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Chapter 1 : Procedures for Termination or Reorganization of Academic Programs

Criteria and Procedures for Determining Assigned Counsel Eligibility Final April 4, Submitted by the New York State Office of Indigent Legal Services in accordance with.

This part contains cost principles and procedures for â€" a The pricing of contracts, subcontracts, and modifications to contracts and subcontracts whenever cost analysis is performed see The measure of normal cost under this method for each cost accounting period is the present value of the units of benefit deemed to be credited to employees for service in that period. This method is also known as the unit credit cost method without salary projection. Actual costs include standard costs properly adjusted for applicable variances. As of such date, the actuarial accrued liability represents the excess of the present value of future benefits and administrative expenses over the present value of future normal costs for all plan participants and beneficiaries. The excess of the actuarial accrued liability over the actuarial value of the assets of a pension plan is the unfunded actuarial liability. The excess of the actuarial value of the assets of a pension plan over the actuarial accrued liability is an actuarial surplus and is treated as a negative unfunded actuarial liability. The actuarial cost method includes the asset valuation method used to determine the actuarial value of the assets of a pension plan. This term includes both direct assignment of cost and the reassignment of a share from an indirect cost pool. This definition shall not include the amount of year end accruals for salaries, wages, or bonuses that are to be paid within a reasonable period of time after the end of a cost accounting period. It typically establishes policy for, and provides guidance to, the segments in their operations. It usually performs management, supervisory, or administrative functions, and may also perform service functions in support of the operations of the various segments. An organization which has intermediate levels, such as groups, may have several home offices which report to a common home office. An intermediate organization may be both a segment and a home office. Within a job, there may be pay categories which are dependent on the degree of supervision required by the employee while performing assigned tasks which are performed by all persons with the same job. The items in the group individually cost less than the minimum amount established by the contractor for capitalization for the classes of assets acquired but in the aggregate they represent a material investment. The group, as a complement, is expected to be held for continued service beyond the current period. Initial outfitting of the unit is completed when the unit is ready and available for normal operations. Additional benefits such as permanent and total disability and death payments, and survivorship payments to beneficiaries of deceased employees, may be an integral part of a pension plan. Any other plan is a nonqualified pension plan. The period may be expressed in units of time or output. The estimated service life of a tangible capital asset or group of assets is a current forecast of its service life and is the period over which depreciation cost is to be assigned. Contractors needing assistance in developing or improving their accounting systems and procedures may request a copy of the Defense Contract Audit Agency Pamphlet No. The pamphlet is available via the Internet at http: This subpart describes the applicability of the cost principles and procedures in succeeding subparts of this part to various types of contracts and subcontracts. It also describes the need for advance agreements. In recognition of differing organizational characteristics, the cost principles and procedures in the succeeding subparts are grouped basically by organizational type; e. The overall objective is to provide that, to the extent practicable, all organizations of similar types doing similar work will follow the same cost principles and procedures. To achieve this uniformity, individual deviations concerning cost principles require advance approval of the agency head or designee. Class deviations for the civilian agencies require advance approval of the Civilian Agency Acquisition Council. The applicable subparts of Part 31 shall be used in the pricing of fixed-price contracts, subcontracts, and modifications to contracts and subcontracts whenever a cost analysis is performed, or b a fixed-price contract clause requires the determination or negotiation of costs. However, application of cost principles to fixed-price contracts and subcontracts shall not be construed as a requirement to negotiate

agreements on individual elements of cost in arriving at agreement on the total price. The final price accepted by the parties reflects agreement only on the total price. Further, notwithstanding the mandatory use of cost principles, the objective will continue to be to negotiate prices that are fair and reasonable, cost and other factors considered. This category includes all contracts and contract modifications for supplies, services, or experimental, developmental, or research work negotiated with organizations other than educational institutions see This category includes all contracts and contract modifications for research and development, training, and other work performed by educational institutions defined as institutions of higher educations in the OMB uniform Guidance at 2 CFR part , subpart A, and 20 U. It also includes architect-engineer contracts related to construction projects. It does not include contracts for vessels, aircraft, or other kinds of personal property. When such costs cannot be so determined, the contracting agency may specify the use of a particular schedule of predetermined rates or any part thereof to determine ownership and operating costs of construction equipment see subdivisions d 2 i B and C of this section. However, costs otherwise unallowable under this part shall not become allowable through the use of any schedule see For example, schedules need to be adjusted for Government contract costing purposes if they are based on replacement cost, include unallowable interest costs, or use improper cost of money rates or computations. Contracting officers should review the computations and factors included within the specified schedule and ensure that unallowable or unacceptably computed factors are not allowed in cost submissions. B Predetermined schedules of construction equipment use rates e. Army Corps of Engineers, industry sponsored construction equipment cost guides, or commercially published schedules of construction equipment use cost provide average ownership and operating rates for construction equipment. The allowance for operating costs may include costs for such items as fuel, filters, oil, and grease; servicing, repairs, and maintenance; and tire wear and repair. Costs of labor, mobilization, demobilization, overhead, and profit are generally not reflected in schedules, and separate consideration may be necessary. In periods of suspension of work pursuant to a contract clause, the allowance for equipment ownership shall not exceed an amount for standby cost as determined by the schedule or contract provision. A Costs, such as maintenance and minor or running repairs incident to operating such rented equipment, that are not included in the rental rate are allowable. B Costs incident to major repair and overhaul of rental equipment are unallowable. C The allowability of charges for construction equipment rented from any division, subsidiary, or organization under common control, will be determined in accordance with Costs, less any applicable credits, incurred in constructing or fabricating structures and facilities of a temporary nature are allowable. They provide the basis for a uniform approach to the problem of determining costs and to promote efficiency and better relationships between State, local, and federally recognized Indian tribal governments, and Federal Government entities. They apply to all programs that involve contracts with State, local, and federally recognized Indian tribal governments, except contracts with -- 1 Publicly financed educational institutions subject to Subpart Thus, the reasonableness, the allocability and the allowability under the specific cost principles at Subparts To avoid possible subsequent disallowance or dispute based on unreasonableness, unallocability or unallowability under the specific cost principles at Subparts However, an advance agreement is not an absolute requirement and the absence of an advance agreement on any cost will not, in itself, affect the reasonableness, allocability or the allowability under the specific cost principles at Subparts The agreements must be in writing, executed by both contracting parties, and incorporated into applicable current and future contracts. An advance agreement shall contain a statement of its applicability and duration. For example, an advance agreement may not provide that, notwithstanding When the negotiation authority is delegated, the ACO shall coordinate the proposed agreement with the contracting officer before executing the advance agreement. These costs are particularly significant in construction, job-site, architect-engineer, facilities, and Government-owned contractor operated GOCO plant contracts see In ascertaining what constitutes a cost, any generally accepted method of determining or estimating costs that is equitable and is consistently applied may be used. Only those CAS or portions of standards specifically made applicable by the cost principles in this subpart are mandatory unless the contract is CAS-covered see Part

