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DETAILED MODEL PLAN (LIHEAP)

Program Name: Low Income Home Energy Assistance
Grantee Name: SOUTH CAROLINA OFC. STATE TRSRR
Report Name: DETAILED MODEL PLAN (LIHEAP)
Report Period: 10/01/2025 to 09/30/2026
Report Status: Submitted with Warnings

Report Sections

1. ***Mandatory Grant Application SF-424***
2. ***Section 1 - Program Components***
3. ***Section 2 - HEATING ASSISTANCE***
4. ***Section 3 - COOLING ASSISTANCE***
5. ***Section 4 - CRISIS ASSISTANCE***
6. ***Section 5 - WEATHERIZATION ASSISTANCE***
7. ***Section 6 - Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)***
8. ***Section 7 - Coordination, 2605(b)(4) - Assurance 4***
9. ***Section 8 - Agency Designation,, 2605(b)(6) - Assurance 6***
10. ***Section 9 - Energy Suppliers,, 2605(b)(7) - Assurance 7***
11. ***Section 10 - Program, Fiscal Monitoring, and Audit, 2605(b)(10) - Assurance 10***
12. ***Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2)***
13. ***Section 12 - Fair Hearings,2605(b)(13) - Assurance 13***
14. ***Section 13 - Reduction of home energy needs,2605(b)(16) - Assurance 16***
15. ***Section 14 - Leveraging Incentive Program ,2607A***
16. ***Section 15 - Training***
17. ***Section 16 - Performance Goals and Measures, 2605(b)***
18. ***Section 17 - Program Integrity, 2605(b)(10)***
19. ***Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters***
20. ***Section 19: Certification Regarding Drug-Free Workplace Requirements***
21. ***Section 20: Certification Regarding Lobbying***
22. ***Assurances***
23. ***Plan Attachments***

Mandatory Grant Application SF-424

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Clearance No.: 0970-013
Expiration Date: 02/28/2027

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY

*** 1.a. Type of Submission:** (•) Plan	*** 1.b. Frequency:** (•) Annual	*** 1.c. Consolidated Application/ Plan/Funding Request?** **Explanation:**	*** 1.d. Version:** (•) Initial ( ) Resubmission ( ) Revision ( ) Update
		2. Date Received:	**State Use Only:**
		3. Applicant Identifier:	
		4a. Unique Entity Identifier (UEI) UL2HEZMR7HN1	**5. Date Received By State:**
		4b. Federal Award Identifier:	**6. State Application Identifier:**

7. APPLICANT INFORMATION

*** a. Legal Name:** South Carolina

*** b. Address:**

*** Street 1:**	1200 Senate St Ste 409	**Street 2:**	
*** City:**	COLUMBIA	**County:**	
*** State:**	SC	**Province:**	
*** Country:**	United States	*** Zip / Postal Code:**	29201 - 3734

c. Organizational Unit:

Department Name: Department of Administration	**Division Name:** Office of Economic Opportunity

d. Name and contact information of person to be contacted on matters involving this application: (person will be listed on Notice of Funding Awards and on the U.S. Department of Health and Human Services' LIHEAP contact list webpage)

*** First Name:** Kelly	*** Last Name:** Buckson
Title: Senior Manager	**Organizational Affiliation:**
*** Telephone Number:** 803-734-0662	**Fax Number**
*** Email:** kelly.buckson@admin.sc.gov	

*** 8. TYPE OF APPLICANT:**
A: State Government

*** a. Is the applicant a Tribal Consortium:** ( ) Yes (•) No

*** b. If yes please attach at least one the following documentation:**

	Catalog of Federal Domestic Assistance Number:	**CFDA Title:**
9. CFDA Numbers and Titles	93.568	Low-Income Home Energy Assistance Program

10. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:
LIHEAP

11. AREAS AFFECTED BY FUNDING:
Low income residence of South Carolina

12. CONGRESSIONAL DISTRICTS OF APPLICANT:
06

13. FUNDING PERIOD:

a. Start Date: 10/01/2025	**b. End Date:** 09/30/2026

*** 14. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?**

a. This submission was made available to the State under Executive Order 12372

Process for review on:

b. Program is subject to E.O. 12372 but has not been selected by State for review.

c. Program is not covered by E.O. 12372.

