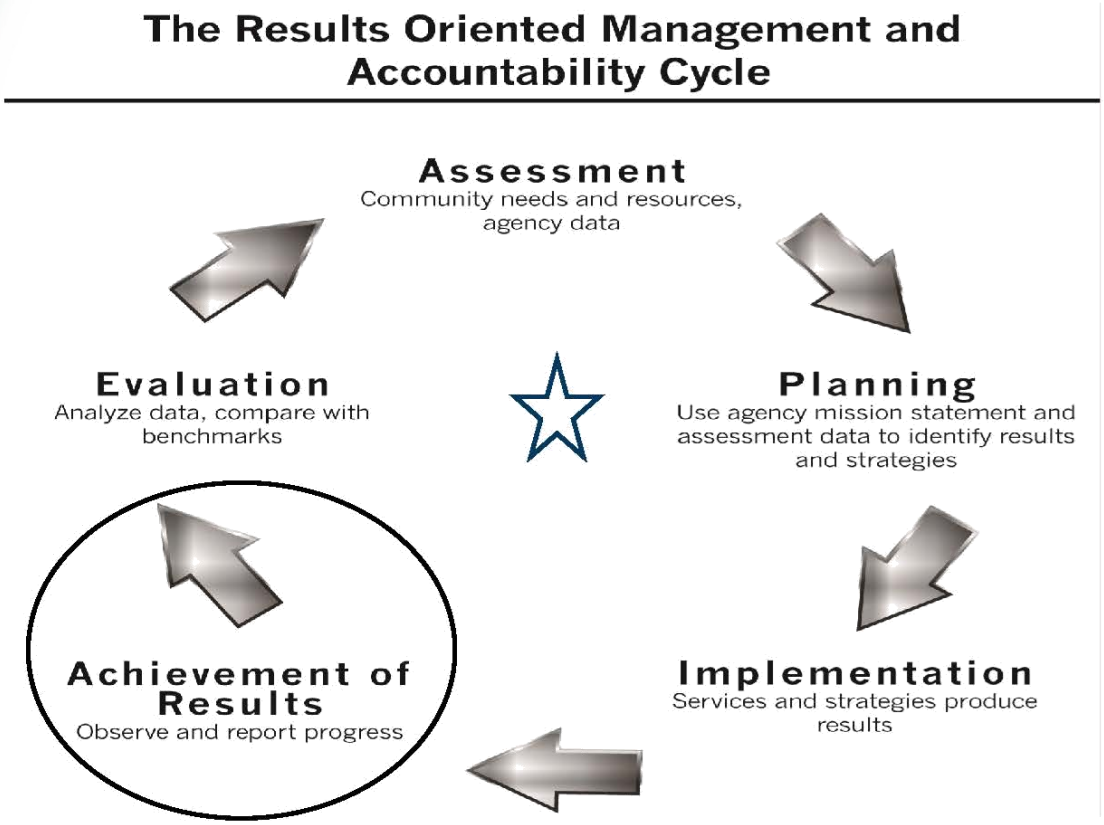
ROMA:
"Intro to Outcome Scales"

Moving a client towards stability

a/k/a Self-Sufficiency.

Shared Governance Orientation: February 27, 2021

ROMA


The Results Oriented Management and Accountability Cycle
Assessment
Community needs and resources, agency data
Planning
Use agency mission statement and assessment data to identify results and strategies
Implementation
Services and strategies produce results
Achievement of Results
Observe and report progress
Evaluation
Analyze data, compare with benchmarks

ROMA

OUTCOME SCALES

Example of a common Outcome Scale.

COMMON GAS Gauge	
F	No problem! My car gets 35 mpg. I can go for 420 more miles.
¾	Still not a problem? 315 more miles.
½	Need to look for a station but I can make the next town.
¼	Oops. Heart is starting to race.
E	Time to get out my sneakers.