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Business units that are not otherwise subject to these standards under a CAS clause are subject to the selected standards only for the purpose of determining allowability of costs on Government contracts. Including the selected standards in the cost principles does not subject the business unit to any other CAS rules and regulations. The applicability of the CAS rules and regulations is determined by the CAS clause, if any, in the contract and the requirements of the standards themselves. The contracting officer may disallow all or part of a claimed cost that is inadequately supported. Reasonableness of specific costs must be examined with particular care in connection with firms or their separate divisions that may not be subject to effective competitive restraints. No presumption of reasonableness shall be attached to the incurrence of costs by a contractor. A cost is allocable if it is assignable or chargeable to one or more cost objectives on the basis of relative benefits received or other equitable relationship. Subject to the foregoing, a cost is allocable to a Government contract if it -- a Is incurred specifically for the contract; b Benefits both the contract and other work, and can be distributed to them in reasonable proportion to the benefits received; or c Is necessary to the overall operation of the business, although a direct relationship to any particular cost objective cannot be shown. The applicable portion of any income, rebate, allowance, or other credit relating to any allowable cost and received by or accruing to the contractor shall be credited to the Government either as a cost reduction or by cash refund. A directly associated cost is any cost that is generated solely as a result of incurring another cost, and that would not have been incurred had the other cost not been incurred. When an unallowable cost is incurred, its directly associated costs are also unallowable. This identification requirement applies also to any costs incurred for the same purpose under like circumstances as the costs specifically identified as unallowable under either this paragraph or paragraph a above. The advance agreement should specify the basic characteristics of the sampling process. The cognizant administrative contracting officer or Federal official shall request input from the cognizant auditor before entering into any such agreements. Since the unallowable costs will attract their allocable share of costs from the cost pool, no further action is required to assure disallowance of the directly associated costs. In all other cases, the directly associated costs, if material in amount, must be purged from the cost pool as unallowable costs. The time spent in proscribed activities should be compared to total time spent on company activities to determine if the costs are material. Specific principles and procedures for evaluating and determining costs in connection with contracts and subcontracts for construction, and architect-engineer contracts related to construction projects, are in The applicability of these principles and procedures is set forth in Direct costs of the contract shall be charged directly to the contract. All costs specifically identified with other final cost objectives of the contractor are direct costs of those cost objectives and are not to be charged to the contract directly or indirectly. For all other contracts, the applicable CAS provisions in paragraphs b through h of this section apply. No final cost objective shall have allocated to it as an indirect cost any cost, if other costs incurred for the same purpose, in like circumstances, have been included as a direct cost of that or any other final cost objective. The contractor shall determine each grouping so as to permit use of an allocation base that is common to all cost objectives to which the grouping is to be allocated. The base selected shall allocate the grouping on the basis of the benefits accruing to intermediate and final cost objectives. When substantially the same results can be achieved through less precise methods, the number and composition of cost groupings should be governed by practical considerations and should not unduly complicate the allocation. All items properly includable in an indirect cost base shall bear a pro rata share of indirect costs irrespective of their acceptance as Government contract costs. The fiscal year will normally be 12 months, but a different period may be appropriate e. These criteria apply to all of the selected items that follow, even if particular guidance is provided for certain items for emphasis or clarity. Failure to include any item of cost does not imply that it is either allowable or unallowable. The determination of allowability shall be based on the principles and standards in this subpart and the treatment of similar or related selected items. When more than one subsection in When a cost, to which more than one subsection in The term public relations includes activities associated with areas such as advertising, customer relations, etc. Advertising media include but are not limited to conventions, exhibits,

free goods, samples, magazines, newspapers, trade papers, direct mail, dealer cards, window displays, outdoor advertising, radio, and television. Government, including trade shows, which contain a significant effort to promote exports from the United States.