***15. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**

○ YES

◉ NO

If Yes, explain:

16. By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

****I Agree** ☑

**** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.**

17a. Typed or Printed Name and Title of Authorized Certifying Official Kelly S. Buckson	**17c. Telephone (area code, number and extension)**
	17d. Email Address kelly.buckson@admin.sc.gov
17b. Signature of Authorized Certifying Official E-sign	**17e. Date Report Submitted (Month, Day, Year)** 08/20/2025

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Clearance No.: 0970-013
Expiration Date: 02/28/2027

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant.Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Section 1 Program Components

Program Components, 2605(a), 2605(b)(1) - Assurance 1, 2605(c)(1)(C)

1.1 Check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.)		Dates of Operation	
		Start Date	End Date
☑	Heating assistance	10/01/2025	04/30/2026
☑	Cooling assistance	05/01/2026	09/30/2026
☐	Summer crisis assistance		
☐	Winter crisis assistance		
☑	Year-round crisis assistance	10/01/2025	09/30/2026
☑	Weatherization assistance	04/01/2026	09/30/2026

Provide further explanation for the dates of operation, if necessary

South Carolina will operate its LIHEAP providing year-round crisis assistance according to the calendar year (January 1 - December 31.) If funding allows, an additional non-emergency benefit may be provided during the heating/cooling seasons. Therefore, LIHEAP assistance may also occur October 1 – December 31, 2026. South Carolina's Weatherization operates April 1 - March 31. South Carolina utilizes the SC Enterprise Information System (SCEIS) to ensure the proper tracking of federal grant awards by the appropriate year.

Estimated Funding Allocation, 2604(C), 2605(k)(1), 2605(b)(9), 2605(b)(16) - Assurances 9 and 16

1.2 Estimate what amount of available LIHEAP funds will be used for each component that you will operate: The total of all percentages must add up to 100%.	Percentage (%)	Prior year totals
Heating assistance	10.00%	10.00%
Cooling assistance	5.00%	5.00%
Summer crisis assistance	0.00%	50.00%
Winter crisis assistance	0.00%	0.00%
Year-round crisis assistance	50.00%	0.00%
Weatherization assistance	15.00%	15.00%
Carryover to the following federal fiscal year	10.00%	10.00%
Administrative and planning costs	10.00%	10.00%
Services to reduce home energy needs including needs assessment (Assurance 16)	0.00%	0.00%
Used to develop and implement leveraging activities	0.00%	0.00%
TOTAL	100.00%	100.00%

Tribal grant recipients: direct-grant tribes, tribal organizations, or territories with allotments of $20,000 or less may use for planning and administration up to 20% of the funds payable. Grant recipients that are direct grant tribes, tribal organizations, or territories with allotments over $20,000 may use for planning and administration purposes up to 20% of the first $20,000 (or $4,000) plus 10% of the funds payable that exceeds $20,000. Any administrative costs in excess of these limits must be paid from non-federal sources.

Alternate Use of Crisis Assistance Funds, 2605(c)(1)(C)

1.3 The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

☑	**Heating assistance**	☑	**Cooling assistance**
☐	**Weatherization assistance**	☐	**Other (specify:)**

Categorical Eligibility, 2605(b)(2)(A) - Assurance 2, 2605(c)(1)(A), 2605(b)(8A) - Assurance 8

1.4 Do you consider households categorically eligible if at least one household member receives at least one of the following categories of benefits in the left column below? ○ Yes ◉ No

If you answered "Yes" to question 1.4, you must complete the table below and answer questions 1.5 and 1.6.

	Heating	Cooling	Crisis	Weatherization
TANF	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No
SSI	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No
SNAP	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No
Means-tested Veterans Programs	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

1.4a. Provide your definition of categorical eligibility. Please explain how households are categorically eligible (i.e, do all household members need to receive the benefits or just one member, is there a data exchange in place?) and how categorical eligibility streamlines the LIHEAP application process.

1.5 Do you automatically enroll households without a direct annual application? ○ Yes ○ No

If Yes, explain:

1.6 How do you ensure there is no difference in the treatment of categorically eligible households from those not receiving other public assistance when determining eligibility and benefit amounts?

