



**STANISLAUS COUNTY
CHILDREN AND FAMILIES COMMISSION**

POLICIES AND PROCEDURES MANUAL

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Program Overview

The following is the Stanislaus County Children and Families Commission's vision statement for the local Proposition 10 program:

“All of Stanislaus County’s children will thrive in supportive, safe, nurturing, and loving environments; are healthy, eager, and ready learners; and will become productive well-adjusted members of society.”

To implement this vision, the Commission uses funds generated by a \$.50 per pack tax on cigarettes to contract with local organizations to provide a range of services for young children, families with young children, and providers who work with them. The services provided align with the Commission's four result areas:

- 1. Improved Family Functioning**
- 2. Improved Child Development**
- 3. Improved Health**
- 4. Improved Systems of Care**

This Policy and Procedure Manual is a guide for Contractors and Commission staff as they implement the Commission's vision through the execution of program contracts.

OPERATIONAL POLICIES (SECTIONS 1-199)

Section 1 - Confidentiality

Policy:

All Commission and Contractor staff responsible for client information must protect the privacy of clients, whether in conversations, in handwritten, typed, or printed documents, or electronic data. Contractors that provide direct client services shall develop and maintain procedures that prohibit access to client data by anyone not authorized to use such data. (See also Health and Safety Code Section 130140.1 (e) (1).)

Procedure:

- 1.1** Contractor and Contractor's staff shall adhere to state and federal standards of maintaining the security and privacy of client records. It is the Contractor's responsibility to periodically review any other standards that may apply to its programs. Contractor shall ensure that staff are properly trained and aware of confidentiality procedures and shall ensure that equipment and procedures are adequate to protect the security of records.
- 1.2** Confidentiality policies developed by Contractor shall address the following subject areas:
 - The process used to identify staff members authorized to view, enter, or change personally identifiable client data
 - The definition of what constitutes a legitimate interest to access confidential records
 - The process used to ensure all records are updated when changes are made
 - Confidentiality measures to be taken when confidential information is obtained or conveyed orally, in writing, by fax, phone or email
 - Security measures for filed materials
 - Security measures for electronic materials
- 1.3** Violations of a client's confidentiality information and records may be grounds for contract termination and may expose the violator to civil or criminal penalties.

Section 2 – Commission Committees

Policy:

Standing Committees shall exist to assist the Commission in formulating policies, making policy recommendations, and performing oversight functions delegated by the Commission. Ad hoc Committees shall be established to serve a time-limited issue or program specific function, such as assisting in developing responses to State Commission or Foundation initiatives.

Procedure:

- 2.1** Standing Committees shall be established by formal action of the Commission. The Commission will appoint members, as the Commission deems necessary.
- 2.2** As it deems necessary, the Commission may also establish Ad Hoc Committees. Committee members who are not also members of the Commission shall act in an advisory capacity to the Committee and the Commission.
- 2.3** The standing Committees of the Commission are:
 - Executive
 - Administrative and Finance
 - Operations
- 2.4** Membership of the Executive Committee shall include the Chair, Vice-Chair, and one member of the Commission. Responsibilities of the Executive Committee shall include:
 - Direct liaison with the Chief Executive Officer.
 - Direct oversight of the Executive Director.
 - Working through and with the Commission staff, liaison with the Board of Supervisors regarding the Annual Report, Commission membership, etc.
 - Working through and with the Commission staff, preparing the agenda for the regularly scheduled meetings of the Commission.
 - Working through and with the Commission staff, arranging for scheduling and preparing the agenda for special meetings of the Commission.
 - Provide the leadership, direction and content for the Annual Commission Planning Day.
 - Recommending Commissioner assignments to standing and/or ad hoc committees.
 - Serving as the Nominating Committee to recommend candidates for Commission Officers.

2.5 Membership of the Administrative and Finance Committee shall be determined by the Commission and shall not include more than four Commissioners. Responsibilities of the Administrative and Finance Committee shall include:

- ❑ Review and recommend to the Commission all Commission Policies & Procedures.
- ❑ Review and recommend to the Executive Director all Policies and Procedures for the Commission office.
- ❑ Review and recommend for adoption to the Executive Director and the Commission the County Budget.
- ❑ Review, comment, and recommend the Scope of Work and Budgets for all annual contracts.
- ❑ Participate in and with the Independent Annual Audit.
- ❑ Monitor and recommend short and long-term management and financial projections.
- ❑ Oversee and provide general direction of program evaluation efforts.

2.6 Membership of the Operations Committee shall be determined by the Commission and shall not include more than four Commissioners. Responsibilities of the Operations Committee shall include:

- ❑ Oversee the budgets, contracts, and operations of contractors working in Commission's Strategic Objectives.
- ❑ Liaison, partnership and oversight of and with local and State evaluation teams and efforts.
- ❑ Review, comment and make recommendations regarding the Annual Report to the California First Five Commission.
- ❑ Oversee the review and update of the Strategic Plan.
- ❑ Discuss and recommend Commission partnership, participation and sponsorship of community events, community education, distribution of educational materials, health fairs, public information, teacher trainings, etc.
- ❑ Oversight of the development and maintenance of the Commission logo, website and collateral materials.
- ❑ Liaison with the Stanislaus Children's Council, its members and committees.
- ❑ Liaison with Commission-funded programs, projects, and services.
- ❑ Share information and communicate with health and education groups, i.e., Asthma Coalition, CARES Advisory Committee, Stanislaus Association for the Education of Young Children, Domestic Violence Council, etc.

Section 3 – Commission Meetings

Policy:

All meetings of the Commission, except closed sessions permitted by law, are open and public. All Commission meetings are to conform to the Ralph M. Brown Act, including requirements for meeting notice, preparation and distribution of agendas and other written materials, inspections of public records, closed sessions and emergency meetings, at a location designated by the commission, except for those instances defined in the Ralph M. Brown Act (Section 54954).