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Chapter 2 : FAR -- Part 31 Contract Cost Principles and Procedures

When is a child's eligibility for special education and related services determined? In most states the eligibility of a child for special education and related services is considered when a child has arrived at the Tier 3 level of RTI (Response to Intervention).

This Information Memorandum IM provides background on statutory and regulatory requirements for terminating organizational eligibility or otherwise reducing the share of funding allocated to any CSBG-eligible entity. A step-by-step description is provided outlining necessary actions and considerations for terminating or reducing funds to a CSBG-eligible entity for cause. A sample tool is provided for State documentation of State actions. Although described as a series of discrete steps, some activities described in this IM can be implemented concurrently. States are encouraged to review internal monitoring, corrective action, and hearing procedures to assure compliance with the CSBG Act and applicable regulations cited in this memorandum. In addition, States are strongly encouraged to develop tools and procedures for timely action in circumstances requiring corrective action, reduction, or termination of funding to assure accountability and prevent waste, fraud, or abuse of CSBG funds. It is strongly recommended that the referenced sections of the CSBG Act be read along with this guidance in order to assure an understanding of the specific language of the statute. States are required under the CSBG Act to distribute at least 90 percent of block grant funds to specific eligible entities within the State to support services focused on the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families in rural and urban areas to become fully self-sufficient. Nonprofit eligible entities must administer the CSBG program through a tripartite board, one-third of whom must be elected public officials or their representatives, not-less than one-third of whom must be democratically-selected representatives of low-income families and individuals in the neighborhoods served, and the remainder of whom are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served. Public eligible entities must also have a tripartite board, which must assure that not fewer than one-third of the members are democratically-selected representatives of low-income individuals and families in the neighborhood served, reside in the neighborhood served, and are able to participate actively in the development, planning, implementation, and evaluation of programs funded through the CSBG grants. States may also specify an alternate mechanism to assure decision-making and participation by low-income individuals in the development, planning, implementation, and evaluation of public entity programs funded under the CSBG grant. The list of eligible entities within a State is generally consistent from year-to-year. States may add or remove organizations from the list of eligible entities but must do so consistent with procedures outlined in the CSBG Act. States award funds to eligible entities based on State-defined formulas. However, any changes that adversely affect the proportional share of funding awarded to an eligible entity must be conducted in accordance with the CSBG Act. Proportional Share Requirements for Eligible Entities The CSBG Act requires that as a part of the annual submission of an application and plan for CSBG funding, States must assure that any eligible entity in the State that received funding in the previous fiscal year through a Community Services Block Grant will not have its funding terminated, or reduced below the proportional share of funding the entity received in the previous fiscal year unless, after providing notice and an opportunity for a hearing on the record, the State determines that cause exists for such termination or such reduction. The time lines and procedures for Federal review are discussed later in this IM. Statewide Redistribution of Funds - The first, and most common, cause for changing the proportional share of funding to eligible entities is not related to performance deficiencies of a specific organization. Under Section c 1 A of the CSBG Act, States may implement a Statewide redistribution of funds to respond to the results of the most recently available census data or other appropriate data, the designation of a new eligible entity , or severe economic dislocation. Statewide changes to the distribution formulas require a public hearing. The CSBG Act

requires at least one legislative hearing every three years in conjunction with the development of the State plan and States may utilize this legislative hearing to consider changes to distribution formulas. States may also conduct special administrative hearings in response to specific demographic or economic changes, or the designation of a new eligible entity to address an unserved area. Failure to Comply with State Plan, Standard or Requirement - The second cause for reducing funding or terminating eligibility for CSBG funding is related to deficiencies in the activities of an individual eligible entity. State Monitoring and Review Section B a of the CSBG Act requires that States conduct monitoring visits and a full on-site review of each eligible entity at least once during each three-year period. The CSBG Act also requires that States conduct an on-site review of each newly-designated entity immediately after the completion of the first year in which the entity receives CSBG funds. States are required under the regular CSBG program to conduct follow-up reviews including prompt return visits to eligible entities, and their programs, that fail to meet the goals, standards, and requirements established by the State. The CSBG Act also requires that States conduct other reviews as appropriate, including reviews of entities with programs that have had other Federal, State, or local grants other than assistance provided under CSBG terminated for cause. State CSBG Lead Agencies should include questions in routine monitoring visits and contacts about whether an eligible entity has had grant funds terminated for cause in any Federal, State, or local programs other than CSBG. Allegations of fraud or abuse may also be referred directly to the HHS hotline maintained by the Office of the Inspector General using the following contact information: The State should document the basis for such determination and the specific deficiency or deficiencies that must be corrected. Communication of Deficiencies and Corrective Action Requirements When a State CSBG Lead Agency has determined that an eligible entity has a specific deficiency, the State must communicate the deficiency to the eligible entity and require the eligible entity to correct the deficiency. To establish compliance with the requirements of the CSBG Act, records of correspondence or other communications related to an enforcement action against an eligible entity should be maintained. Technical Assistance to Correct Deficiencies The State must offer training and technical assistance, if appropriate, to help an eligible entity correct identified deficiencies or failures to meet State requirements. Technical assistance may be offered concurrently with the notification of a deficiency or deficiencies and should focus on the specific issues of the eligible entity to the extent possible. The CSBG Act requires that the State prepare and submit to the Secretary a report describing the training and technical assistance offered. Alternately, if the State determines that training and technical assistance are not appropriate, the State must prepare and submit a report to the Secretary stating the reasons that technical assistance is not appropriate. Some examples of situations in which a State may determine that technical assistance is not appropriate may include, but are not limited, to the following: Quality Improvement Plan Section C a 4 of the CSBG Act allows for State discretion in the implementation of a quality improvement plan by an eligible entity to correct an identified deficiency or deficiencies. The Act specifies that States must consider the seriousness of the deficiency and the time reasonably required to correct the deficiency. Examples of instances in which a State may exercise discretion on whether a quality improvement plan is appropriate or necessary may include, but are not limited to the following: A deficiency for which an eligible entity has previously instituted a corrective action plan and has repeated findings; A deficiency that involves evidence of fraudulent reporting or use of funds, or other evidence of criminal wrongdoing and therefore presents a risk requiring immediate action. If a State determines that an eligible entity should be allowed to develop and implement a quality improvement plan, the CSBG Act requires the State to allow the eligible entity to develop and implement their plan within 60 days after being informed of a deficiency. States are encouraged to review quality improvement plans and issue decisions on whether the plans are approved as quickly as possible within the day time frame. The quality improvement plan should identify actions that will be taken to correct the deficiency within a reasonable period of time as determined by the State. States may exercise discretion based on the specific circumstances. If a quality improvement plan is allowed, the State must review and issue a decision on whether to approve the plan not later than 30 days after receiving the plan from an eligible entity.