SNAP Nominal Payments

1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP households? ○ Yes ◉ No

If you answered "Yes" to question 1.7a, you must provide a response to questions 1.7b, 1.7c, and 1.7d.

1.7b Amount of Nominal Assistance: $0.00

1.7c Frequency of Assistance

☐	**Once Per Year**
☐	**Once every five years**
☐	**Other - Describe:**

1.7d How do you confirm that the household receiving a nominal payment has an energy cost or need?

Determination of Eligibility - Countable Income

1.8. In determining a household's income eligibility for LIHEAP, do you use gross income or net income?

☑	**Gross Income**
☐	**Net Income**
☐	**Other - Describe**

1.9. Select all the applicable forms of countable income used to determine a household's income eligibility for LIHEAP

☑	**Wages**
☑	**Self - Employment Income**
☑	**Contract Income**

☐	**Payments from mortgage or Sales Contracts**
☑	**Unemployment insurance**
☐	**Strike Pay**
☑	**Social Security Administration (SSA) benefits**
	☑ **Including MediCare deduction** ☐ **Excluding MediCare deduction**
☑	**Supplemental Security Income (SSI)**
☑	**Retirement / pension benefits**
☐	**General Assistance benefits**
☐	**Temporary Assistance for Needy Families (TANF) benefits**
☐	**Loans that need to be repaid**
☑	**Cash gifts**
☐	**Savings account balance**
☐	**One-time lump-sum payments, such as rebates/credits, winnings from lotteries, refund deposits, etc.**
☐	**Jury duty compensation**
☑	**Rental income**
☐	**Income from employment through Workforce Investment Act (WIA)**
☐	**Income from work study programs**
☑	**Alimony**
☑	**Child support**
☐	**Interest, dividends, or royalties**
☑	**Commissions**
☑	**Legal settlements**
☐	**Insurance payments made directly to the insured**
☐	**Insurance payments made specifically for the repayment of a bill, debt, or estimate**
☑	**Veterans Administration (VA) benefits**
☐	**Earned income of a child under the age of 18**
☐	**Balance of retirement, pension, or annuity accounts where funds cannot be withdrawn without a penalty.**
☐	**Income tax refunds**
☐	**Stipends from senior companion programs, such as VISTA**
☐	**Funds received by household for the care of a foster child**

☐	**Ameri-Corp Program payments for living allowances, earnings, and in-kind aid**
☐	**Reimbursements (for mileage, gas, lodging, meals, etc.)**
☐	**Other**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

1.10 Do you have an online application process ◉ **Yes** ○ **No**

1.10a If yes, describe the type of online application (Select all boxes that apply)

☐	**A PDF version of the application is available online and can be downloaded, filled out and mailed in for processing.**
☑	**A state-wide online application that allows a customer to complete data entry and submit an application electronically for processing.**
☑	**One or more locally available online applications that allows a customer to complete data entry and submit an application electronically for processing.**
☐	**Online application that is also mobile friendly**
☐	**Other, please describe**

Please include a link(s) to a statewide application, if available:

LITT LITE Portal (littlitesc.azurewebsites.net)

1.10b Can all program components be applied for online? ◉ Yes ○ No

If no, explain which components can and cannot be applied for online.

1.11 Do you have a process for conducting and completing applications by phone ○ Yes ◉ No

1.12 Do you or any of your subrecipients require in person appointments in order to apply ○ Yes ◉ No

If yes, please provide more information regarding why in-person appointments are required and in what circumstances they are required.

1.13 How can applicants submit documentation for verification? Select all that apply:

☑	**In-person**
☑	**Mail**
☑	**Email**
☑	**Portal application**
☑	**Other, please describe** Secure dropbox

Hidden for Section 1

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

Section 2 - Heating Assistance

Eligibility, 2605(b)(2) - Assurance 2

2.1 Designate the income eligibility threshold used for the heating component:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

2.2 Do you have additional eligibility requirements for Heating Assistance? (●) Yes ( ) No

2.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test? ( ) Yes (●) No

If yes, describe: Do you have additional/differing eligibility policies for:

Renters? ( ) Yes (●) No

If yes, describe:

Renters Living in subsidized housing? ( ) Yes (●) No

If yes, describe:

Renters with utilities included in the rent? ( ) Yes (●) No

If yes, describe:

Do you give priority in eligibility to:

Older Adults (60 years or older)? (●) Yes ( ) No

If yes, describe:

Eligible households may receive a base nonemergency energy benefit of $200. Households with at least one older adult (age 60 or older) may receive an additional $75 toward the household's total nonemergency energy benefit.

