

**RULES
OF
TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES
SOCIAL SERVICES DIVISION**

**CHAPTER 0250-7-6
COMMUNITY SERVICES AGENCY RULES AND REGULATIONS**

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0250-07-06-.01 GENERAL PROVISIONS.

- (1) The Community Services Agency Act of 1996, as amended by Public Chapters No. 249 and No. 354, Acts of 2005 and Public Chapter 1011 of 2006, established a mechanism to facilitate the provision of services for citizens in need of services in Tennessee through centralized agencies located throughout the state. The Community Services Agency (CSA) may contract with any other agencies to provide assistance wherever needed.
- (2) This Act authorizes the Commissioner of the Department of Finance and Administration to establish metropolitan and multi-county regional CSAs. The Act also authorizes the Commissioner to promulgate rules and regulations, including those governing the approval of contracts for services, the conditions under which the CSAs must terminate contracts, and the items required in the CSA Plans of Operation. Additional responsibilities include:
 - (a) reviewing and approving, with the concurrence of the Comptroller of the Treasury, Plans of Operation submitted by the CSAs;
 - (b) entering into contracts, subject to applicable rules, regulations and procedures, to carry out the provisions of the Act;
 - (c) appointing an Executive Director for each CSA, subject to approval by the Board;
 - (d) requiring each CSA to submit annual reports of their activities on each preceding fiscal year;
 - (e) performing other acts necessary or convenient to exercise the powers granted or reasonably implied by this part.
- (3) The mission of each CSA is to provide, to the maximum extent possible, coordination of funds or programs designated for care of the citizens in the state. The CSA may provide direct services with the approval of the Commissioner if it is determined that doing so would be the most effective way to provide services.
 - (a) Each CSA must submit a Plan of Operation for each fiscal year as specified in the Act and in accordance with items listed in these Rules and Regulations.
 - (b) As political subdivisions and instrumentalities of the state acting in all respects for the benefit of the people of the state in the performance of essential public functions, and whose employees are deemed "state employees" for purposes of T.C.A. §9-8-307, CSA employees are required to comply with established Finance and Administration policies, procedures, standards and legal advice in providing services to citizens pursuant to contracts with the State.

(Rule 0250-7-6-.01, continued)

Authority: T.C.A. §§4-5-202 and 37-5-307. **Administrative History:** Rule 1200-20-10 transferred to 0250-7-6 under the authority of T.C.A. §37-5-112. Transferred March 19, 2001. Repeal and new rule filed May 29, 2002; effective August 12, 2002. Amendment filed April 18, 2007; effective August 28, 2007.

0250-07-06-.02 DEFINITIONS. The following definitions shall apply to terms as they appear in these rules, unless the context clearly requires otherwise.

- (1) Administrative staff - Employees of the CSA who perform work of managerial, clerical or secretarial nature and whose duties and tasks support all agency programs.
- (2) Board - The CSA appointed Board of Directors.
- (3) Commissioner - The Commissioner of the Department of Finance and Administration or his or her designee.
- (4) Commissioners - The Commissioner of Finance and Administration and the Comptroller of the Treasury.
- (5) Department - The Tennessee Department of Finance and Administration.
- (6) Executive Director - The chief executive officer of a CSA.
- (7) Line Item - A specific item of expenditure included in the operational budget of a CSA, such as personnel services, travel, etc.
- (8) Program Staff - Persons employed for the purpose of carrying out various duties related to a specific program defined in the Plan of Operation.
- (9) Program - An Activity or service identified in the Plan of Operation and having its own funding source.
- (10) Public Agency - Any political subdivision of this State; agency of the state government or the United States; and/or agency or political subdivision of another state.
- (11) State - The geographical State of Tennessee ("state") or the government of Tennessee ("State").

Authority: T.C.A. §§4-4-5-202 and 37-5-307. **Administrative History:** Rule 1200-20-10 transferred to 0250-7-6 under the authority of T.C.A. §37-5-112. Transferred March 19, 2001. Repeal and new rule filed May 29, 2002; effective August 12, 2002. Amendment filed April 18, 2007; effective August 28, 2007.