If the State does not accept the plan, the State must specify the reasons why the proposed plan cannot be approved. Opportunity for a Hearing A key statutory requirement for funding termination or reductions, as outlined in Section C a 5 of the CSBG Act is that States must provide adequate notice and opportunity for a hearing prior to terminating organizational eligibility for CSBG funding or otherwise reducing the proportional share of funding to an entity for cause. Hearing procedures should be consistent with any applicable State policies, rules or statutory requirements. For the purposes of any Federal review, it is suggested that States provide the following information to OCS: A copy of the notice provided in advance of the hearing that includes the date of the notice and the date of the hearing; The name of the presiding hearing official; The name s of official s or individual s responsible for determination of hearing findings or decisions e. State Proceedings to Terminate or Reduce Funding After providing an opportunity for a hearing, if the State finds cause for termination or reduction in funding, the State may initiate proceedings to terminate the designation of or reduce the funding to an eligible entity unless the entity corrects the deficiency. Opportunity for Federal Review A Federal review of the State decision to reduce or terminate funding may be initiated through a request from the affected organization. If a request for a review has been made, the State may not discontinue present or future funding until the Department responds to the request. Requests for Federal review must be received by OCS within 30 days of notification of a State decision. Section C b of the CSBG Act specifies that a review by the Department of Health and Human Services shall be completed no later than 90 days after the Department receives from the State all necessary documentation relating to the determination to terminate the designation or reduce the funding. If the review is not completed within 90 days, the Act specifies that the determination of the State shall become final at the end of the 90th day. Expedited Federal Review and Technical Assistance While the CSBG Act specifies that a Federal review of State documentation for terminating the designation or reducing funding to an eligible entity must be completed within 90 days, an expedited Federal review may be possible in some instances. This is particularly true in circumstances in which the State has consulted closely with OCS before and during proceedings and has provided documentation at each step of the process as described above. In some instances, particularly those involving potential waste, fraud and abuse, an on-site Federal review may be arranged to expedite the review of documentation and assist with CSBG procedures and requirements. A documentation tool outlining information required for Federal review is included as an attachment to this guidance. Address to Request Federal Review Information on how to request a Federal review should be provided to all eligible entities that are subject to a termination or reduction of funding hearing and decision. To ensure that requests are received in time for Federal review, it is strongly recommended that requests be sent via overnight mail with a signed certification of receipt. Requests for review must be sent to the attention of the Division of State Assistance in the Office of Community Services at the following address: This contact information is available on the CSBG program website. Potential for Direct Federal Assistance to an Eligible Entity Section C c of the CSBG Act specifies that whenever a State terminates or reduces the funding of an eligible entity prior to the completion of a required State hearing and other statutorily-required considerations and procedures as outlined in this document, the Department of Health and Human Services is authorized to provide financial assistance directly to the eligible entity until the State violation of the CSBG Act requirements is corrected. State Award of Funds to a New Eligible Entity In the event that the State terminates the designation of an organization as an eligible entity, or otherwise reduces funds, any resulting funding may be awarded only to an organization that is an eligible entity for CSBG funds. Section A of the CSBG Act outlines procedures for designation and re-designation of eligible entities in un-served areas. A private nonprofit organization that is geographically located in the un-served area that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency and meets the requirements of the CSBG Act; or A private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the un-served area and is already providing related services in the un-served area. States must grant the designation to an organization of demonstrated effectiveness in meeting the goals of the CSBG Act, and may