Procedure:

- 3.1** Regular Commission meetings are usually scheduled on the fourth Tuesday of each month with the exception of July, November, and December. Meetings are not usually scheduled in July and November and the December meeting is usually held the first Tuesday of the month.
- 3.2** Regular monthly meeting dates and times shall be established by the Commission prior to the start of each calendar year. Scheduled meeting dates may be cancelled and/or rescheduled at the discretion of a majority of the Commission.
- 3.3** Special meetings of the Commission are scheduled at the discretion of the Commission Chair, or Vice Chair, or at the request of at least 4 Commission members. Special meetings of the Commission may be scheduled from time to time to receive information or complete action items related to Commission business. A written notice of a special meeting must be delivered to each Commissioner and to each local newspaper of general circulation, radio, television, or local electronic media requesting notice in writing at least 24 hours in advance of the meeting time specified in the notice. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at the Special Meeting of the Commission. The special meeting notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.
- 3.4** Emergency meetings may be called by the Chair or the Vice-Chair and only under those circumstances defined in the Ralph M. Brown Act necessitating immediate action of the Commission.
- 3.5** The Commission Chair, or in his/her absence the Vice Chair, presides over Commission meetings. In the absence of the Chair or Vice Chair, the majority of Commissioners present at the meeting may choose a meeting Chair.
- 3.6** A quorum of the Commission consists of at least 5 members of the Commission. Each act or decision of the Commission, at a meeting duly held at which a quorum is present, requires the affirmative action of at least 5 members of the Commission.
- 3.7** The development of the monthly meeting agenda is the responsibility of the Executive Committee. Agenda requests from Commissioners may be addressed in writing to the Executive Director or to the Executive Committee. Agenda item requests must be

submitted no later than 7 working days before the scheduled Commission meeting, to allow time for drafting/finalizing agenda items.

- 3.8** Public comment is welcomed at each Commission meeting and may be accepted on posted agenda items, consistent with the Ralph M. Brown Act requirements.

Section 4 – Annual Review of Strategic Plan / Monitoring Compliance with the California Children & Families Commission Act of 1998

Policy:

Annually, the Commission shall conduct a review of the progress made towards implementing its strategic plan and shall consider changes to the plan made necessary by changing conditions. This review shall include monitoring compliance with the California Children & Families Commission Act of 1998.

Procedure:

- 4.1** Proposition 10, which established the funding sources and requirements of the children and families program, was codified in the State of California's Health and Safety Code as Sections 130100 – 130155. Section 130140 requires that the Stanislaus County Children and Families Commission adopt a strategic plan that is consistent with and furthers the purposes of Proposition 10. The section also requires that a periodic and regular review of Commission efforts and activities be made to document the Commission's compliance with the "California Children and Families First Act of 1998". This program compliance review can best be accomplished as a part of the Commission's annual review of its strategic plan.
- 4.2** Annually, a review of the Stanislaus County Commission's strategic plan shall be scheduled by the Executive Committee on the agenda of a regular or special Commission meeting. At the appointed time and place, the Commission will conduct a review of its strategic plan. Part of the review will be an assessment of the Commission's continuing compliance with the "California Children and Families First Act of 1998".
- 4.3** Before adopting changes to the strategic plan, the Commission will hold a public hearing to accept public comments. Following adoption of strategic plan revisions, the revised plan shall be sent to the California State First 5 Commission.

Section 5 – Amending These Policies and Procedures

Policy:

A standard process shall be used to amend these policies and procedures of the Stanislaus County Children and Families Commission.

Procedure:

- 5.1** The Executive Director and Commission staff will develop drafts of new or revised policies and procedures.
- 5.2** The drafts of the new or revised policies and procedures shall be forwarded to the appropriate committee(s).
- 5.3** The appropriate committee(s) will review the drafts submitted and take one or more of the following actions:
 - Approve and forward to the Commission for its consideration.
 - Approve with additions, deletions or corrections, and forward to the Commission for its consideration.
 - Forward to the appropriate Committee.
 - Recommend further review of the draft.

Section 6 – Media Relations

Policy:

Accurate information is crucial. It is the intent of the Commission to accurately respond to media inquires and media reports about its work and the work of Commission partners. The purpose of this policy is to ensure the flow of information is clear and consistent and that a protocol is in place outlining a communications chain of command.

Procedure:

- 6.1** All media inquiries must be directed to the Executive Director or staff designee.
- 6.2** The Executive Director or staff designee may answer a reporter's questions or forward the media inquiry to appropriate Commissioners or community partners.
- 6.3** To assist the Commission in responding to media requests for information, staff may produce talking points (bullets) to help frame key messages, outline main points, and provide background information.
- 6.4** Partners/contractors solicited for comment about their program by the media shall inform the Commission Executive Director by phone or e-mail that a media inquiry has been made.
- 6.5** Acknowledgement of the Commission shall be included in any information distributed to the media for the purpose of publicizing a Prop. 10 funded program. Such acknowledgment shall be included on news releases, advisories, public service announcements, television and radio advertisements, and calendar/event listings.
- 6.6** Media activities such as news conferences, story pitching, and editorial board meetings shall include reference to the Commission's program support. Contractors/partners shall forward the Commission copies of any press coverage for inclusion in the Commission's clipping file.

Section 7 – Use of Commission Logo

Policy:

Contractors and partnering organizations are required to use the Commission's name and logo on all printed materials, promotional information, products, etc., that are funded by the Commission. The purpose of this policy is to stipulate guidelines for the use of the Commission's name and official logo on documents and publications produced by Commission grantees and partnering organizations.

Procedure:

7.1 Commission contractors/partners must adhere to the following:

- ❑ Contractors and partnering organizations shall use the Commission logo on printed materials, promotional information, products, etc. and must receive prior approval from the Commission's Executive Director or designee prior to the final printing or production of the product.
- ❑ Organizations that use the Commission logo are required to submit samples of the final product to the Commission for their information and potential use.
- ❑ The following language, or something very similar, is to be included on all printed materials, promotional information, products, etc., funded by the Commission:
 - ✓ "This program is made possible by a grant from the Stanislaus County Children and Families Commission."
 - ✓ "This new program is made available through a grant from the Stanislaus County Children and Families Commission."
 - ✓ "This program is made available through a partnership with the Stanislaus County Children and Families Commission."

ADMINISTRATIVE POLICIES (SECTIONS 200-399)

Section 200 – Intended Use of Funds

Policy:

It is the intent of the Stanislaus County Children & Families Commission to support local not-for-profit organizations, family-care homes, community-based organizations, faith-based organizations, schools, and government programs by making funds available for services and/or projects for children 0 through 5. The purpose of this policy is to make funds available to children 0 – 5, their parents, and providers that are in the greatest need.

Procedure:

- 200.1** All Commission Requests for Proposals, contracts, and all sub-contracts negotiated by its Contractors will be developed under this policy.
- 200.2** The Executive Director and the Commission's Administrative and Finance Committee are responsible for implementing and executing this policy by developing RFP's and contracts consistent with this policy.

Section 201 – Priority in the Use of Childcare Funds

Policy:

In the area of childcare, licensed providers in licensed facilities shall receive priority in the allocation childcare funds over unlicensed facilities and providers.

Procedure:

- 201.1** In order to increase the capacity of childcare and expand the quality of childcare, it is the intent of the Stanislaus County Children & Families Commission to expend the Commission's childcare funds to support licensed childcare providers, facilities, homes, and centers.
- 201.2** Exceptions to this policy may include, but are not limited to, funds for training, CARES stipends, and other funds that will enhance quality and lead facilities towards licensure.