OUTCOME SCALES

(Continued)

A Community Action Outcome Scale

Monitoring and Assessment Task Force (MATF) Scale
Thriving
Safe
Stable
PREVENTION LINE
Vulnerable
In-Crisis

The ***"Prevention Line"*** was added to distinguish between levels of independence or self-sufficiency.

OUTCOME SCALES
(Continued)

How to use the MATF Outcome Scale.

- Each line on the Outcome Scale is a benchmark to be used to measure the client's progress.
  - Each benchmark tracks the client's state or condition in a movement towards self-sufficiency:
    1. If a client scores above the Prevention Line, it is considered a measure towards independence; however,
    2. Scoring below the Prevention Line is an indication of dependence or the need for intervention.

OUTCOME SCALES

(Continued)

Purpose of the "Prevention Line"

- The "Prevention Line" is a trigger for intervention:
  1. It is easier to move towards self-sufficiency if a client is in a stable situation.
  2. Being vulnerable or in-crisis creates another barrier to overcome in serving the client.

OUTCOME SCALES

(Continued)

- The Scale is an effective tool to help visualize a client's progress and assist in targeting service delivery to the client. It can be used to:

1. Help visualize the "big picture";
2. Measure change by comparing scale placement over time;
3. Determine how much progress and the time needed to reach the next level;
4. Capture incremental change, interim success, and progress towards long-term goals;
5. Identify areas where progress has not been made;
6. Recognize any movement in a positive direction; and,
7. Support development of a case management plan where goals for movement towards stability are established.

ROMA

A Sample Housing Scale

The scale to the right shows a typical scale for measuring Housing Need

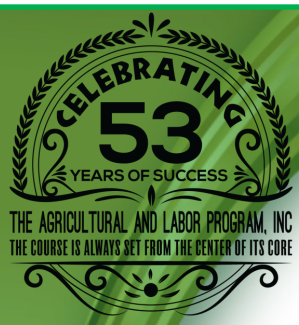
Benchmarks	Housing Scale Outcomes
Thriving **Independent**	Purchased a home/Home ownership (from Long Term Outcome) Obtained permanent housing (from Long Term Outcome)
Safe **Independent**	Secured affordable Unsubsidized rental (from Long Term Outcome)
Stable **Independent**	Secured Public Housing (from Long Term Outcome) Secured Transitional housing (from Intermediate Term Outcome) Remain in home (from Short Term Outcome)
	Prevention Line
Vulnerable **Dependent**	Families at risk of being evicted (from "Need") Secured Emergency shelter (from Short Term Outcome)
In-Crisis **Dependent**	Homeless (from "Need")

ROMA

OUTCOME SCALES
(Continued)

Please remember the following
"pearls of wisdom"

"Any movement upwards, however slight, is deemed a positive movement in Community Action."



BREAK

Shared Governance Orientation: February 27, 2021

All A-Board!

Board Training Video

CAPLAW_BoardTrainingVideo_Purpose (1).mp4

Shared Governance Orientation: February 27, 2021

CELEBRATING 53 YEARS OF SUCCESS
THE AGRICULTURAL AND LABOR PROGRAM, INC
THE COURSE IS ALWAYS SET FROM THE CENTER OF ITS CORE

Poll Question #1

Who is represented today?

Poll Question #2

Zoomed Out Zach

Zach has served on CAA's board for five (5) years. He had a full plate even before COVID-19 hit, serving on the board of two (2) other non-profit organizations and teaching middle school. Since CAA's board started conducting virtual meetings, Zach has become significantly less talkative during the meetings. He often appears distracted on the screen. For two meetings in a row now, he has joined more than 15 minutes late.

Vision and Direction:
Category 5: Board Governance

Tripartite Board Compliance Low-Income Sector Standard

5.2 Private: The organization's governing board has written procedures that document a democratic selection process for low-income board members adequate to assure that they are representative of the low-income community.