Individuals with a disability? (●) Yes ( ) No

If yes, describe:

Eligible households may receive a base nonemergency energy benefit of $200. Households with at least one disabled person may receive an additional $50 toward the household's total nonemergency energy benefit.

Young children? (●) Yes ( ) No

If yes, describe:

Eligible households may receive a base nonemergency energy benefit of $200. Households with at least one child (age 5 and younger) may receive an additional $50 toward the household's total nonemergency energy benefit.

Households with high energy burdens? ( ) Yes ( ) No

If yes, describe:

Eligible households may receive a base nonemergency energy benefit of $200. Households demonstrating a high energy burden may receive an additional $175 toward the household's total nonemergency energy benefit.

Other? Households that heat with fuel, have extremely low incomes, and include a veteran. ( ) Yes ( ) No

If yes, describe:

Eligible households may receive a base nonemergency energy benefit of $200. Households that heat with fuel may receive an additional $75 toward the household's total nonemergency benefit during the heating season. Households with a total gross income at or below 30% of the State's Median Income guidelines may receive an additional $175. Households with at least one

veteran may receive an additional $50 toward the household's total nonemergency energy benefit.

Explanations of policies for each "yes" checked above:

Eligible households may receive a base nonemergency energy benefit of $200. Benefit amounts increase when the household has at least one member of the vulnerable population or meets the guidlines for the other expressed categories. The maximum nonemergency heating assistance a household may receive is $850.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.4 Describe how you prioritize the provision of heating assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

South Carolina considers vulnerable households as having at least one member that is elderly (age 60 or older), disabled, or a young child (age 5 and under). Benefit amounts increase when the household includes at least one member of the vulnerable population. Agencies may set aside a designated day/period to serve vulnerable households. Eligible entities provide the state a written plan to ensure vulnerable households are given priority as part of the agency's Community Action Plan submission. The State verifies prioritization during monitoring.

2.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- [x] **Income**
- [x] **Family (household) size**
- [x] **Home energy cost or need:**
  - [x] **Fuel type**
  - [ ] **Climate/region**
  - [x] **Individual bill**
  - [ ] **Dwelling type**
  - [x] **Energy burden (% of income spent on home energy)**
  - [x] **Energy need**
  - [x] **Other - Describe:**

Each eligible household receives a minimum nonemergency benefit of $200. Additional benefits are awarded if the household/a member of the household is: elderly ($75); disabled ($50); household income 30% of the SMI or less ($175); child age 5 or under ($50); household energy burden is demonstrated ((20% or more of income used for utilities) $175); heats with fuel ($75); a veteran ($50). The maximum nonemergency benefit during the heating season is $850.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.6 Describe estimated benefit levels for the fiscal year for which this plan applies. ***Please note: the maximum and minimum benefits must be shown in the payment matrix.***

Minimum Benefit	$200	**Maximum Benefit**	$850

2.7 Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?2 ○ Yes ◉ No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

Section 3 - Cooling Assistance

Eligibility, 2605(c)(1)(A), 2605 (b)(2) - Assurance 2

3.1 Designate The income eligibility threshold used for the Cooling component:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