Section 202 – Unsolicited Funding Proposals

Policy:

Unsolicited funding proposals are proposals from agencies or individuals that were not invited or requested by the Stanislaus County Children and Families Commission. The proposals usually take the form of plans, budgets, or narratives that request funding from the Commission.

Unsolicited funding proposals must target children (0 through 5 years of age) and their families and must be consistent with the Commission's strategies / initiatives, as amended:

- Improved Family Functioning
- Improved Child Development
- Improved Health
- Improved Systems of Care

Procedure:

202.1 Individuals or organizations wishing to submit an unsolicited funding proposal should deliver the proposal to.

Executive Director
Children & Families Commission
930 15th Street
Modesto, CA 95354
Phone: (209) 558-6218

202.2 Committees may evaluate the proposals and may make a recommendation about possible funding.

202.3 Committees may forward their recommendation to the Commission for its consideration.

202.4 Individuals or organizations submitting an unsolicited funding proposal will be notified within 10 business days following any Commission action involving the proposal.

Section 203 – Documentation by Contractors

Policy:

Each Contractor, if applicable, will have a tracking/filing system and other procedures in place for documenting the client's assessment/contacts, including interventions, follow-up, and outreach/waiting lists.

Procedure:

203.1 The Contractor's staff shall document all services provided to participants under the agreement with the Commission.

203.2 Documentation includes:

- Date, time, purpose, and site of contact.
- The name and title of the person making the contact.
- Pertinent details, including the ongoing assessment, intervention, referrals, and outcomes.
- Client responses to interventions.
- Any other pertinent details.
- Commonly used abbreviations, acceptable terminology.
- The complete signature and title of the staff person entering the data on the client.

203.3 The client record, including all copies, should be kept in a secure location at the program site that is inaccessible to unauthorized persons.

203.4 Client records should be kept for a minimum of five (5) years from the date of final payment under the agreement.

203.5 Client records and program documentation shall be available to representatives of the Stanislaus Children and Families Commission.

Section 204 – Conflict of Interest Code

Policy:

The Political Reform Act, Government Code Section 81000 et seq., and California Health and Safety Code Section 130140 (d)(4)(A) require the Commission to adopt a conflict of interest code for its members. When considering matters, Commission members who have a financial interest or a conflict, as defined by law, or appear to have a financial interest or conflict, are to abstain from discussions and votes on the matter.

Procedure:

204.1 The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, Section 18730, containing the terms of the Standard Conflict of Interest Code. The terms of this Code, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the Commission's policies by this reference.

204.2 Under the provisions of the Standard Code, designated employees shall file Statements of Economic Interest on a form commonly known as "Form 700". Listed below are the disclosure categories:

- Category 1 All sources of income, interest in real property and investments and business entities located in or doing business in Stanislaus County.
- Category 2 Investments and business positions in business entities and sources of income which provide services, supplies, materials, machinery or equipment of the type utilized by the Stanislaus County Children and Families Commission.
- Category 3 Consultants shall disclose, as set forth in Category 1, subject to the following limitation. The Executive Director may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such a written determination shall include a description of the Consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

204.3 In recognition that the Commission is administered by a nine-member policy making body with an Executive Director, the following employees and others constitute the designated and disclosure categories described in the State Code.

<u>Designated Positions</u>	<u>Category</u>
Commissioners	1
Executive Director	1
Attorney	2
Consultant(s)	3

204.4 At the time a matter comes before the Commission in which a Commission member has a financial interest or a conflict, or when it appears a Commission member has a

financial interest or conflict, the Commission member is to so inform the Chair of the Commission. Unless otherwise advised by Counsel, the member should abstain from discussions and votes on the matter.

- 204.5** Commissioners will file their statement of economic interest with the Executive Director. Commission staff will file the original statements with the Clerk to the Board of Supervisors. The Executive Director will keep copies of statements on file in Commission offices.

Section 205 – Purchasing and Procurement

Policy:

Recognizing that not all of its provisions are applicable to Commission operations, the County of Stanislaus' purchasing and procurement policies shall be the purchasing and procurement policies for the Stanislaus County Children and Families Commission.

Procedure:

- 205.1** The applicable provisions of the document entitled "Stanislaus County Purchasing Division Policies and Procedures", dated January 2002, are hereby incorporated into these policies by this reference.
- 205.2** At the time the document described above is amended by the Stanislaus County Board of Supervisors, changes applicable to the Commission shall be incorporated into these policies by this reference.

Section 206 – Establishing the Salaries and Benefits of Commission Employees

Policy:

Utilizing the County of Stanislaus' compensation and benefit programs, the Commission shall establish the salaries and benefits of Commission employees.

Procedure:

- 206.1** Annually, the Stanislaus County Children and Families Commission shall submit a budget to the Stanislaus County Chief Executive's Office containing the salaries and benefits of Commission employees.
- 206.2** The County of Stanislaus shall include the positions established by the Commission and the budget approved by the Commission in their Proposed and Final Budget documents.
- 206.3** Positions and salaries for Commission employees shall be included in the County of Stanislaus' Salary and Position Allocation Report. Benefits for Commission employees shall be selected from among the benefit packages offered to County of Stanislaus employees in similar classifications.

Section 207 – Safety Incentive Program for Commission Employees

Policy:

Employees shall work safely in environments where observed hazards are reported and corrected. Utilizing the County of Stanislaus' Safety Incentive Program and in compliance with Government Code Section 25843, the Commission provides a safety incentive program to encourage employees to establish and maintain safe work environments and habits.

Procedure:

207.1 The Safety Incentive Program is an approach to encourage and reward employees performing their jobs in a safe (and therefore productive) manner. The program provides for a system of rewards to acknowledge and promote the safe efforts of employees, with a goal of improving the attitude and morale of the workforce. This policy is also designed to set the stage for long-term reductions in worker compensation costs in the County.

207.2 Each full time employee shall be awarded \$20 in incentive award funds when employed by the Commission for more than half of the quarter and when 3 or more safety points are earned in the quarter. Safety points can be earned in the following manner:

- The employee sustains no injuries in the quarter – 1 Point.
- The employee sustains an injury, files a report, and attends a County sponsored safety class approved by the Executive Director – 1 Point.
- The employee attends a non-mandatory County sponsored safety class approved by the Executive Director – 1 Point.
- The employee files an incident/accident/near miss report along with a suggestion to avoid future similar incidents – 1 Point.
- The employee makes one or more safety improvement suggestions that are reasonable and workable – 1 Point.
- The employee performs a written safety inspection of the office. (Only one report can be submitted per quarter by Commission employees.) – 1 Point.
- The employee participates in safety meetings in the following ways – a maximum of 2 Points:
 - i. Making a presentation at a safety meeting – 1 Point.
 - ii. Organizing and leading the safety meeting and producing minutes – 1 Point.
 - iii. Attending all departmental safety meetings and drills in the quarter – 1 Point.

