

California Department of Community Services and Development
Proposed Amended Regulations

Title 22. Social Security

Division 11. Department of Community Services and Development

Chapter 1. Community Services Block Grant Regulations

§ 100605. Tripartite Board Composition.

(a) Tripartite Board Composition.

(1) Any community action agency (CAA) which is an eligible entity to receive funding under CSBG shall have a CSBG board that meets the requirements of the tripartite board as described in the Government Code Sections Paragraph 12750(a)(2) and Section 12751.

~~(2) If an eligible CAA is a public CAA which has the additional requirements of a governing board composed of officials of the local political subdivision such as the county board of supervisors or city council, a community action board shall be established to satisfy the tripartite board requirement.~~

~~(3) The community action CSBG board shall have at least 42-nine members and not more than 30 members. The membership of the CSBG board shall be divisible by 3three in order to implement the tripartite requirement as stated in Government Code Section 12751.~~

(b) Public Sector Representation.

(1) For the purpose of Government

Code ~~Subsection~~Section 12751(a), appointive public officials are defined to include employees of agencies and members of boards established under ~~State~~state or local law who have the responsibility and authority to decide and carry out the policy of those agencies or boards.

(2) Public officials who are designated for representation on the ~~community action CSBG~~ board may choose representatives to serve on the CSBG board in their place or in their absence. The representatives need not be ~~Public~~public officials themselves so long as they are entitled to speak and act for the officials whom they represent in connection with the CSBG board's business.

(c) Low-Income Representatives.

(1) "Democratic selection process" for the purposes of this article, shall be defined as a methodology reflecting the choice(s) of the people.

(2) Although low-income representatives of the ~~poor~~ need not themselves be low-income~~poor~~, they must nonetheless be selected in a manner which ensures they truly represent the ~~poor~~ low-income individuals.

(3) Area Representatives of Low-Income Persons. Should a ~~CAA community action program~~ be concerned primarily with compact geographic areas in which poverty is concentrated, such as neighborhoods or “target areas” of the community, the low-income representatives of the ~~low income~~ shall be selected by the residents of those neighborhoods or areas. All residents of any such neighborhood or area may participate in the selection process, but special emphasis and attention must be given to ensuring that ~~those low-income residents who are poor~~ participate fully in the selection process. The number of representatives to be selected from each area of concentration of poverty, in relation to the total number of representatives of the low-income on the CSBG board, should be proportionate to the number of low-income persons in the area, as compared to the number of low-income persons in the community as a whole.

(4) Non-area Representatives of Low-Income Persons. In some communities or parts of communities it may not be feasible for some or all of the low-income representatives of the ~~poor~~ to be selected on a neighborhood or target area basis (for example, in a rural community where ~~poor low-income persons~~ are ~~scattered~~ living throughout the entire area or, in an urban community where there may be a neighborhood in which poverty is concentrated, but where ~~poor low-income persons~~ ~~people~~ reside outside such neighborhoods). In such cases, representatives of the low-income population shall be selected only by the low-income population, whom the ~~community action program~~ CSBG funding is intended to serve and who reside outside of areas where poverty is concentrated. The non-area representatives should themselves live outside of any target areas separately represented under subsection (3) of this section. The number of such “non-area” representatives, in relation to the total number of low-income representatives of the ~~low income~~ on the CSBG board, should also be proportionate to the number of low-income persons living outside geographic areas in which poverty is concentrated, as compared to the number of low-income persons in the community as a whole.

(5) Selecting Representatives of Low-Income Persons. In the selection process, whether for area or non-area low-income representatives of the ~~poor~~, to the maximum extent possible, the low-income groups and individuals to be represented should be involved. Among the selection processes that may be utilized, either alone or in combination, are:

(A) Nominations and elections, either within neighborhoods, or within the community as a whole.

(B) Selection at a meeting or conference to which all neighborhood residents, and especially those who are low-income~~poor~~, are invited.

(C) Selection of representatives to a community-wide CSBG board by members of neighborhood or sub-area boards, who are themselves, selected by neighborhood or area residents.

(D) Selection, on a small area basis (such as a city block), of representatives who in turn select members for a community-wide CSBG board.

(E) Selection of representatives, either directly to a ~~Community Action~~ CSBG Board or for membership on a neighborhood board, by existing organizations whose membership is predominantly composed of low-income persons.

(F) This list is not intended to limit the variety of selection processes which may be used. Any democratic selection process ensuring the maximum feasible participation of low-income persons ~~the poor~~ is potentially acceptable. In all cases attention should be given to the fair representation of significant minority groups within the community.

(6) The designating officials of a CAA shall select candidates for low-income seats; who are declared low-income over persons desiring to represent the low-income community; who are not declared low-income.

(d) Private Sector Representation.

(1) In choosing private sector participation ~~CAA's~~ CAAs shall select groups and interests to ensure that the CSBG board is securing broad community involvement.

(2) Once the groups and interests to be represented have been selected, their respective representatives on the CSBG board shall be chosen by those groups and interests.

(e) CSBG Board Roster Notifications.

(1) All CAAs shall submit an annual CSBG board roster when submitting their annual CSBG contract to CSD.

(2) Annual CSBG board rosters shall include all of the following:

(A) All of the following for each board member:

(I) First and last names;

(II) Titles or positions on the CSBG board as applicable, e.g., president, vice president, secretary;

(III) Sectors, e.g., whether the member is a public, low-income, or private sector member;

(IV) CSBG board member contact information, including at least one address, email, or phone number that is not associated with or owned by the CAA; and

(B) Vacant CSBG board positions, if applicable, which must include the position sector and the date the position became vacant.

(3) CAAs shall submit to CSD, within thirty (30) calendar days of a change to the annual CSBG board roster occurring, a revised annual CSBG board roster to ensure CSD has the current roster.

(f) Timing for Filling CSBG Board Vacancy. CAAs shall make reasonable efforts to fill vacant board positions within ninety calendar days of the date of vacancy and shall never leave a board position vacant for longer than three hundred and sixty-five calendar days.

Note: Authority cited: Subsections ~~Section~~ 12087(l) and 12781(d), Government Code.
Reference: Section 12751, Government Code; and Section 9910 of Title 42 of the United States Code.