CSBG Act – 42 U.S.C. § 9910(a)(2)(B)

• At least 1/3 of the members are chosen in accordance with democratic selection procedures • CSBG IM 82 (non-binding guidance) • Have been selected on the basis of some form of democratic procedure • Are representative of current residents of the geographic area to be served • Defers to State to assure that the letter and intent of the law governing low-income community representatives

Vision and Direction:
Category 5: Board Governance

Fiduciary Duties:

Standard 5.5 Private: The organization's governing board meets in accordance with the frequency and quorum requirements and fills board vacancies as setout in its bylaws.

Standard 5.9 Private: The organization's governing board receives programmatic reports at each regular board meeting.

Vision and Direction:
Category 5: Board Governance

Poll Question # 3

Tripartite Board Compliance Scenario

Maya is the Board Liaison at City CAA, which has been working closely with a local community health center since the start of the pandemic. The term of one of the low-income sector representatives on her board is about to expire, and Maya would like to invite the Executive Director of the health center to serve on City CAA's board to facilitate further cooperation.

Where should she look to see if that is permissible?

Vision and Direction:
Category 5: Board Governance

Poll Question # 4

Bylaws Scenario

CAA's by-laws require that the board meet once each month. The COVID-19 pandemic has hit CAA's board hard. Several members have contracted the virus, while others are caring for immediate family members who have it. Given the impact of the pandemic, may CAA suspend this month's board meeting?

Vision and Direction:
Category 5: Board Governance

Standard 5.3: The organization's by laws have been reviewed by an attorney within the past 5 years

Standard 5.4: The organization documents that each governing board member has received a copy of the bylaws within the past 2 years

Training and Engagement Adapt for a virtual environment

Standard 5.7 : The organization has a process to provide a structured orientation for governing board members within 6 months of being seated.

Standard 5.8: Governing board members have been provided with training on their duties and responsibilities within the past 2 years.

CSBG IM-82

Questions and Responses

The following questions and OCS responses convey important information about the roles and responsibilities of tripartite boards as required by statute and suggestions on how State CSBG authorities, State community action associations, and local agency officials can help assure that boards function effectively.

Question 1 – What does the law require?

Roles and Responsibilities of Tripartite Boards

Sections 676B of the Community Services Block Grant Reauthorization Act of 1998 requires that, as a condition of designation, private nonprofit entities and public organizations administer their CSBG program through tripartite boards that "fully participate in the development, planning, implementation, and evaluation of the program to serve low-income communities."

Board Composition

- Low-Income Individuals and Families

For private nonprofit entities, a minimum of one-third of tripartite board membership must be democratically selected representatives of low-income individuals and families who reside in the geographic area being served by the agency.

For public organizations, such as city, county, or town governments, the law also requires that a minimum of one-third of tripartite board membership be comprised of representatives of low income individuals and families who reside in areas served. The statute allows public organizations to utilize State-specified mechanisms other than tripartite boards that "assure decision-making and participation by low-income individuals in the development, planning, implementation, and evaluation of programs…"

OCS does not recommend including in this community representation category for either public or private agency boards individuals who provide services or supports to low-income residents but who are neither low-income or residents of the agency's service area. Such individuals may qualify for board membership as representatives of another board category -- "major groups or interests in the community."

- Elected Officials or Their Representatives

One-third must be elected officials, holding office at their time of selection, or their representatives. If a sufficient number of elected officials or their representatives are not available to serve, appointive public officials or their representatives may take the place of elected officials.

CSBG IM-82

- Major Groups and Interests in the Community Served

The remaining board members must be chosen from "business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served."

Question 2 – Who appoints members to a tripartite board?

The law states that members of tripartite boards "shall be selected by the entity" in accord with the conditions described above. States must assure that local agencies comply with Federal statute and any applicable State statutes, and that the bylaws of tripartite boards reflect and advance statutory requirements.

Question 3 – Are term limits permissible?

The CSBG statute is silent on term limits. However, many CAAs find term limits helpful to keep boards revitalized and current. Community action agencies may impose such limits through their own bylaws if they wish.