Part-time employees working 20 hours per week or more shall be eligible for a prorated award.

207.3 At the end of each quarter, incentive funds earned by employees will be redeemed through the purchase of incentive awards. To the extent practical, award items purchased shall be for the employee's personal use, such as apparel, food, specialty beverages (coffees or juices, for example), or entertainment (movies, for example). Awards to be purchased will be determined by the Executive Director after consultation with employees. Award funds not used in a quarter may be combined with incentives from other quarters in a fiscal year. In other words, awards cannot be combined except within a fiscal year.

- 207.4** To assist in the maintenance of a safe work place, the department will annually hold, at a minimum, 4 safety meetings (1 each quarter), two building evacuations, and a building inspection.
- 207.5** The overall objective of the Commission's safety program is to ensure that all employees recognize that safety is everyone's job.

FINANCIAL POLICIES (SECTIONS 400-599)

Section 400 – Credit Cards

Policy:

The Stanislaus County Children and Families Commission has adopted the Stanislaus County Purchasing Card Policy. The Purchasing Card Policy allows for internal control of purchasing cards and accountability of items purchased.

Procedure:

- 400.1** These procedures apply to all Commission members and all Commission staff members. The Executive Director is responsible for implementing and administering this policy.
- 400.2** Purchasing cards shall remain under the control of the Executive Director or his/her designee. Cards will be issued to employees and Commissioners only for the period of time public business purchases can reasonably be expected to be made.
- 400.3** When issued, purchasing cardholders shall sign the card(s) out in a log. At the time of sign-out, the holder must state the date and purpose/use for the purchasing card.
- 400.4** Upon completion of business where the card is required, purchasing cards will be returned to the Executive Director, or his/her designee, and signed back in to the log. When the card is returned, all detailed receipts showing the item charged and the reason for the purchase will be turned in and the employee receiving the card will check the receipts for compliance with the purchasing card policy. In the event a purchasing card was used for an unallowable purpose, the cardholder will reimburse the Commission within one working day.
- 400.5** Monthly, the Executive Director will cause a reconciliation of credit card charges and credit card receipts to be completed to assure accuracy and to assure compliance with County policy. The Executive Director will sign the monthly reconciliation.

Section 401 – Travel Reimbursement

Policy:

Members and employees of the Stanislaus County Children and Families Commission may be allowed expenses incurred for meals, lodging, mileage, public transportation, and other expenses deemed necessary by the Executive Director while performing official Commission business (attending called meetings or authorized trips, for example). All expenses will be reimbursed in accordance with the Stanislaus County Travel Policy or may be approved by the Executive Director or the Commission.

Procedure:

401.1 Persons serving on the Stanislaus County Children and Families Commission and employees of the Commission may receive reimbursement for the following:

Mileage: The Stanislaus County Mileage Chart shall be used to obtain appropriate mileage. When it is not reasonably possible to capture accurate costs for mileage reimbursement using the Chart, claimant's odometer reading may be used, rounded to the nearest mile. The mileage reimbursement rate shall be the rate established by the County Auditor.

Travel: Travel to meetings, conferences, training, seminars and other Commission related business shall be coordinated with the Commission's Confidential Assistant. A travel authorization form must be completed detailing anticipated expenses. The form is to be signed by the Chair of the Commission or the Executive Director. The Executive Director shall sign employees' travel authorization forms.

Meals: The cost of meals will be reimbursed, subject to the limitations of the Stanislaus County Travel Policy.

Hotels Lodging accommodations should be moderate considering location, availability, meeting locations, etc. Single rates will be paid except when more than two Commissioners or employees occupy a hotel room.

401.2 To comply with Federal requirements related to travel reimbursements, Commissioners shall complete and submit IRS Form W-9 (Request for Taxpayer Identification Number and Certification) to the Commission Accountant.

401.3 To request a travel reimbursement, Commissioners shall complete and submit a County of Stanislaus Claim Form (known as the "blue" claim) and shall attach detailed receipts for each expense as required by the County of Stanislaus Travel policy documenting a clear business purpose. Documentation should include, but is not limited to, the following: purpose, attendees, meal type (breakfast, lunch or dinner), agenda, etc.

401.4 Employees requesting a travel reimbursement shall complete the travel portion of their weekly timecard and shall attach the receipts for each expense as required by the County of Stanislaus Travel policy.

401.5 When requested, staff shall assist Commissioners with completing Travel Authorization forms and submitting requests for reimbursement.

Section 402 – Advance Payments to Contractors

Policy:

Advance payments may be made to Contractors in select situations.

Procedure:

- 402.1** Advance payments may be granted to direct Contractors on a case-by-case basis at the discretion of the Executive Director.
- 402.2** Advances shall normally be the equivalent of 1 month anticipated expenditures. Advances shall be calculated by projecting program needs for the next month, less any advanced funds on hand. The purpose of this calculation is to ensure that the advance payments are reasonably determined and are calculated as close as possible to the actual claim amount.
- 402.3** An advance of more than 2 months of the annualized contract value requires the approval of the Commission.
- 402.4** When an advance payment is granted, all interest accumulated as a result of receiving such an advance shall be reinvested in the program or revert back to the Stanislaus County Children and Families Commission
- 402.5** Requests for advance payments may be submitted to the Stanislaus County Children and Families Commission as a claim reimbursement when the Contractor submits a monthly or quarterly regular invoice.
- 402.6** Advance payments shall be reconciled with actual expenditures within 45 days of the end of the Commission's fiscal year.

Section 403 – Submission of Billing Invoices by Contractors

Policy:

Billing invoices must be submitted on a timely basis throughout the year and prior to September 30th of each year.

Procedure:

- 403.1** Contractors scheduled to submit billing invoices to the Commission on a monthly basis shall submit the invoices within 30 days of the end of the month being billed.
- 403.2** Contractors scheduled to submit billing invoices to the Commission on a quarterly basis shall submit the invoices within 30 days of the end of the quarter being billed.
- 403.3** Contractors shall submit all year-end invoices for any costs incurred during the period July 1st through June 30th as soon as possible following the end of the fiscal year. In the event the Contractor is unable to submit an actual invoice prior to July 15th, Contractor shall submit an accurate estimate of year-end expenses the Commission can expect to be invoiced.
- 403.4** All year-end invoices must be received no later than September 30th. Invoices for the prior fiscal year that are received after September 30th will be rejected and will not be paid. Commission approval is needed to pay year-end invoices received after September 30th.
- 403.5** Once Commission staff has accepted an invoice and a determination has been made the invoice is complete, payment to Contractor shall be made within thirty (30) days.