3.2 Do you have additional eligibility requirements for Cooling assistance?	(•) Yes ( ) No
3.3 Check the appropriate boxes below and describe the policies for each.	
Do you require an Assets test?	( ) Yes (•) No
If yes, describe:	
Do you have additional/differing eligibility policies for:	
Renters?	( ) Yes (•) No
If yes, describe:	
Renters Living in subsidized housing?	( ) Yes (•) No
If yes, describe:	
Renters with utilities included in the rent?	( ) Yes (•) No
If yes, describe:	
Do you give priority in eligibility to:	
Older Adults (60 years or older)?	(•) Yes ( ) No
If yes, describe: Eligible households may receive a base nonemergency energy benefit of $200. Households with at least one older adult (age 60 or older) may receive an additional $75 toward the household's total nonemergency energy benefit.	
Individuals with a disability?	(•) Yes ( ) No
If yes, describe: Eligible households may receive a base nonemergency energy benefit of $200. Households with at least one disabled person may receive an additional $50 toward the household's total nonemergency energy benefit.	
Young children?	(•) Yes ( ) No
If yes, describe: Eligible households may receive a base nonemergency energy benefit of $200. Households with at least one child (age 5 and younger) may receive an additional $50 toward the household's total nonemergency energy benefit.	
Households with high energy burdens?	(•) Yes ( ) No
If yes, describe: Eligible households may receive a base nonemergency energy benefit of $200. Households demonstrating a high energy burden may receive an additional $175 toward the household's total nonemergency energy benefit.	
Other? Households that have extremely low incomes and households with a veteran.	(•) Yes ( ) No
If yes, describe: Eligible households may receive a base nonemergency energy benefit of $200. Households with a total gross income at or below 30% of the State's Median Income guidelines may receive an additional $175. Households with at least one veteran may receive an additional $50 toward the household's total nonemergency energy benefit.	
Explanations of policies for each "yes" checked above:	

Each eligible household receives a minimum nonemergency benefit of $200. Additional benefits are awarded if the household/a member of the household is: elderly ($75); disabled ($50); household income 30% of the SMI or less ($175); child age 5 or under ($50); household energy burden is demonstrated ((20% or more of income used for utilities) $175); heats with fuel ($75); a veteran ($50). The maximum nonemergency benefit during the heating season is $850. The maximum nonemergency benefit during the cooling season is $775.

3.4 Describe how you prioritize the provision of cooling assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

South Carolina considers vulnerable households as having at least one member that is elderly (age 60 or older), disabled, or a young child (age 5 and under). Benefit amounts increase when the household includes at least one member of the vulnerable population. Agencies may set aside a designated day/period to serve vulnerable households. Eligible entities provide the state a written plan to ensure vulnerable households are given priority as part of the agency's Community Action Plan submission. The State verifies prioritization during monitoring.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- [x] **Income**
- [x] **Family (household) size**
- [x] **Home energy cost or need:**
  - [x] **Fuel type**
  - [ ] **Climate/region**
  - [x] **Individual bill**
  - [ ] **Dwelling type**
  - [x] **Energy burden (% of income spent on home energy)**
  - [x] **Energy need**
  - [ ] **Other - Describe:**

Each eligible household receives a minimum nonemergency benefit of $200. Additional benefits are awarded if the household/a member of the household is: elderly ($75); disabled ($50); household income 30% of the SMI or less ($175); child age 5 or under ($50); household energy burden is demonstrated ((20% or more of income used for utilities) $175); heats with fuel ($75); a veteran ($50). The maximum nonemergency benefit during the heating season is $850. The maximum nonemergency benefit during the cooling season is $775.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.6 Describe estimated benefit levels for the fiscal year for which this plan applies. *Please note: the maximum and minimum benefits must be shown in the payment matrix.*

Minimum Benefit	$200	**Maximum Benefit**	$775

3.7 Do you provide in-kind (e.g., fans, air conditioners) and/or other forms of benefits? ○ Yes ◉ No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

Section 4: CRISIS ASSISTANCE

Eligibility - 2604(c), 2605(c)(1)(A)

4.1 Designate the income eligibility threshold used for the crisis component

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

4.2 Provide your LIHEAP program's definition for determining a crisis. If you administer multiple crisis assistance programs (winter, summer, and/or year-round), Include all program definitions.

An energy crisis is when a low-income household is facing disconnection with a scheduled due date and/or needs restoration to their home heating/cooling source. An energy crisis may also be the result of weather or energy-related emergencies. Vulnerable households (including an elderly (60 and older) individual, disabled (proof required) individual or young child (5 and under) with a bill due may receive crisis assistance. Finally, an energy crisis may be deemed to exist where there is an energy burden due to home energy costs when compared to the household's gross income.

