

9571.0020 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Act.** "Act" means Minnesota Statutes, sections 256E.30 to 256E.32.

Subp. 3. **Applicant.** "Applicant" means a community action agency, an Indian tribal government, or a migrant and seasonal farmworker organization, which applies for a grant under the act from the department to fund a community action program.

Subp. 4. **Cessation.** "Cessation" means a voluntary end to the performance of all community action program services by a community action agency in a service area as provided for in part 9571.0050 and the removal of the agency's designation for the entire area that does not create the right of appeal.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Human Services.

Subp. 6. **Community.** "Community" means the people to be served by the community action agency, Indian tribal government, or migrant and seasonal farmworker organization in its service area.

Subp. 7. **Community action agency.** "Community action agency" means an entity that:

A. has the authority to receive funds under Minnesota Statutes, section 256E.30, to support community action programs as described in Minnesota Statutes, section 256E.32;

B. has previously been determined eligible under federal law and regulations or is eligible under federal law and regulations; and

C. has previously been designated and recognized or is designated as provided under part 9571.0030 and recognized as provided under part 9571.0040.

Subp. 8. **Community action program.** "Community action program" means activities consistent with Minnesota Statutes, section 256E.32.

Subp. 9. **Community services block grant.** "Community services block grant" means federal funds authorized by United States Code, title 42, chapter 106, sections 9901-9926, and disbursed to grantees by the formula in the act.

Subp. 10. **Denial.** "Denial" means the department's rejection of a proposed application for grant funds due to the applicant's failure to meet the requirements of part 9571.0150, subpart 5.

Subp. 11. **Department.** "Department" means the Minnesota Department of Human Services.

Subp. 12. **Designation.** "Designation" means selection of an entity as a service area's exclusive community action agency by a governing body after a public hearing has been held.

Subp. 13. **Designee.** "Designee" means an entity nominated by a governing body to become a community action agency.

Subp. 14. **Governing body.** "Governing body" means the elected governmental authority of a political subdivision, as defined in subpart 19, which has the power to designate a community action agency.

Subp. 15. **Grant.** "Grant" means an allocation of Minnesota community action grant or community services block grant funds or both to an applicant in support of a community action program described in the application, approved by the department, and embodied in a grant contract.

Subp. 15a. **Grant contract.** "Grant contract" means a written instrument that defines the legal relationship between the department and a grantee when the principal purpose of the relationship is to transfer Minnesota community action grant funds or community services block grant funds or both to the grantee to support a community action program. The grant contract must contain the following contract clauses:

- A. how often the grantee must submit client and fiscal performance reports and financial status reports;
- B. audit requirements as specified by state and federal law;
- C. that any alteration to the grant contract and its attachments must be made in writing and executed by the same parties who executed the original grant contract, or their successors in office; and
- D. how long records must be kept by the grantee according to state and federal law.

Subp. 16. **Grantee.** "Grantee" means a community action agency, an Indian tribal government, or a migrant and seasonal farmworker organization, whose application to receive Minnesota community action grant money or community service block grant money, or both, has been approved by the department.

Subp. 17. **Local unit of government.** "Local unit of government" means counties, Indian tribal governments, cities, and townships.

Subp. 18. **Minnesota community action grant.** "Minnesota community action grant" means state appropriated funds disbursed to grantees by the formula in the act.

Subp. 19. **Political subdivision.** "Political subdivision" means a local unit of government that has jurisdiction over the entire area served by a community action agency.

Under no circumstances will the governmental unit be smaller than a county unless the service area of the community action agency coincides with the jurisdictional boundaries of the local unit of government.

Subp. 20. **Recognition.** "Recognition" means a process of:

A. review by the department to assure compliance with applicable state and federal law and the designation procedures in part 9571.0040, subpart 1;

B. referral to the governor of the department's request for recognition in part 9571.0040, subpart 3; and

C. approval by the governor of the request for recognition.

Subp. 21. **Service area.** "Service area" means the geographic boundaries in which a community action agency is designated to operate.

Subp. 22. **Subgrantee.** "Subgrantee" means any entity that a grantee contracts to perform some or all of the community action program services authorized under a grant.

Subp. 23. **Termination.** "Termination" means the involuntary and permanent elimination of or reduction in available grant money to a grantee that gives rise to a grantee's right of appeal under part 9571.0060, subpart 5, and which may also coincide with the removal of a community action agency's designation or recognition.

Subp. 24. **Withholding.** "Withholding" means the department's reservation of funds available under a grant as provided in part 9571.0090 until corrective action by a grantee has successfully remedied a defect identified by the department.

Statutory Authority: *MS s 256.01; 268.0122; 268.021*

History: *16 SR 2319; L 1994 c 483 s 1; L 1998 c 397 art 11 s 3; L 2005 c 98 art 1 s 24; L 2005 c 112 art 2 s 41; 33 SR 1300*

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