Section 404 – Recovery of Payments to Contractors

Policy:

In certain circumstances, actions may be taken to recover payments to Contractors. Such recovery of payments may be necessary for the Commission to fulfill its fiduciary responsibility and for good stewardship of the public funds entrusted to the Commission.

Procedure:

404.1 The Commission will recover payments previously made to Contractors for reasons that include, but are not limited to, the following:

- The invoice used as the basis for payment was in excess of allowable costs or in excess of the amounts usually charged by the Contractor or any of its subcontractors;
- Services provided were not adequately documented in the records of the Contractor or any of its subcontractors or when the intensity or quality of services provided justifies a lower level of payment;
- The invoice contained false or incorrect supporting documentation;
- The services provided were excessive or inappropriate;
- The services were provided to persons who did not meet the standards for participation in the agreement;
- The services were not covered by the agreement

404.2 The Commission will recover payments when audit exceptions result from the actions of the Contractor or the Contractor's subcontractor.

404.3 Staff may withhold future payments due Contractor to recover funds due Commission under this section.

Section 405 – Appropriation of Funds / Unused Appropriations

Policy:

It shall be the policy of the Commission to approve fiscal year appropriations for contractors. Each annual appropriation shall be the maximum amount of Proposition 10 funds available to a Contractor in a fiscal year. Appropriations for a fiscal year not used or not invoiced by a Contractor shall revert to the Commission. Unless written approval is granted by the Commission or the Commission's Executive Director, unused appropriations from one fiscal year cannot be used by a Contractor in the following fiscal year.

Procedure:

- 405.1** Contractors who wish to utilize unused appropriations from a fiscal year in the following fiscal year must submit a request in writing to the Commission by July 31st. The request shall include:
- ❑ A narrative explaining the need to expend unused appropriations in the following fiscal year.
 - ❑ A budget that combines the Commission approved appropriation for a fiscal year with unused appropriations from the prior fiscal year.
- 405.2** The Commission's Executive Director may approve requests to utilize unused appropriations and execute contract amendments to add the appropriations, so long as:
- ❑ The planned use of the additional appropriations is consistent with the contractual scope of work of either fiscal year.
 - ❑ The amount requested is not more than \$50,000 and is not more than 25% of the higher budget for either fiscal year.
 - ❑ The amount requested does not materially change the scope, size, capacity, or direction of the program.
- 405.3** A decision by the Commission's Executive Director to permit a Contractor to utilize prior year's unused appropriations must be reported to the Commission at its next regular meeting.
- 405.4** A Contractor whose request has been denied by the Executive Director may submit the request to the Commission.
- 405.5** Requests to utilize unused appropriations that total more than \$50,000 or equal more than 25% of the higher budget for either fiscal year may only be approved by the Commission.

Section 406 – Budget Amendments by Contractors

Policy:

It shall be the policy of the Commission to establish, at the time a contract is signed, an estimated expenditure budget for the contract. Expenditures made by contractors are not to exceed 10% of any line item and are not to exceed the subtotal in the Personnel, Services, or Fixed Assets categories without a budget amendment being submitted and approved by the Executive Director or his designee.

Procedure:

- 406.1** Budget amendments initiated by the Contractor are to be submitted in advance of the proposed change by submitting a Budget Revision Form and a Budget Narrative Form. Expenses incurred prior to the approval of a submitted budget amendment request may not be reimbursed. To encourage planning by contractors, budget amendment requests are to be submitted prior to May 1st of each fiscal year (July – June).
- 406.2** Approval of the Executive Director or his designee is required for any budget amendment proposed by a contractor that:
- Increases or decreases a line item by more than 10%
 - Increases or decreases the subtotal of the Personnel, Services, or Fixed Asset categories.
- 406.3** The Commission's Executive Director may approve Contract budget amendments, so long as:
- a. The planned expenditures in the budget amendment are consistent with the contractual scope of work.
 - b. The budget amendment does not materially change the scope, size, capacity, or direction of the program.
 - c. The budget amendment does not increase the total value of the contract. (Note that in certain limited circumstances, as described elsewhere in these policies, the Executive Director may authorize the use of carryover funds and increase the total of a contract.)
- 406.4** A Contractor whose budget amendment request has been denied by the Executive Director may submit the request to the Commission.

Section 407 – Commission Budget

Policy:

Annually, the Commission shall adopt a budget prior to the start of a fiscal year. During the fiscal year, the Commission may amend the adopted budget.

Procedure:

- 407.1** Prior to the start of a fiscal year, the Commission shall adopt an annual budget containing sufficient detail to identify contracts, programs, and staff to be funded during the fiscal year.
- 407.2** At the time the budget is adopted, the Commission shall also adopt a long-range financial plan containing projections, assumptions, revenues, expenditures, and changes to fund balance for at least a four-year period.
- 407.3** During a fiscal year, the Commission may take an action to amend an annual budget if, in the discretion of the Commission, circumstances require that an amendment be made.
- 407.4** If requested by the Auditor-Controller or Executive Officer of Stanislaus County, the annual budget and any amendments shall be submitted to the County in the manner and in the timeframes applied to County departments.

Section 408 – Encumbrances

Policy:

To aid in the management and control of the Commission's budget, encumbrances shall be established for goods and services expected to be purchased in a fiscal year. The amount encumbered shall be periodically reviewed to reflect changing conditions.

Procedure:

408.1 Encumbrances are defined as commitments related to unperformed contracts or unfulfilled commitments for goods and services. Encumbrances represent the estimated amount of expenditures in the current fiscal year if unperformed contracts or unfulfilled commitments are fulfilled. Examples of encumbrances include: contracts for services, supplies, printing, meeting expenses, translation costs, etc.

408.2 Encumbrances for contracts shall be established following the execution of a Commission approved contract.

- ❑ The Executive Director delivers a fully executed contract to the Commission's Accountant.
- ❑ The Accountant verifies that sufficient funds have been allocated in the Commission's approved budget.
- ❑ To establish a purchase order, the Accountant delivers a contract cover sheet and a copy of the contract to the Purchasing Department.
- ❑ Upon establishment of the purchase order by Purchasing, the Auditor's Office will be notified of the approval by Purchasing and the Auditor's Office will establish the encumbrance for the face value of the contract.
- ❑ If amended during the fiscal year, a copy of the revised contract and a revised contract cover sheet are to be sent by the Accountant to the Purchasing Department to amend the purchase order.
- ❑ Once the purchase order is revised, the Auditor's Office will be notified of the approval by Purchasing and the Auditor's Office will establish the encumbrance for the amended face value of the contract.