4.3 What constitutes a life-threatening crisis?

A life-threatening crisis is an emergency requiring immediate action to prevent the loss or impairment of life/health due to a medical condition if the household’s energy service is interrupted

Crisis Requirement, 2604(c)

4.4 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households? 48**Hours**

4.5 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households in life-threatening situations? 18**Hours**

Crisis Eligibility, 2605(c)(1)(A)

	Winter Crisis	Summer Crisis	Year-Round Crisis
4.6 Do you have additional eligibility requirements for Crisis Assistance?	☐	☐	☑
4.7 Check the appropriate boxes below to indicate type(s) of assistance provided 0			
Do you require an Assets test?	☐	☐	☐
Do you give priority in eligibility to:			
Older Adults (60 years or older)?	☐	☐	☑
Individuals with a disability?	☐	☐	☑
Young Children?	☐	☐	☑
Households with high energy burdens?	☐	☐	☑
Other (Specify):	☐	☐	☐
In Order to receive crisis assistance:			
Must the household have received a shut-off notice or have a near empty tank?	☐	☐	☑
Must the household have been shut off or have an empty tank?	☐	☐	☑
Must the household have exhausted their regular heating benefit?	☐	☐	☑
Must renters with heating costs included in their rent have received an eviction notice?	☐	☐	☐
Must heating/cooling be medically necessary?	☐	☐	☐
Must the household have non-working heating or cooling equipment?	☐	☐	☑

Other (Specify):	☐	☐	☐

Do you have additional/differing eligibility policies for:

Renters?	☐	☐	☐
Renters living in subsidized housing?	☐	☐	☐
Renters with utilities included in the rent?	☐	☐	☑

Explanations of policies for each "yes" checked above:

At least one condition listed above must exist. Equitable treatment of renters: If an applicant is behind on their rent, which includes their energy bill, the LIHEAP benefit must only be for arrearages and rate reductions related to heating/cooling energy services, not for general rental payments. Payments cannot be made directly to landlords nor households. South Carolina's LIHEAP Renter's Affidavit should be used to gather and document information that demonstrates the household is in receipt of rent reduction if provided a LIHEAP benefit.

Determination of Benefits

4.8 How do you handle crisis situations?

☑	**Separate component**
☐	**Benefit Fast Track, no separate amount of crisis funds is issued. Rather benefits are issued to crisis customers within crisis response time frames.**
☑	**Other - Describe:** Eligible applicants with a general LIHEAP emergency must be processed within 48 hours (2 business days). Eligible applicants with a life-threatening emergency must be processed within 18 hours (1 business day) to restore energy. Once eligibility is determined a pledge is made to the vendor for payment on the household's utility account.

4.9 If you have a separate component, how do you determine crisis assistance benefits?

☐	**Amount to resolve the crisis.** $0
☑	**Other - Describe:** Amount to resolve the energy crisis up to $1,000 of energy-related costs.

Crisis Requirements, 2604(c)

4.10 Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served?

◉ Yes ○ No **Explain.**

4.11 Do you provide individuals who are individuals with a disability the means to:

Submit applications for crisis benefits without leaving their homes?

◉ Yes ○ No

If No, explain.

Travel to the sites at which applications for crisis assistance are accepted?

◉ Yes ○ No

If No, explain.

If you answered "No" to both options in question 4.11, please explain alternative means of intake to those who are homebound or physically disabled?

Benefit Levels, 2605(c)(1)(B)

4.12 Indicate the maximum benefit for each type of crisis assistance offered.

Winter Crisis	$0.00	**maximum benefit**
Summer Crisis	$0.00	**maximum benefit**
Year-round Crisis	$1,000.00	**maximum benefit**

4.13 Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

○ Yes ◉ No **If yes, Describe**

4.14 Do you provide for equipment repair or replacement using crisis funds?

◉ Yes ○ No

If you answered "Yes" to question 4.14, you must complete question 4.15.

4.15 Check appropriate boxes below to indicate type(s) of assistance provided.

	Winter	**Summer**	**Year-round Crisis**

	Crisis	Crisis	
Heating system repair	☐	☐	☑
Heating system replacement	☐	☐	☐
Cooling system repair	☐	☐	☑
Cooling system replacement	☐	☐	☐
Wood stove purchase	☐	☐	☐
Pellet stove purchase	☐	☐	☐
Solar panel(s)	☐	☐	☑
Utility poles / gas line hook-ups	☐	☐	☑
Other (Specify): Chimney sweep service(s) as a health and safety measure for households that heat using wood stoves.	☐	☐	☑

4.16 Do any of the utility vendors you work with enforce a moratorium on shut offs?

◉ Yes ○ No

If you responded "Yes" to question 4.16, you must respond to question 4.17.