give priority to an eligible entity in a contiguous area that is already providing related services in the un-served area. If no private, nonprofit organization is identified or determined to be qualified as an eligible entity to serve the area, the State may designate an appropriate political subdivision of the State to serve as an eligible entity for the area. Where State laws and procedures permit, States may consider use of cost-reimbursement funding approaches to assure a detailed review of actual expenditures and State approval prior to reimbursement. In some instances, particularly when substantial risks have been identified, States may consider cost reimbursement strategies for some or all funds during a period of corrective action or implementation of a Quality Improvement Plan. While cost reimbursement procedures may be used to assure appropriate expenditure of funds, payment to eligible entities must be made within a reasonable period of time after submission of the reimbursement request and necessary documentation. The Office of Community Services encourages consideration of all applicable State laws and procedures in circumstances in which credible allegations of waste, fraud, or abuse of funds are under formal investigation, but not yet conclusively documented. This may include circumstances in which the office has received whistle-blower complaints, referrals from a State or Federal investigative office, or evidence of misuse of funds in a related Federal or State program. While the procedures for terminating eligibility or reducing funding for cause related to a deficiency are expected to apply to only a small percentage of eligible entities, all State and Federal officials involved with the CSBG program must be familiar with required procedures. It is strongly recommended that State CSBG Lead Agencies work closely with the Office of Community Services at each stage of the process to assure appropriate documentation of the process. The Office of Community Services will work closely with State CSBG Lead Agencies to assure due process for any affected organizations, to assure that procedures are executed efficiently and correctly in instances where warranted to prevent waste, fraud and abuse, and to promote the appropriate and effective use of funds to alleviate the causes and conditions of poverty in communities nationwide.

Chapter 3 : Termination Procedures | Policies

The Agreement State which initially recognizes a board's certification process(es) will be responsible for determining that board's continued eligibility for recognition. Procedures for Terminating Recognition of Specialty Boards.

States use CCDF to provide financial assistance to low-income families to access child care so they can work or attend a job training or educational program. The CCDF program helps fund child care assistance for 1. How many children and families are currently being served by CCDF? This support enables their parents to work and participate in education or training to improve their job prospects. In addition, CCDF funds support state, territory, and tribal initiatives to improve the quality of child care for all children in our nation. How many child care providers serve children receiving CCDF subsidies? A fourth of those providers were child care centers, and 75 percent were home-based providers. How does CCDF support parental choice? Parents in eligible low-income families receive help paying for child care at a provider of their choice. Parents receive consumer education and information on such topics as what to look for in a quality child care provider. How does CCDF benefit families who do not receive subsidies? In addition, states spend a portion of CCDF funds on activities to improve the quality of careâ€”such as training and professional development for caregivers, teachers and directors, and quality rating and improvement systems that provide information to parents and improve quality. These activities reach far beyond the children receiving subsidies to benefit many of the approximately The law made many important statutory changes focused on reforming child care in this country to better support the success of both parents and children in low-income families and increase their access to healthy, safe, high quality child care. Why is HHS publishing new regulations? It has been over 18 years since HHS last issued comprehensive child care regulations. In , Congress reauthorized the Child Care and Development Block Grant CCDBG Act on a bipartisan basis and these new rules were necessary to provide clarity to states on how to implement the law and administer the program in a way that best meets the needs of children, child care providers, and families. Consistent with the changes in the law, this rule sets up new guidelines designed to ensure that children will be in safer, higher-quality care that supports their healthy growth and development; providers receive the support and training they need to meet the needs of children in their care; parents have the information they need to make informed decisions about care; care arrangements are more stable for children; and that parents have access to the provider of their choice. While an NPRM is a draft of the rule to which the public can provide comment, a final rule has passed through all the phases of development and is published in its final form. Changes made to the final rule include: Adding more worker protections to the background check appeals process; Giving states more flexibility to establish eligibility and phase-out policies; Eliminating some restrictions on provider payment practices related to parent copayments; and Removing the requirement for states to use some grants or contracts for child care subsidies. Who is affected by the new law and regulations? When fully implemented, this bipartisan law and new regulations will raise the bar for child care in the country. The reforms made by reauthorization will benefit the more than 1. Low-income parents who receive subsidies to make child care affordable will receive more stable assistance as they work toward economic security. The law will also have an impact on the requirements and professional development opportunities for individual teachers and staff working in child care settings that serve children receiving CCDF-funded child care assistance. Thousands of child care providers serving CCDF children across the country will receive monitoring visits and must meet new health and safety standards. Finally, the law impacts the state, territorial, and tribal agencies that administer the CCDF program, who will be implementing the requirements. The Administration for Children and Families ACF will continue to partner with these agencies and provide technical assistance to assist them. How many children could benefit from the changes in reauthorization? However, many of the nearly This is because many of those children share classrooms and resources with children receiving federal support. In addition, CCDF quality investments may be used by states to benefit all children and can impact all child care programs regardless of whether or