408.3 Establishing encumbrances for blanket purchase orders (for operating supplies, for example) shall be accomplished in the following manner:

- ❑ The Accountant verifies that sufficient funds have been allocated in the Commission's approved budget.
- ❑ The Commission's Accountant completes a blanket purchase order form for the acquisition of materials (like operating supplies) from known vendors. Once completed, the form is sent to the Purchasing Department.
- ❑ Upon establishment of the blanket purchase order by Purchasing, the Auditor's Office will be notified of the approval by Purchasing and the Auditor's Office will establish the encumbrance for the face value of the purchase order.
- ❑ If amended during the fiscal year to change amounts or vendors, a copy of the revised purchase order form is to be sent by the Accountant to the Purchasing Department to amend the blanket purchase order.

- Once the purchase order is revised, the Auditor's Office will be notified of the approval by Purchasing and the Auditor's Office will establish the encumbrance for the amended face value of the blanket purchase order.

408.4 At least quarterly, an Encumbrance Status Summary and an Expenditure Detail Report will be reconciled by the Accountant to determine the continuing need for the encumbrance. Unneeded encumbrances will be liquidated so as to provide a true and fair reflection of the Commission's financial position.

Section 409 – Invoice Preparation, Review, and Approval

Policy:

Invoices for services are to contain sufficient documentation to verify for what purposes the expenditures were made, that the expenditures were made as a part of an approved scope of work and budget, and that the expenditures are consistent with Commission guidelines and public policy.

Procedure:

409.1 Invoices shall contain the following information:

- Grantee name
- Program name
- Contract name or number
- Invoice period
- Approved budget by categories, current expenditures, previous expenditures, total expenditures and unexpended balance
- When appropriate, a detailed general ledger that reconciles to the invoice
- Year-to-date totals
- Variances
- Explanations for unusual variances
- Amounts applied to variances
- Name and signature of person preparing the invoice and attesting to its accuracy

409.2 Commission staff members responsible for monitoring and accounting shall mark invoices received with the date it was received and review the invoice to determine:

- Sufficient funds have been allocated in the Commission's approved budget
- Appropriate documentation exists to support the costs being claimed
- The expenses were incurred within the contract period
- The invoice has been reconciled to the documentation
- The expenditures are within the scope of work or are otherwise determined to be appropriate
- Invoices (including year-end invoices) are being submitted timely
- Expenses are reported by budget category and are correctly categorized
- Advanced funds have been reconciled within 45 days of the end of the fiscal year to ensure funds are either expended or obligated within the required timeframe or (if funds are not expended or obligated) reimbursed to the Commission.
- Whether previous expenditures reported have been compared to the last invoice submitted

The staff member(s) making these determinations shall sign, initial, or otherwise make a written notation on the "Checklist for Program Invoices" ..

409.3 Once the invoice has been reviewed and approved, staff will prepare the coding strip to allocate the costs of the invoice to the appropriate line item of the budget. The coding strip will be keyed into the County's financial package and the original invoice and supporting documentation will be sent to the Auditor's Office. A copy of the invoice and supporting documentation will be filed in the Commission's offices.

409.4 Once approved by the Auditor's Office, a County warrant will be generated and the Auditor's Office will mail the warrant directly to the agency submitting the invoice.

Section 410 – Allowable Expenditures by Contractors

Policy:

Expenditures made by contractors shall comply with Federal, State, and local laws and policies; adhere to agreed upon contractual terms; and demonstrate good stewardship of public resources.

Procedure:

- 410.1** Expenditures shall be made for only those services, supplies, and materials that benefit the health and well being of children 0 through 5 years of age. It is acknowledged that some services provided to other family members in families with children 0 through 5 will have a benefit to the child (mental health services, health enrollment assistance services, English language lessons, literacy, etc.)
- 410.2** Expenditures made by contractors shall comply with the scope of work and budget attached to the agreement between the Commission and the contracting agency. Budget categories may include, but are not limited to: salaries and benefits, services and supplies, and equipment/fixed assets.
- 410.3** Contractor requests for reimbursement shall be accompanied by appropriate documentation. Commission staff may request additional documentation to determine that an invoiced expenditure is consistent with these policies.
- 410.4** Equipment, materials, supplies, or property purchased for or financed from Commission funds having a useful life of three (3) years or greater or a value in excess of One Thousand Dollars (\$1,000.00) shall be defined as an inventory item. Prior written approval of the Executive Director, or his/her designee, is required for all purchases of inventory items.
- 410.5** All items purchased or financed with Commission funds not fully consumed during the execution of an agreement shall be the property of the Commission at the termination of an agreement unless the Commission, at its sole discretion, makes an alternative disposition.
- 410.6** The Commission and its contractors must be ever vigilant regarding their obligations and responsibilities to be good stewards of the public funds entrusted to them. Providing food and non-alcoholic beverage items at meetings and events is an especially sensitive subject and such items should be provided only in very limited and occasional circumstances. Alcoholic beverages cannot be purchased with public funds under any circumstances. Food or beverage items may be invoiced as an allowable expenditure when:
- ❑ An attendance sheet or list of meeting attendees accompanies the invoice, along with a meeting agenda and meeting minutes, if any
 - ❑ The meeting targets community members, the public, and/or employees of other agencies (education or training session, for example)
 - ❑ The items purchased contain predominately healthy choices: fruits, vegetables, water, juices, unsweetened drinks, etc.

- ❑ The items are utilized as an inducement to increase meeting attendance
- ❑ The items are related to an extended training session (a lunch meal as a part of an all day training session, for example)
- ❑ The items are integral to the service being provided (nutrition education or obesity prevention, for example).
- ❑ Practicality, convenience, and efficiency dictate the need for such items (meetings of extended length or meetings held at sites where access to such items is not readily available, for example).

Food and beverage purchases for regular and recurring program activities may be purchased only if listed in the contract scope of work and budget.

Should the contractor submit food claims that are determined by Commission staff to be excessive or not demonstrating good stewardship of public resources, a written notification may be delivered to the contractor specifying which future food purchases will not be reimbursed to the contracting agency from Commission funds.

410.7 As a general rule, food and non-alcoholic beverage items should not be supplied for the exclusive use of contractor's staff. The Commission will accept such items on contractor invoices only when it can be demonstrated the items are associated with extended training or with a meeting over a meal period that could not reasonably be scheduled for another time. Attendance sheets, agendas, and meeting minutes (if any) shall be included as documentation of the need for such expenditures.

410.8 Contractor travel costs shall comply with the contracting agency's reasonable travel policies, providing the Executive Director has approved such policies. Contracting agencies without an adopted travel policy shall comply with Stanislaus County's Travel Policy. Nothing herein shall exempt the contractor from providing sufficient appropriate documentation to support travel expenditures. Should the contractor's travel policy permit travel reimbursements that are determined by Commission staff to be excessive or not demonstrating good stewardship of public resources, a written notification may be delivered to the contractor specifying which future costs or types of travel costs will not be reimbursed to the contracting agency from Commission funds.