4.17 Describe the terms of the moratorium and any special dispensation received by LIHEAP clients during or after the moratorium period.

From December 1 to March 31, Dominion Energy South Carolina and Duke Energy will not disconnect a residential customer if the customer or a member of his household at the premises being served, furnishes the vendor, no less than three days prior to termination or to the terminating crew at the time of termination, a certificate on a form provided by the vendor and signed by (i) a licensed physician, stating that termination of electric and/or gas service would be especially dangerous to such person's health, and (ii) the customer, stating that he is unable to pay by installments. A certification expires 31 days after execution by the physician and may be renewed for an additional 30 days no more than three times. South Carolina does not provide special dispensation to clients during or after the moratorium. All qualifying households may receive up to $1,000.

4.18 If you experience a natural disaster, do you intend to utilize LIHEAP crisis funds to address disaster related crisis situations? ◉ Yes ○ No

If yes, describe

LIHEAP Disaster Relief measures may only be provided upon OEO directive. The following activities will be considered allowable uses of LIHEAP funds to assist with disaster relief crisis, particularly with respect to assistance for home energy related needs resulting from a hurricane or other natural disaster:

Allowable Uses of LIHEAP Funds for Disasters

1. Costs to temporarily shelter or house individuals in hotels, apartments or other living situations in which homes have been destroyed or damaged, i.e., placing people in settings to preserve health and safety and to move them away from the crisis (rent and/or mortgage payments are not allowed).
2. Costs for transportation to move individuals away from the crisis area to shelters, when health and safety is endangered by loss of access to heating or cooling.
3. Utility reconnection costs.
4. Repair or replacement costs for furnaces/air conditioners (based on season).
5. Coats and blankets, as tangible benefits to keep individuals warm (heating season only).
6. Crisis payments for utilities and utility deposits.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

Section 5: WEATHERIZATION ASSISTANCE

Eligibility, 2605(c)(1)(A), 2605(b)(2) - Assurance 2

5.1 Designate the income eligibility threshold used for the Weatherization component

Add	Household Size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	HHS Poverty Guidelines	200.00%

5.2 Do you enter into an interagency agreement to have another government agency administer a WEATHERIZATION component? ○ Yes ◉ No

5.3 If yes, name the agency and attach a copy of the Internal Agreement or Contract.

5.4 Is there a separate monitoring protocol for weatherization? ◉ Yes ○ No

WEATHERIZATION - Types of Rules

5.5 Under what rules do you administer LIHEAP weatherization? (Check only one.)

☐ **Entirely under LIHEAP (not DOE) rules**

☐ **Entirely under DOE WAP (not LIHEAP) rules**

☐ **Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):**

- ☐ **Income Threshold**
- ☐ **Weatherization of entire multi-family housing structure is permitted if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days**
- ☐ **Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).**
- ☐ **Other - Describe:**

☑ **Mostly under DOE WAP rules, with the following LIHEAP rule(s) where LIHEAP and WAP rules differ (Check all that apply.)**

- ☑ **Income Threshold**
- ☑ **Weatherization not subject to DOE WAP maximum statewide average cost per dwelling unit.**
- ☑ **Weatherization measures are not subject to DOE Savings to Investment Ration (SIR) standards.**
- ☑ **Other - Describe:**

LIHEAP Weatherization (LWAP) work is not subject to the DOE Weatherization average cost per unit (ACPU). LWAP work is also not subject to the DOE Saving to Investment Ratio (SIR) standards. Energy Conservation Measures with an SIR of 0.5 or greater can be installed with LWAP money. In addition, an entire dwelling can be weatherized with LWAP funds if the cumulative SIR of the dwelling is below the 1.0 threshold require by DOE. Specific Health and Safety measures that are prohibited with DOE money can also be installed with LWAP funds such as air conditioners, doors, and windows. LWAP can also be used for Incidental Repairs that exceed the DOE maximum of $500.