To achieve the purposes intended by statute for each of the three components of agency boards, State and local agencies are encouraged to consider the following term limit considerations:

Representatives of Low-Income Individuals and Families

The statute requires that representatives of low-income individuals and families be "chosen in accordance with democratic selection procedures." The implicit intent of this requirement is to insure that those who *currently* live in areas served by the agency are represented so that they have a strong voice in agency governance and direction and are able to convey to those they represent the presence and significance of community action in their lives. And, because some programs within community action agencies, especially Head Start, also require governance involving families being served, overall agency coordination and communications across programs are further enhanced when a few (one or two) members of Head Start Policy Councils serve on agency tripartite boards. The Head Start regulations require that the Policy Council and the Board cannot have *identical membership*, so this must be observed.

Every effort should be made by eligible entities to assure that board members representing low-income individuals and families:

- Have been selected on the basis of some form of democratic procedure either directly through election, public forum, or, if not possible, through a similar democratic process such as election to a position of responsibility in another significant service or community organization such as a school PTA, a faith-based organization leadership group; or an advisory board/governing council to another low-income service provider;

- Are truly representative of *current* residents of the geographic area to be served, including racial and ethnic composition, as determined by periodic selection or

CSBG IM-82

reselection by the community. Being *current* should be based on the recent or annual demographics changes as documented in the needs/ community assessment. This does not preclude extended service of low-income community representatives on boards, but does suggest that continued board participation of longer term members be revalidated from and kept current through some form of democratic process and the assessment of community changes.

Ultimately, it is the responsibility of the State to assure that agencies uphold both the letter and intent of the law governing appointment of low-income community representatives to tripartite boards. Particular attention should be paid to the two conditions described above.

Elected Public Officials or their Representatives

The overarching purposes for having elected officials serve on tripartite boards are to encourage awareness of poverty needs within the community and action by local governments, and to foster close coordination and partnership between public agencies and the eligible entities. State CSBG lead agencies, State community action associations, and local agency officials should ensure that the nature and number of public officials serving on each agency board supports and promotes these goals. The statute requires that elected public officials must be "holding office on the date of selection" to a tripartite board. The statute does not identify which public officials ought to serve on the tripartite board. The statute allows public officials (elected, or if necessary, appointed) to name someone to represent them on the board. Again, while the statute does not set term limits for this category of board membership, the spirit of the law, that local governments participate in agency oversight and governance, suggests that:

- Elected officials serve on boards in this capacity only while they are in office.

Similarly, individuals designed by elected or appointed officials to represent them on boards serve only while their principals are in office or are re-designated by those in office. Agencies are responsible for making sure that this category of board membership remains current through such procedures as prompt notification of newly elected or currently elected public officials of the opportunity for board service or representation, and timely replacement of board members (or their representatives) who no longer hold public office.

Local agencies that wish to extend the board service of either formerly elected officials or their representatives may chose to appoint them as representatives of "major groups and interests in the community."

Representatives of Major Groups and Interests in the Community

While the statute does not set term limits for these board members, their role is to reflect and involve key interests and resources within the community to guide agency actions and outcomes. For this category, agencies should strive to assure that:

- Groups and interests with *current* influence or resources deemed *critical* to the success of the agency are represented.

CSBG IM-82

4. Decision-making based on sufficient information;
5. Ensuring that proper fiscal systems and controls, as well as a legal compliance system, are in place; and
6. Knowledge of all major actions taken by the agency.

Two aspects of the requirements described by CAPLAW above warrant further discussion -- board oversight of agency programs and board oversight of fiscal controls:

- *Agency Program Implementation* – Boards are encouraged to stay informed of agency programs and activities throughout the year, and to receive periodic reports from agency staff that focus on progress toward achieving milestones and ultimate *results* among clients and communities being served. Timely board awareness of program implementation progress allows for possible reassessment of performance expectations or program realignments should the need arise.