410.9 Under no circumstances should stipends or gift cards be supplied to contractor's staff as an incentive or reward or compensation. To incentivize program participants or volunteers, the Commission prefers that contractors provide materials or supplies that are targeted to children 0 - 5 (books, educational materials, infant/toddler care supplies, learning games, etc.). The use of stipends or gift cards may be used as an incentive for program participants or volunteers only if specified in the contractor's scope of work and budget.

Section 411 – Funds for Capital Improvements

Policy:

State Commission funds cannot be used for the acquisition or purchase of fixed or capital assets. County Commission funds may be utilized, in very limited circumstances, to fund construction or reconstruction projects that provide services or benefits to children ages 0 through 5. All such capital improvement requests received by the Stanislaus County Children and Families Commission shall be reviewed based on the criteria set forth below.

Procedure:

- 411.1** Capital improvement projects are defined as new construction or reconstruction projects.
- 411.2** All capital improvement project proposals shall be considered by one or more Commission Committees prior to being referred to the full commission for consideration.
- 411.3** Capital improvement proposals shall be evaluated according to criteria that includes, but is not limited to the following:
- a. The useful life of the improvement.
 - b. The use of the improvement.
 - c. The Commission's ability to secure its investment.
 - d. The amount requested.
 - e. The length of time the improvement will be specifically dedicated for Proposition 10 purposes.
 - f. The ability of the improvement to be used by non-targeted groups.
 - g. The amount of funds leveraged with Proposition 10 funds.
 - h. The services or programs for children 0-5 years of age enhanced by the improvement.
 - i. The length of time the applicant has been in business.
 - j. The administrative and fiscal capacity and capability of the applicant.
 - k. The reasonableness and appropriateness of the project budget.
 - l. The location and accessibility of the proposed improvement.
- 411.4** Contracts providing funding for any capital improvement project must be approved by the Commission's Counsel.

Section 412 – Reserves

Policy:

As an irreplaceable resource of the Commission, a minimum fund balance reserve is to be maintained for the fiscal health of the Proposition 10 program. While reserves may be used only with the specific approval of the Commission, it is the policy of the Commission not to utilize reserves in amounts that will cause the fund balance to fall below the Commission's established minimum level.

Procedure:

- 412.1** Except when approved by an affirmative action of the Commission, the fund balance for Fund 1755 (the Children and Families Commission Fund) shall be not less than an amount equal to the adopted Commission budget for the previous fiscal year.
- 412.2** Annually, staff will prepare at least a four-year estimate of resources and obligations of the Commission and will develop scenarios to project the fund balance for Fund 1755. The estimate and scenarios are to be provided to the Commission as a part of its budget deliberations.
- 412.3** At any time and at its discretion, the Commission may schedule on its agenda an action to amend its fund balance minimum or establish any fund balance policies or issue any financial instructions that, in its determination, serves the best interests of the Commission and the programs it funds.

Section 413 – Administrative, Program, Evaluation Expenditure Categories and Limitations on Expenditures

Policy:

Expenditures made by the Commission shall be assigned to one of three categories: administrative, program, or evaluation. Actual expenditures in each category shall be reported to the Commission at least quarterly. In any fiscal year, actual Commission administrative expenditures shall not exceed 10 percent of the total amount budgeted in Fund 1755 (Children and Families Commission).

Procedure:

413.1 Administrative costs are defined as:

Costs incurred in support of the general management and administration of the Stanislaus County Commission, for a common or joint purpose that benefits more than one cost objective (other than evaluation activities), and/or those costs not readily assignable to a specifically benefited cost objective.

413.2 Program costs are defined as:

Costs incurred by the commission readily assignable to a program, grantee, contractor, or service provider (other than evaluation activities) and/or in the execution of direct service provision.

413.3 Evaluation costs are defined as:

Costs incurred by the commission in the evaluation of funded programs based upon an accountability framework and data collection and evaluation for required reporting to state and local stakeholders.

413.4 The following chart illustrates one method of allocating administrative, program, and evaluation costs. By utilizing an appropriate allocation basis (square footage, timecards, etc.), costs listed in any one of these categories may be apportioned to any other category (payroll/benefits, rent, or utilities, for example).

COST CATEGORY EXAMPLES

Administrative Costs	Program Costs	Evaluation Costs
General Accounting / Financial Reporting	Direct Services	Evaluation*
Local annual reporting activities	Program Outreach and Education	Evaluation Technical Assistance
Financial Planning	Program Planning	Evaluation Database
Commission/Association Meetings/Travel	Program Grants and Contracts	
Payroll/Benefits	Program/Provider Technical Assistance and Support (Formerly Quality Assurance)	
Human Resources Services	Program Database Management	
Legal Services / Consulting		
Contract Compliance		
Audit		
Strategic Planning		
Rent		
Utilities		
Insurance		
Indirect Costs		
Maintenance / Janitorial		
Procurement		

**Includes conduct of focus groups and case studies, state evaluation report production, and presentation.*

- 413.5** In accordance with Section 130151(b)(7) of the California Health and Safety Code, at least quarterly, expenditures allocated to administrative, program, and evaluation categories shall be reported to the Commission.
- 413.6** At least annually, documentation of the results of the evaluation expenditures, in the form of a report of program outcomes, shall be delivered to the Commission. Measurements to evaluate the outcomes of funded programs shall include the use of applicable, reliable indicators.
- 413.7** In any fiscal year, actual Commission administrative expenditures, unless changed by vote of the Commission, shall not exceed ten percent (10%) of the total amount budgeted in Fund 1755 (Children and Families Commission). At least quarterly, actual administrative expenditures shall be reported to the Commission and compared to the 10% limit.

Section 414 – Annual Audit of Financial Condition

Policy:

Annually, the Commission shall have a financial audit of its accounts and transactions conducted. The results of the audit shall be communicated to the public and to the State of California First 5 Commission.

Procedure:

- 414.1** Following the close of the County’s fiscal year (July – June), the Commission shall have an independent audit conducted to assess the appropriateness and completeness of its revenue and expenditure transactions for the fiscal year just ended. As permitted by law, the audit can be conducted by the County Auditor’s Office or by an accounting firm with knowledge of governmental fund accounting.
- 414.2** Any annual audit conducted shall use audit guidelines issued by the State Controllers Office. (The most recent guidelines are entitled, “Standards and Procedures for Audits of California Counties Participating in the California Children and Families Program”.)
- 414.3** The Commission shall hold a public hearing on the audit report and shall accept the audit report by October 15th of each year.
- 414.4** By November 1st of each year, the Commission is to submit the audit report to the State of California First 5 Commission.
- 414.5** Within two months of receipt of the audit, the Commission shall hold a public hearing on any response to the audit findings. Within two weeks of this public hearing, the Commission shall submit a response to the audit findings to the California State Controller.