0250-07-06-.03 PLANS OF OPERATION. The Plan of Operation, as approved by the Community Services Agency Board and evidenced by the signature of the Chairman of the Board, shall be submitted to the Commissioner for approval by the Commissioners at least 90 days prior to July 1 (the start of the State fiscal year). If the proposed Plan of Operation is not approved by the beginning of the new fiscal year, the previous year's Plan of Operation may be extended by the Commissioner for a period not to exceed three months. If a Plan of Operation is not submitted prior to July 1, the Commissioner, in consultation with the Comptroller of the Treasury, shall employ appropriate action, (which may include the withholding of state funds and approval of the Plan of Operation). Without an approved Plan of Operation, the Community Services Agency cannot obligate or expend any dollars from any source.

The Plan of Operation shall contain the following sections:

- (1) Administration - The administration section shall include, but not be limited to, the following:
 - (a) Number of staff;

(Rule 0250-7-6-.03, continued)

- (b) Scope of administrative services;
 - (c) Total administrative budget;
 - (d) Source(s) and amounts of administrative funding;
 - (e) Administrative staff location.
- (2) Services - The services section shall include, but not be limited to the following:
- (a) Services Funded by State Government.
 - 1. Name of program or service.
 - (i) Scope of activity and services provided;
 - (ii) Number of staff;
 - (iii) Total program budget;
 - (iv) Source(s) of funding;
 - (v) Location(s) of activity to be performed;
 - (vi) List of fees to be charged;
 - (vii) Methodology for determining fee;
 - (viii) Listing of each related contract stating name and total dollar amount.
 - (b) Other Services Not Funded by State Government.
 - 1. Name of program or service.
 - (i) Scope of activity and services provided;
 - (ii) Number of staff;
 - (iii) Total program budget;
 - (iv) Source(s) of funding;
 - (v) Location(s) of activity to be performed;
 - (vi) List of fees to be charged;
 - (vii) Methodology for determining fee;
 - (viii) Listing of each related contract stating name and total dollar amount.
 - (3) Financial - The financial section describes the financial status and operation of the CSA.
 - (a) Operating budget (by program and total budget).
 - (b) Capital budget (for real property, automobiles, and other capitalized equipment).

(Rule 0250-7-6-.03, continued)

1. Categorize by Real Property, Automobiles, or Other Capitalized Equipment*and complete the information, by category, as follows:
 - (i) Location and description of property, automobile, or equipment and purpose for which item(s) is to be used.
 - (ii) Funding program.
 - (iii) Cost.
 - (iv) Method of acquisition (purchase or lease).

*Total annual purchases of capitalized equipment of less than \$30,000 per category need not be listed in the Plan of Operation.

- (c) Other: Insert any certification or other language required by federal agencies or the State of Tennessee.

Authority: T.C.A. §§4-5-202, 4-5-203, 37-5-307, and 37-5-310. **Administrative History:** Rule 1200-20-10 transferred to 0250-7-6 under the authority of T.C.A. §37-5-112. Transferred March 19, 2001. Repeal and new rule filed May 29, 2002; effective August 12, 2002. Amendment filed April 18, 2007; effective August 28, 2007.

0250-07-06-.04 WAIVERS TO PLAN OF OPERATION.

- (1) The Commissioners may waive any of the requirements of the Plan of Operation where such waiver would be of advantage to the public welfare and would not otherwise have a detrimental effect on the health, safety and welfare of the public.

Authority: T.C.A. §§4-5-202 and 37-5-307. **Administrative History:** Rule 1200-20-10 transferred to 0250-7-6 under the authority of T.C.A. §37-5-112. Transferred March 19, 2001. Repeal and new rule filed May 29, 2002; effective August 12, 2002. Amendment filed April 18, 2007; effective August 28, 2007.

0250-07-06-.05 ADMINISTRATIVE AND FINANCIAL.