not they receive federal funding. How will the new regulations make child care more healthy, safe, and high quality? Based on the new law, these regulations establish minimum standards, training, and monitoring requirements to ensure that child care for children receiving CCDF financial assistance protects their health and safety. There are also several provisions to improve child care settings for all children across the country. For example, the law requires that all states use the same set of comprehensive background checks for all child care teachers and staff. In addition, states must develop professional development systems to improve the knowledge and skills of the individual teacher and staff working with children in child care. Finally, the law targets funding for investments in improving quality of child care, including a percentage specifically for care of infants and toddlers. How will the new law and regulations support child development and school readiness? The law and regulations require states and territories to have professional development systems to help those working with young children promote their social, emotional, physical, and cognitive development, and to address behavioral challenges. The law requires states to collect and publicly share information on child development, family engagement, developmental screenings for young children, and quality child care with parents, providers, and the public. How will the new law and regulations help working low-income parents achieve financial stability? This improvement makes it easier for parents to maintain employment or finish education programs and not worry about losing their safe and high quality child care. What are the major provisions of the final rule? Enhance the quality of child care and the early childhood workforce-- The Act and rule increase the share of funds directed towards quality improvement activities, including a new set-aside for infant and toddler quality, and require training and professional development for caregivers, teachers, and directors working in child care. Tribes How do the provisions in the final rule apply to Tribes? Congress left discretion to HHS to determine how new provisions would apply to Tribes. The final rule recognizes that Tribes receiving smaller CCDF grants may not have sufficient resources or infrastructure to effectively operate a program that complies with all CCDF requirements. Therefore, in the final rule, statutory provisions apply differently based on whether Tribes have large allocations, medium allocations, and small allocations. Tribes receiving smaller allocations are exempt from specific provisions in order to account for the size of the grant awards. For example, requirements from the CCDBG Act were effective on the date of signature November 19, unless otherwise specified in the law. How will ACF determine compliance with the new requirements? States and territories are expected to be in full compliance by October 1, , which marks the beginning of the next triennial CCDF plan period. ACF will determine compliance with provisions in this final rule through review and approval of the Federal FY â€" CCDF Plans that become effective at that date, and through the use of federal monitoring of progress in accordance with section See further discussion of effective and compliance dates in the background section of this rule. Yes, we would consider a waiver request for a one-year extension of time to come into compliance with the new requirements. What factors are considered by the Secretary in reviewing whether to approve an extension? We would consider whether the state has provided the information required by statute and at 45 C. For provisions in the waiver other than priority for services, the penalty would be assessed in FY Under 45 CFR For the priority for services provision, the state would be notified of the penalty in FY and the penalty would be assessed in FY Yes, the statute allows states to request an extension of up to one year. What factors are considered by the Secretary in reviewing whether to approve a background check extension? States applying for an extension must demonstrate a good faith effort to comply with the background check requirements and present a timeline for compliance within one year, i. States and Territories requesting an extension to the background check effective date must submit a written request to the OCC Director. The implementation plan must include â€" 1 the overall target completion date no later than September 30, ; 2 the current status of met and unmet background check requirements; 3 the specific steps and activities that will be taken to complete the implementation of the background check requirements; 4 the timeline for implementation, including start and end dates for each step or activity; 5 the agencies and partners responsible for completing implementation of the activities; and 6 any other relevant information. Any state that submitted a previous request to OCC for an extension may need to

review and revise their request to ensure the request addresses all areas stated above. The penalty would be assessed in FY Does the 5 percent penalty apply only to the priority for service and criminal background check requirements? If the state does not adequately describe in its Plan how it prioritizes services for one or more of these populations. Specifically, the state must describe how priority for services, as defined by the state, is given to families with very low incomes, children with special needs, and under the CCDF final rule children experiencing homelessness. Other data may also be consulted, including data reported on the ACF, which includes data elements related to homelessness, income, and children with disabilities. Will the 4 percent penalty apply to all other provisions determined to be out of compliance? Yes, the 4 percent penalty applies to all provisions other than priority for services and background checks in instances where the Lead Agency fails to comply with the statute, the regulations, or the approved CCDF Plan. The rule at 45 CFR So there would be a penalty of 4 or 5 percent, but not more than that, even if there are several provisions that are not in compliance? The Secretary could choose to apply more than one penalty if the state is out of compliance with multiple requirements. Penalties may be applied on an ongoing basis for each year that a state is out of compliance. For the period FY , a State should submit Plan amendments to the current preprint if the State makes substantial changes during this time. This essentially provides for continuous eligibility for families throughout the minimum month period as long as they do not exceed the federal income threshold or experience a non-temporary change in work, education or training that affects eligibility. In addition, the Lead Agency may not terminate assistance prior to the end of the minimum month period if a family experiences a temporary job loss or temporary change in participation in a training or education activity. Longer eligibility periods promote continuity of care and extend the time period that eligible children and families have access to child care assistance. Low-income families can experience rapid and multiple employment changes within a short period of time and unemployment and job loss are very disruptive to families. Retention of eligibility during a temporary period of unemployment or extended leave due to illness, for example, can alleviate some of the stress on families and facilitate a smoother transition back into the workforce. In addition, continuity is important for creating the stable conditions children need for their healthy development and preparing for school. Research shows that children have better educational and developmental outcomes when they have continuity in their child care arrangements. Concurrently, research has shown that frequent changes in arrangements are associated with higher levels of stress and negative behavior in young children Dicker, S. This definition is in line with Congressional intent to stabilize assistance for working families. Lead Agencies must consider all changes on this list to be temporary, but should not be limited by this definition and may consider additional changes to be temporary. Are there additional reasons that would allow a Lead Agency to end assistance prior to the end of the eligibility period? The Lead Agency may discontinue assistance prior to the next re-determination in limited circumstances where there have been: Excessive unexplained absences despite multiple attempts by the Lead Agency or designated entity to contact the family and child care provider, including prior notification of possible discontinuation of assistance; A change in residency outside of the state, territory, or tribal service area; or Substantiated fraud or intentional program violations that invalidate prior determinations of eligibility. For excessive unexplained absences, if the Lead Agency chooses this option, it shall define the number of unexplained absences that shall be considered excessive. Note also that Sec. Can a state set a time limit on the length of a temporary break i. Can the state require parents to report when they go on a temporary change in order to make sure it meets the time limit requirement? No, the state cannot set time limits on the length of breaks in seasonal work or holiday student breaks, and therefore could not require reporting to confirm such time limits. Each of the following conditions, including interruptions in seasonal work and student breaks, are considered temporary regardless of the length of time:

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Chapter 4 : Termination analysis - Wikipedia

Procedures for Terminating or Reinstating Assistance To avoid the potential for discrimination, it is important for owners to ensure that the requirements and procedures described below are applied consistently to all tenants.

This letter also instructs the counties that, to a limited extent, they shall attempt to use the ex parte process in other situations, such as Medi-Cal-Only eligibility determinations and annual redeterminations. Additional ACWDLs are forthcoming regarding separate issues to be addressed, such as, disability determinations, forms and instructions for complete implementation of SB 87 requirements. The goal of the Department of Health Services DHS is to continue to remove barriers, improve access to health care, and simplify the application and retention process of health benefits for eligible persons. The Medi-Cal program is designed to provide comprehensive health, dental and vision benefits to eligible Californians. To accomplish this goal, it is imperative that counties encourage and assist families to enroll in the Medi-Cal program and retain eligibility. Unless there is clear evidence e. CalWORKs cases discontinued for reasons such as, but not limited to, failure to provide the monthly income report, non-cooperation with Welfare to Work requirements or reaching the 60 sixty month time limit for receipt of CalWORKs benefits are not considered changes in circumstances that affect Medi-Cal eligibility. Therefore, Section b Medi-Cal program eligibility is not affected, discontinuance is not appropriate and a Medi-Cal-Only eligibility determination ex parte is not required. If no such annual redetermination has been conducted, then the next annual redetermination date will be twelve 12 months from the date cash aid was granted. This does not preclude a review of eligibility when a change in circumstances occurs that may affect Medi-Cal eligibility. In such cases, the Medi-Cal eligibility worker shall follow the procedures for the ex parte process as described below. The case is discontinued November 30, , due to failure to provide the monthly income report. Benefits shall continue under the Section b Medi-Cal program and the annual redetermination date for the Medi-Cal case is August SB 87 mandates a notification for all cases being discontinued from CalWORKs to include specific information about the continuance of Medi-Cal benefits. Pursuant to SB 87 requirements, the county shall make a Medi-Cal-Only eligibility determination without the involvement of the beneficiary by use of the ex parte process when a change in circumstances affecting Medi-Cal eligibility occurs. When it is established that changes in circumstances have occurred that require a referral or updating of information to other agencies i. In addition to the SB 87 requirements, DHS further directs counties to use the resources described above in verifying information provided by the beneficiary during the annual redetermination process to the extent possible. There is no change to the required annual redetermination forms i. There is no change to the required forms or the necessary contact with the applicant for an accurate eligibility determination refer to section titled "Requesting Additional Information". Counties are reminded that property limits must be met sometime during the month of application and will be valid for twelve 12 months or until there is a reported or discovered change in resources that require an eligibility review. Aid Code 38 continues to be a transitional aid code for persons discontinued from CalWORKs requiring an immediate review for continued eligibility of Medi-Cal benefits. CalWORKs discontinuances due to failure to complete the annual redetermination will require a Medi-Cal annual redetermination to be completed. If the individual completes the MC RV and is found eligible to continued Medi-Cal benefits, the next annual redetermination date shall be twelve 12 months from completion of the Medi-Cal-Only redetermination. Additionally, the Medi-Cal eligibility worker shall send the Request for Information form see "Request for Additional Information" section , to the last known address advising the beneficiary to contact the Medi-Cal office to update their current living situation. When the ex-parte process and all attempts to contact the beneficiary have been unsuccessful, the case shall be discontinued with a timely notice mailed to the last known address. Only eligible child leaves the home. Persons placed in Aid Code 38, who have lost CalWORKs cash linkage due to the only eligible child leaving the home, shall be reviewed for ongoing linkage under all other Medi-Cal aid categories. If the Medi-Cal eligibility worker determines that no other