MONITORING AND EVALUATION POLICIES
(SECTIONS 600-799)

Section 600 – Monitoring and Evaluation of Contractors

Policy:

All Contractors shall be monitored and evaluated on a regular basis throughout their contract period.

Procedure:

- 600.1** Monitoring means any planned, ongoing, or periodic activity that measures and ensures Contractor compliance with the terms, conditions, and requirements of a contract.
- 600.2** Evaluation is the systematic acquisition and analysis of information to provide useful feedback to a funded program and to support decision making about continuing or altering program operations. It is an on-going process in which questions are selected, framed, and answered in order to assess the value and effectiveness of programs, as well as to further strengthen and build the capacity of programs.
- 600.3** Technical assistance means to support and assist Contractors/partners in the development of those changes, alterations, adjustments and amendments that will increase the likelihood of the Contractor successfully and effectively performing under the terms, conditions, and requirements of their contract.
- 600.4** Activities that will be used to monitor and evaluate Contractor performance may include:
- ❑ **Periodic Contractor reporting:** Quarterly, as required in their contractual scope of work, contractors will submit activity and outcome data in a format prescribed by the State of California and Stanislaus County.
 - ❑ **Review of Contractor’s audit reports:** Examination of an independent audit commissioned by the Contractor.
 - ❑ **Invoice reviews:** Ensures the costs being charged are within contract parameters.
 - ❑ **Onsite reviews and observations:** At least semi-annually, this may include some or all of the following: interviews with Contractor staff, interviews with clients about services received, reviews of key systems and service documentation, reviews of client case records, reviews of personnel records to ensure staff have appropriate credentials, reviews of on-site fiscal records, observations of operations, and reviews of scopes of work and scorecards.
 - ❑ **Contact with Contractor:** Continuous dialogue with the Contractor in the form of letters, meetings, and phone conversations.
 - ❑ **Surveys:** Concerning contract service delivery and quality.
- 600.5** The contractor is responsible for developing and operating a data collection system that provides timely and accurate information on activities, progress towards milestones, and outcomes. When requested, Commission staff will assist the contractor in the development of a data collection and reporting system.

Section 601 – Site Visits

Policy:

Site visits will be performed at least twice per year. Staff will review information regarding program activities, content, effectiveness, and fiscal processes and will document site visits in writing.

Procedure:

601.1 Commission partners will complete a site visit progress report and submit it to Commission staff prior to the visit. Staff will review the program operation documentation provided by the contractor and compare it to the contractual scope of work and the scorecard. Documentation to monitor and evaluate Contractor performance may include:

- Announcements about training sessions, workshops, seminars
- Sign in sheets
- Surveys
- Reports and data
- Summaries of clients served
- Quarterly scorecard reports (SCOARRS)

601.2 Staff will issue a report following each site visit detailing first hand observations and what was discussed with the Contractor. The report, which will include an assessment of Contractor's efforts to comply with the contract's scope of work and scorecard, will be filed in a Program Monitoring binder. The binder will be kept in the Commission's administrative offices. Site visit reports and a log of communications with the Contractor may be included in an electronic database, which will allow all staff to review the progress of the Contractor's activities.

601.3 Following a site visit, staff may develop a corrective action plan with time specific and measurable goals or activities for the Contractor to perform in order to correct operational or contractual deficiencies. Any such plan developed will focus on activities and services provided by the Contractor and changes needed in order for the Contractor to meet planned contractual obligations.

601.4 Following each site visit, staff will send a letter to the Contractor detailing what was observed and discussed. The letter will contain any action plan or corrective plan developed and will contain a list of the subjects or items to be reviewed or discussed during the next site visit.

Section 602 – Corrective Action by Contractors

Policy:

Contractors significantly deviating from planned performance shall be required to develop and implement corrective actions.

Procedure:

602.1 Corrective action means action taken by the Contractor that corrects identified deficiencies or produces recommended improvements. Corrective action is suggested when identified deficiencies are serious (for example, a failure to ensure client health or safety) or where less formal means have failed. Examples of issues requiring corrective action include:

- ❑ Significant audit or monitoring findings
- ❑ Inferior quality of services
- ❑ Failure to perform all or part of the contract
- ❑ Late performance
- ❑ Late submission of reports or invoices on a recurring basis
- ❑ Inadequate, unclear, or excessive billing.
- ❑ Failure to adequately meet contractual obligations.

602.2 When an item or issue is noted that needs correction, Commission staff is to:

- ❑ Notify the Contractor both verbally and in writing that a problem has been identified.
- ❑ Clearly identify the problem verbally and in writing using dates, number of occurrences, or other data that quantifies the problem. For example, “Paragraph 4 of your Contract states that you must submit a report by the 5th of each month. Your reports for May, June, and July were all submitted over 5 weeks after the due date, and we have not yet received your August report.”
- ❑ Ask the Contractor to advise how the problem will be corrected.
- ❑ Notify the Contractor of expectations for correcting the problem. If appropriate, ask the Contractor to propose a corrective action plan, including dates when corrective action will be completed.
- ❑ Document conversations with the Contractor by way of a memo to the contract file.

602.3 While a Contractor is working to correct a problem, Commission staff will offer advice, assistance, and support to encourage a successful resolution of the problem. Commission staff will track all corrective action to completion and will consult with the Contractor when requested.

- 602.4** When the corrective action resolves the issue, Commission staff shall notify the Contractor in writing that resolution has been achieved. A copy of such a letter shall be included in the in the contract file.
- 602.5** If a deadline is missed or corrective action is otherwise not completed, Commission staff will notify the Contractor in writing that a deadline has been missed and ask the Contractor when the action will be completed. The Contractor will be advised that failure to comply with the corrective action plan could lead to termination of the contract. Staff will notify the Commission of the failure of the Contractor to perform in accordance with the agreement and/or any plan of correction. The matter may be scheduled for formal Commission action.

Section 603 – Audits of Contractors

Policy:

Annually, each Contractor shall be responsible for the procurement and completion of an annual fiscal and compliance audit.

Procedure:

- 603.1** The annual audit must be performed in accordance with the following standards, as deemed appropriate: Generally Accepted Auditing Standards (GAAS), Governmental Auditing Standards (GAS) and OMB Circular A133.
- 603.2** The audit of a public agency, when performed pursuant to state law, will meet the requirement of this Policy.
- 603.3** Contractor is responsible for submitting to the Commission an audit report, prepared in accordance with said requirements, within one hundred and eighty (180) days of the end of the commission's fiscal year along with a copy of any management report prepared as a result thereof. Failure to do so may result in delayed payments to contractor.
- 603.4** In the event of an audit exception or exceptions, the Contractor shall be responsible for reimbursing the Commission for audit exceptions resulting from the actions of the Contractor or the Contractor's subcontractors.