  Board members are also encouraged to help the agency establish and maintain working relationships, or partnerships, with other public and private agencies and programs in the community that can help achieve community action results. For example:

  1. Members that are either elected officials or that represent elected officials may identify public resources and programs that could contribute to client or community outcomes and facilitate communication and coordination between the community action agency and the public program;
  2. Members that represent critical community interests, such as commercial or financial institutions, may help identify possible sources of support for the agency's low-income clients, including employment opportunities, asset formation assistance, or access to other financial services;
  3. All members of the tripartite board may be enlisted in an agency's advocacy efforts to increase or preserve needed services and programs in the community that support greater self-sufficiency among low-income families.

- *Fiscal Controls* – Because tripartite boards of private, non-profit agencies are ultimately responsible for assuring that agency funds are spent and accounted for in accord with all applicable Federal, State, and local statutes and regulations, boards must make sure that fiscal controls and procedures are put in place and maintained by the agency that provide for:

  1. Trained and qualified staff to manage fiscal accounts and records of the agency on a day-to-day basis;
  2. Commonly accepted financial procedures for transactions, recordkeeping, and reporting such as those required by the CSBG Act, Part 74 of the Code of Federal Regulations, and OMB Circular 133;
  3. Frequent reports to the board by agency fiscal staff on overall agency fiscal status, procedures, practices, and transactions;
  4. Required board review and prior approval of all "substantial" agency fiscal transactions or commitments, as defined by statute or agency bylaws; and

5. Audits and audit reports to the board by a CPA firm *independent of board member or agency staff association.*

Evaluation

As indicated, tripartite boards of both public and private agencies are encouraged to focus their attention on *results* in all phases of agency program activity, including program development, planning, implementation, and especially evaluation. Boards should request, and be provided with, information concerning actual changes or improvements that have occurred among clients and community as a result of agency assistance. To determine the relative "success" of the agency, its staff and programs, boards may compare the nature and level of these outcomes with performance expectations, or targets, which were developed during the agency's planning cycle. Outcome or performance-focused information from one year can inform and strengthen program planning by the agency and its board in subsequent years.

Question 5 – What kind of training should board members receive?

Board members need to be trained to carry out both the legal, or fiduciary, aspects of their service and their leadership responsibilities to help guide the agency toward "success."

At a minimum, it is recommended that board training cover the following topics:

- ***Fiduciary Responsibilities***

  1. Orientation to statutory and regulatory requirements (CSBG Act, other Federal, State or local statutes and regulations, including non-profit board requirements;
  2. Agency articles of incorporation, bylaws, etc.
  3. Overview of Board functioning – appointment, representation, meetings, committees, conflict of interest policy, relationship to executive director and staff, etc.
  4. Role and Responsibilities of the Executive Director
  5. Role and Responsibilities of the Board regarding the employment, retention, and compensation of the Executive Director and key agency staff
  6. Overview of agency administration and financial management policies and procedures -- oversight role and responsibilities of the board
  7. Orientation to, and how to oversee, agency mission, long-range and annual plans
  8. Orientation to, and how to oversee, agency programs and services
  9. Orientation to, and how to oversee, agency evaluation and reporting policies and procedures – role of the board in program and personnel performance evaluation.

- ***Agency Leadership – Board Roles and Responsibilities***

  Results Oriented Management

  1. Agency Development –
     - Needs Assessment
     - Agency Mission determination –

CSBG IM-82

2. Agency Planning –
   - Strategic Long-Range Planning –
   - Annual Planning – performance expectations and targets
   - Forming Partnerships with other resources in the community
3. Program Implementation –
   - Tracking of Milestones, interim performance results and reports
   - Making mid-course corrections to improve performance

Results Oriented Accountability

4. Evaluation – (Results Oriented Accountability)
   - Result-Focused Evaluation – clients and community
   - Results-Focused Evaluation – agency and staff
   - Using Information for Planning
   - Using Information for Additional Funding and Advocacy

Note: *In rural areas or where transportation is challenging, teleconference calls and other technological devices have assisted board communication.*

Question 6 – What constitutes "conflicts of loyalty or interest" among board members and how best should they be avoided.