linkage exists for the family member s , they shall be discontinued with a timely notice see "Exhausting All Avenues of Eligibility" section. Change in household composition that has resulted in non-cooperation with the evidence gathering requirements for the Assistance Unit AU. Persons placed in Aid Code 38 doe to a change in household composition resulting in non-cooperation of CalWORKs evidence gathering requirements shall be reviewed for Medi-Cal-Only eligibility. Counties will also receive instructions on how to proceed after the form is returned or when the timeline has elapsed with no response before issuing a termination notice. Counties shall follow existing procedures outlined in ACWDL s , , and procedure Manual Section 5H for continued eligibility for pregnant women and children. The allegation of disability shall be documented in the case file, either by means of the Request for Information form or other written documentation signed by the beneficiary, stating his or her belief that he or she is disabled. If the disability is confirmed by SP-DAPD, counties shall transfer the individual from Aid Code 6J into the appropriate disability aid code and send relevant approval notice. Counties shall also pursue disability-based linkage through SP-DAPD, as described above, whenever a beneficiary who is currently receiving Medi-Cal benefits under another linkage factor declares either orally or in writing that he or she may be disabled. Counties shall ensure that their data systems can accommodate new Aid Code 6J by July 1, DHS realizes this deadline may not be possible, therefore, counties shall flag these cases and continue the beneficiary in Aid Code 38 until Aid Code 6J is available in their data systems. The exact reasons for contacting the individual and all attempts made shall be documented in the case record. Counties may use existing county forms until the Request for Information form is released under a separate ACL. Counties shall not request information or verification that: Identification, Social Security Card, etc. For example, if counties are requesting property verification that does not affect eligibility under a Federal Poverty Level FPL program, the eligible individual shall be placed into this eligibility category since property is not considered until property verification is provided. Once the ex parte review is completed and eligibility for Medi-Cal-Only benefits is established, the annual redetermination date will be twelve 12 months from the date of the CalWORKs application. Counties shall make every effort to determine eligibility for Medi-Cal-Only benefits. The Department is developing a consent form counties may use to obtain the beneficiary consent and it will be distributed with the Request for Information form under a separate ACWDL. Additionally, SB 87 stipulates that counties undertake outreach efforts to beneficiaries in maintaining current contact information and to encourage, assist and facilitate timely submission of the annual redetermination forms and when applicable, the TMC program reporting forms. A county may collaborate with community-based organizations, provided that beneficiary confidentiality is protected. For example, counties are encouraged to use copiers, fax machines or computer software to transmit information between distant office locations. DHS has developed a table for counties to reference discontinued CalWORKs reasons that mayor may not need the ex parte process, Aid Code 38 placement or uninterrupted Section b benefits. Realizing that not all CalWORKs discontinuance reasons can be identified on this table, counties are encouraged to contact the DHS for further guidance when uncertain as to what action is necessary. Should you have any questions regarding these instructions, please contact:

Chapter 5 : Child Care and Development Fund Final Rule Frequently Asked Questions | Office of Child Ca

Section 3/Determining Tenant Eligibility DETERMINING Tax Credit Compliance Manual Tenant Eligibility for LIHTC Income and student status must be considered.

Termination proof[edit] A termination proof is a type of mathematical proof that plays a critical role in formal verification because total correctness of an algorithm depends on termination. A simple, general method for constructing termination proofs involves associating a measure with each step of an algorithm. The measure is taken from the domain of a well-founded relation , such as from the ordinal numbers. If the measure "decreases" according to the relation along every possible step of the algorithm, it must terminate, because there are no infinite descending chains with respect to a well-founded relation. Some types of termination analysis can automatically generate or imply the existence of a termination proof. Example[edit] An example of a programming language construct which may or may not terminate is a loop , as they can be run repeatedly. Loops implemented using a counter variable as typically found in data processing algorithms will usually terminate, demonstrated by the pseudocode example below: Some loops can be shown to always terminate or never terminate through human inspection. For example, the following loop will, in theory, never stop. However, it may halt when executed on a physical machine due to arithmetic overflow: The following example illustrates this problem. There is, however, no general procedure for determining whether an expression involving looping instructions will halt, even when humans are tasked with the inspection. The theoretical reason for this is the undecidability of the Halting Problem: In practice one fails to show termination or non-termination because every algorithm works with a finite set of methods being able to extract relevant information out of a given program. But because each method is only able to "see" some specific reasons for non termination, even through combination of such methods one cannot cover all possible reasons for non termination. Thus the termination of recursive expressions is also undecidable in general. Most recursive expressions found in common usage i. As an example, the function argument in the recursive expression for the factorial function below will always decrease by 1; by the well-ordering property of natural numbers , the argument will eventually reach 1 and the recursion will terminate. These systems use Curry-Howard isomorphism between programs and proofs. Proofs over inductively defined data types were traditionally described using induction principles. However, it was found later that describing a program via a recursively defined function with pattern matching is a more natural way of proving than using induction principles directly. Unfortunately, allowing non-terminating definitions leads to logical inconsistency in type theories[citation needed]. Sized types[edit] One of the approaches to termination checking in dependently typed programming languages are sized types. The main idea is to annotate the types over which we can recurse with size annotations and allow recursive calls only on smaller arguments. Sized types are implemented in Agda as a syntactic extension. Current Research[edit] There are several research teams that work on new methods that can show non termination. Many researchers include these methods into programs [1] that try to analyze the termination behavior automatically so without human interaction. An ongoing aspect of research is to allow the existing methods to be used to analyze termination behavior of programs written in "real world" programming languages. For declarative languages like Haskell , Mercury and Prolog , many results exist [2] [3] [4] mainly because of the strong mathematical background of these languages. The research community also works on new methods to analyze termination behavior of programs written in imperative languages like C and Java. Because of the undecidability of the Halting Problem research in this field cannot reach completeness. One can always think of new methods that find new complicated reasons for termination.

Chapter 6 : Letters Medi-Cal Eligibility Determination Process

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RESOLVED, That the Board of Trustees approves the following procedures, previously approved by the University Senate, to govern the termination and reorganization of academic programs with the proviso that, under Section B, final authority to determine whether an academic program should be.