- (1) Policies and Procedures
 - (a) The CSA shall adopt policies and procedures governing internal operations. These internal policies and procedures shall require all books and records be maintained in accordance with generally accepted accounting principles, and be no less than those recommended in the Accounting Manual for Recipients of Grant Funds in Tennessee, published by the Comptroller of the Treasury. These internal policies and procedures shall be approved by the Board and Commissioner.
 - (b) The CSA shall adopt internal policies and procedures governing personnel matters which shall be approved by the Board and the Commissioner.
 - (c) The CSA shall adopt internal policies and procedures governing the conduct of the CSA Board's business which shall be approved by the Board and the Commissioner.
- (2) Purchasing and disposition procedures. The purchase of programmatic or general operational goods, materials, supplies, and the purchase of utility services, janitorial services, postal services, repair services, or other general services shall comply with applicable state or federal guidelines. The Board of the Community Services Agency shall develop purchasing and disposition procedures as a component of CSA policy. The Executive Director may negotiate and execute all agreements, contracts or similar transactions related to such purchases in accord with the Board's approved policies

(Rule 0250-7-6-.05, continued)

and the approved Plan of Operation. Contracts related to this category of purchases are not required to be identified or listed in the Agency's Plan of Operation.

- (3) Contracting for programmatic services procedures. This specifically and exclusively includes personal, professional and consultant services purchased on behalf of the CSA's clients. The Community Services Agency Board shall adopt specific policies and procedures for the purchase of programmatic services and shall submit such policies to the Commissioner for approval. These policies shall include a mechanism ensuring competitive procurement whenever possible, even where no formal contract is required, and may be amended from time to time with approval of the Commissioner. These policies shall incorporate, at a minimum, the following criteria:
 - (a) Purchases of services where the individual purchase is less than \$5,000 and where the anticipated aggregate annual purchase of like services from the same vendor is less than \$25,000 do not require written contracts and are not required to be listed in the Plan of Operation.
 - (b) Purchases of services where the individual purchase is greater than \$5,000 or where the anticipated aggregate annual purchase of like services from the same vendor is greater than \$25,000 require a purchase of service agreement and must be listed in the Plan of Operation.
 - (c) Purchase of services where the anticipated annual purchase of the same type of service from a single vendor is greater than \$50,000 shall require a Request for Proposal (RFP) or a public announcement of funds.
- (4) Contracts for the acquisition and improvement of real property. These shall be pursuant to the provision of Tennessee Code Annotated Sections 37-5-306(2) and (3) and 4-15-102 and require approval from the Commissioner and the State Building Commission.
- (5) Contracts approval. All contracts must be approved by the Board and evidenced by the minutes of the Board's meeting where such approval was granted. The Executive Director may sign all documents related to contracts that have the CSA Board's prior approval and that are included in the approved Plan of Operation.
- (6) Contract language. The Community Services Agency shall use model contract language in a format approved by the Commissioner.
- (7) Reimbursement for travel expenses. Reimbursement for travel expenses by Board members and employees of a Community Services Agency shall be made in accordance with rates established by the Commissioner of the Department of Finance and Administration.
- (8) Annual Report. The Board of Directors shall submit, to the Commissioner and the Governor an annual report on each fiscal year's service activities and financial transactions within one hundred twenty (120) days of the ending date of such fiscal year.

Authority: T.C.A. §§4-5-202 and 37-5-307. **Administrative History:** Rule 1200-20-10 transferred to 0250-7-6 under the authority of T.C.A. §37-5-112. Transferred March 19, 2001. Repeal and new rule filed May 29, 2002; effective August 12, 2002. Amendment filed April 18, 2007; effective August 28, 2007.

0250-07-06-.06 REPEALED.

Authority: T.C.A. §§37-5-112 and 37-5-307. **Administrative History:** Rule 1200-20-10 transferred to 0250-7-6 under the authority of T.C.A. §37-5-112. Transferred March 19, 2001. Repeal filed May 29, 2002; effective August 12, 2002.