Individuals serve on tripartite boards first and foremost to advance the interests of the agency, its clients, and the community. They do not serve to advance their own interests and have a "duty of loyalty" to the agency. But, the very nature of the tripartite board, which calls for the representation of, and expected outreach to, various sectors of the community, creates possible situations in which distinctions of "loyalty" or "interest" need to be kept very clear and unambiguous.

To safeguard against situations in which the loyalty, interest, or intent, of board member action may be questionable, the following minimum conflict of interest practices are recommended:

- *Have a clear, written policy*

Each agency should have a clear, written policy concerning conflicts of loyalty or interest among board members and agency staff that describes in detail:

1. Full disclosure of financial interest requirements for all board members and staff;
2. Conditions and procedural requirements for board member and/or staff withdrawal from any action for which a real or potential conflict of interest might exist;
3. "Transparency" and full record keeping of all board or agency financial decisions or actions and the parties involved in the decisions or actions;
4. Policies and procedures for selective (i.e. meet a certain threshold of expenditure or financial commitment) "independent" prior review of actions or decisions that may pose potential conflict of interest issues.

CSBG IM-82

- *Avoid situations that advantage board member interests or the appearance of advantage*

As indicated, the very nature of tripartite representation on boards creates potential conflict of loyalty or interest situations in which board members help the agency establish linkages with public and private community resources and services. Often, this outreach may result in financial arrangements or contracts involving expenditure of agency funds. In addition, board members have "inside" knowledge of agency activities and operations, including current and future employment opportunities within the agency. To avoid situations in which a conflict of interest or loyalty would occur, or the appearance of such a conflict, the following is recommended:

1. Competitive bidding procedures should be used for large financial transaction situations in which a board member or agency staff member has an interest in, or relationship to, one or more providers of the needed goods or services. If such a potential is unclear, the agency and its board should refer the issue to a pre-identified "independent" conflict of interest consultant or group for a determination. For smaller transactions that may involve board or staff member interests, a process involving collection of comparable quotes, prices, or salaries may suffice.

2. If, after a competitive process, a provider with ties to a board member(s) or staff is selected to enter into a financial arrangement with the agency, the affected board member(s) and staff must disassociate themselves from participating in any decisions regarding the conduct of the financial relationship. Neither board member(s) nor staff may benefit personally, in any way, from the financial relationship between the agency and the provider with which they have a connection.

3. Board membership should not be used as a "stepping stone" to agency employment. Board members should not seek or receive employment from the agency in any part-time or full time capacity during their service on the board. Board members wishing to be considered for employment ought to resign their position and wait a reasonable period of time before applying for a paid position within the agency. This waiting period is recommended to avoid both the actuality and appearance of undue advantage board membership affords in the hiring of agency management and staff.

4. Board members and their families should not enjoy any financial gain from their position, including receipt of salary, goods or special services for their board participation. Board members may be reimbursed for expenses associated with board service, such as incidental costs of supplies, or mileage, per diem, and lodging expenses incurred while attending out of town conferences or training approved by the entire board.

5. Agencies and boards should err on the side of caution in all matters that might create or appear to be a conflict of interest. They should use the proverbial "smell test" in all

potentially questionable conflict of interest situations and call upon independent, outside counsel, both legal and ethical, to screen plans before action.

It should be noted that board members, especially those that represent low-income individuals or families, are not excluded from being clients of the agency and receiving program services for which they are eligible. These board members should not receive preferential treatment in the nature or timing of such services.

Question 7 – What is the best relationship between a tripartite board and the agency executive director?

The best relationship between a tripartite board and the agency executive director is one that advances the work of the agency in achieving results, or improvements, in the lives of low-income people and the community in which they live.

That said, there are organizational and functional issues that have prompted this question from a number of locations around the country over the past few years. While situations vary from agency to agency, and community to community, the following general principles are offered to promote strong, focused, and effective working relationships between tripartite boards and agency executive directors:

- ***Boards Establish Policy, Executive Directors Execute Policy***

Tripartite boards are responsible for establishing and approving policies that govern all aspects of agency operations, including agency and board bylaws, administrative and fiscal control policies, and personnel policies. Executive directors are responsible to assuring that the board-established policies are carried out by the agency, and for providing information to the board on the execution of its policies as requested by the board. In many agencies, boards work with the executive director and agency staff collaboratively to develop agency policies and procedures, but the ultimate responsibility for promulgating such policies remains with the board.

- ***Boards Set Agency Mission, Executive Directors Accomplish Agency Mission***

Boards are responsible for determining the overall mission, or direction, of the agency taking into account the needs of the community and the relative anti-poverty role played by the agency vis-à-vis other programs and resources in the community. Executive directors are responsible for providing the necessary information and assistance to the board that will help them determine the overall mission or direction of the agency, and for organizing the agency's programs and services in such a way that will best accomplish the mission. Again, in many communities, boards and executive directors (and agency staff) work collaboratively to both set the agency's mission and organize programs and services toward that end.

- ***Boards Set Performance Targets, Executive Directors Guide Work to Achieve Targets***

Ideally, tripartite boards will officially approve annual performance targets, or outcomes they expect the agency to achieve among low-income families and the community. In most cases,

CSBG IM-82

these performance targets will be in the form of recommendations from the agency's executive director developed ideally in concert with the board, agency staff, and key community partners. How the agency organizes and operates services and programs to achieve these board- approved performance targets is the responsibility of the executive director and the staff of the agency. Boards, therefore, should not routinely be involved in the day-to-day manner in which services are provided, but should pay particular attention to following the consequences, or results of agency programs as they unfold and are reported throughout the year.

- ***Boards and Executive Directors Evaluate Agency Performance, Both are Accountable***

Based on reports of results generated by the agency, boards are ultimately responsible for deciding whether or not the agency and the executive director have been "successful" in accomplishing the mission of the agency. Boards are encouraged to focus on client and community results as a major factor in evaluating the work of the agency, its executive director, and staff. Indeed, such results may point to institutional needs, such as staff enhancement and training or program revisions, which may improve performance in subsequent years.

- ***Boards Supervise Directly Only One Employee – the Executive Director***

One of the most important concepts conveyed by agencies that have well-functioning relationships between their tripartite board and executive director is, "Boards supervise directly only one employee – the Executive Director."

This concept embodies the notion that board and agency staff functions are indeed separate, but they are joined through the relationship between the board and the one person they must hold accountable for the work of everyone else -- the executive director. This clearly means the boards must hold the executive director responsible for the activities of the agency. The board should appraise the executive director's performance on an ongoing basis, but at a minimum, the board should have a complete appraisal annually. Adopting this concept of "one employee" enables boards to refrain from bypassing their agency's executive director to provide day-to-day instructions to agency staff (what many call "micromanaging"). But, it must be clear that the concept should not protect an executive director from gaining too much authority over all aspects of agency policy and operations by assuming roles and functions that clearly reside with the tripartite board.

The concept is not intended to diminish or distort the fiduciary responsibility of tripartite boards of private, non-profit agencies to oversee the overall functioning of their agency and the cumulative work of agency staff.

When a tripartite board is faced with the responsibility of recruiting and hiring a new executive director for their agency, members may set whatever criteria they deem appropriate. Boards are encouraged to seek out and employ a leader capable of:

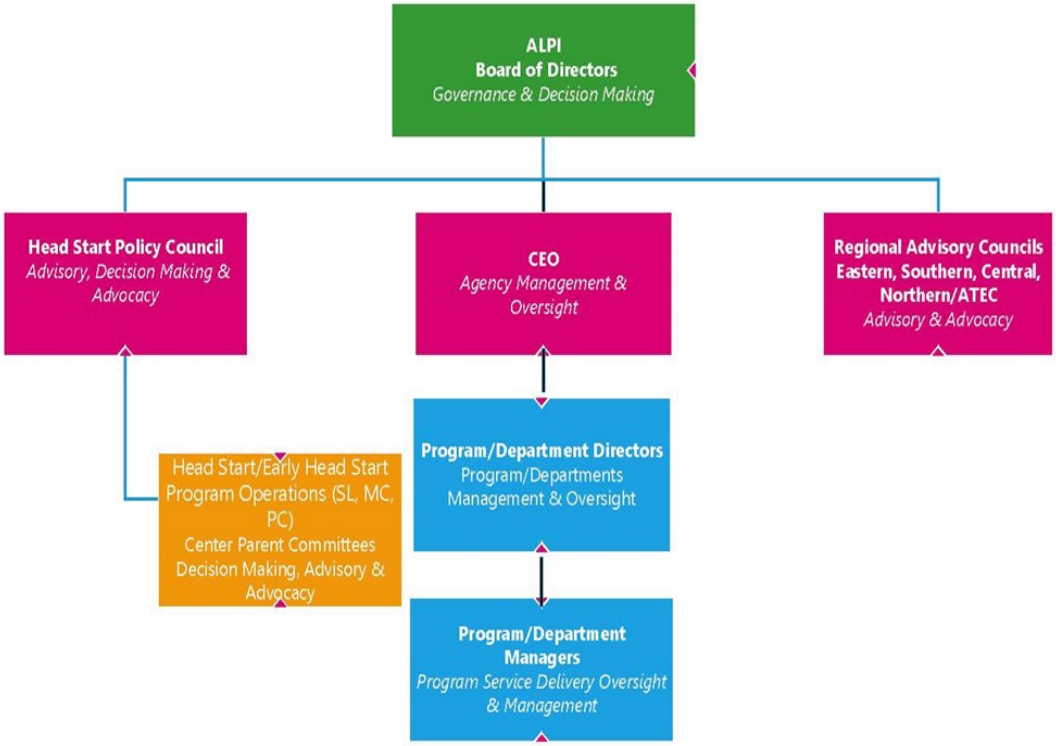
1. Working cooperatively with the board to assure there is on-going consensus concerning the agency's antipoverty purpose, or mission, among board members, agency staff, and the broader community;

BY– LAWS
ARTICLE IV - COMPOSITION OF THE BOARD

Section 8

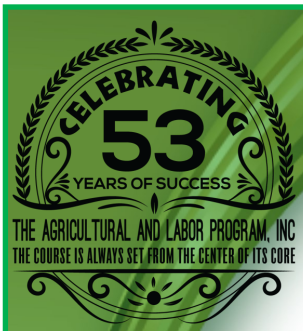
The Board may, at its discretion, declare the office of a member of the Board vacant in the event such member shall be absent from three (3) regular Board Meetings unless such Board Member provides written notification to the Secretary of the Board after the second absence and said absence(s) are excused by the Board. Said notification must be submitted no later than seventy-two (72) hours prior to the scheduled Board meeting. If the member is unable to provide the requisite notice, the Chairman of the Board will have the authority to

Shared Governance Organizational Structure



SHARED GOVERNANCE AND MANAGEMENT ORGANZATIONAL STRUCTURE

February 2021



Roles and Responsibilities At– A– Glance

Regional Advisory Councils

- Shared Governance Orientation
- Election of Advisory Council Members & Officers
- Advisory Council/Board Representation
- Meeting Attendance/Minutes Reports
- Annual Meeting/Reports
- Task and Timelines
- Community Advocacy Activities
  - ⇒ Scholarship Program
  - ⇒ Community Forums
  - ⇒ Donating to ALPI's Mission

CELEBRATING 53 YEARS OF SUCCESS

THE AGRICULTURAL AND LABOR PROGRAM, INC

THE COURSE IS ALWAYS SET FROM THE CENTER OF ITS CORE

Shared Governance Orientation: February 27, 2021

CELEBRATING

53

YEARS OF SUCCESS

THE AGRICULTURAL AND LABOR PROGRAM, INC

THE COURSE IS ALWAYS SET FROM THE CENTER OF ITS CORE