Eligibility, 2605(b)(5) - Assurance 5

5.6 Do you require an assets test?	○ Yes ◉ No
5.7 Do you have additional/differing eligibility policies for :	
Renters	◉ Yes ○ No
Renters living in subsidized housing?	◉ Yes ○ No
Renters with utilities included in the rent?	◉ Yes ○ No
5.8 Do you give priority in eligibility to:	
Older Adults?	◉ Yes ○ No

Individuals with a disability?	(•) Yes ( ) No
Young Children?	(•) Yes ( ) No
House holds with high energy burdens?	(•) Yes ( ) No
Other?	( ) Yes (•) No

If you selected "Yes" for any of the options in questions 5.6, 5.7, or 5.8, you must provide further explanation of these policies in the text field below.

Renters must have permission from owner and rent must not increase for one year once weatherization services are completed. Subgrantees prioritize applicants along five categories in the client tracking system (DBA FACSPro/LITT). The system awards between zero and five points based on the characteristics of the applicant's household. The five categories are listed below.

•Elderly – at least one household member is 60 years of age and older

•Disabled – at least one household member is disabled

•Children – at least one household member is under age 18

•High energy burden – a households energy cost represents at least 20% of their gross income

•High energy user – LIHEAP eligible household (FPL is at or below 150%)

Benefit Levels

5.9 Do you have a maximum LIHEAP weatherization benefit/expenditure per household? ( ) Yes (•) No

5.9a If yes, what is the maximum? $0

5.10 Do you use an Average Cost per Unit (ACPU). (•) Yes ( ) No

5.10a If so, what is the ACPU amount? $10,526

Types of Assistance, 2605(c)(1), (B) & (D)

5.11 What LIHEAP weatherization measures do you provide ? (Check all categories that apply.)

☑ **Weatherization needs assessments/audits**	☑ **Energy related roof repair**
☑ **Caulking and insulation**	☑ **Major appliance repairs**
☑ **Storm windows**	☑ **Major appliance replacement**
☑ **Furnace/heating system modifications/repairs**	☑ **Windows/sliding glass doors**
☑ **Furnace replacement**	☑ **Doors**
☑ **Cooling system modifications/repairs**	☑ **Water Heater**
☑ **Water conservation measures**	☑ **Cooling system replacement**
☐ **Roof top solar**	☐ **Community solar projects**
☑ **Compact florescent light bulbs**	☑ **Other - Describe:** LED Bulbs, HVAC Assessments

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

Section 6: Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

6.1 Select all outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- [ ] Place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.
- [ ] Publish articles in local newspapers or broadcast media announcements.
- [x] Include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.
- [ ] Mass mailing(s) to prior-year LIHEAP recipients.
- [ ] Inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.
- [ ] Execute interagency agreements with other low-income program offices to perform outreach to target groups.
- [x] Web Posting
- [ ] Email
- [ ] Texting
- [ ] Events
- [ ] Social Media
- [ ] Other (specify):

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 7: Coordination, 2605(b)(4) - Assurance 4

7.1 Describe how you will ensure that the LIHEAP program is coordinated with other programs available to low-income households (TANF, SSI, WAP, etc.).

☐	**Joint application for multiple programs (indicate programs included)**
☑	**Intake referrals to/from other programs (indicate programs included)** CSBG and Weatherization
☑	**One - stop intake centers**
☑	**Other - Describe:**

Eligible entities are required to outline coordination efforts in their agency's annual Community Action Plan submission. OEO will verify these efforts during monitoring.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 8: Agency Designation, 2605(b)(6) - Assurance 6 (Required for state Grant recipients and the Commonwealth of Puerto Rico)

8.1 How would you categorize the primary responsibility of your State agency?

☑	**Administration Agency**
☐	**Commerce Agency**
☐	**Community Services Agency**
☐	**Energy/Environment Agency**
☐	**Housing Agency**
☐	**State Department of Welfare (administers TANF, SNAP, and/or Medicaid)**
☐	**Economic Development Agency**
☐	**Other - Describe:**

Include current list of subrecipient name, main office address (do not list P.O. Box), phone number, county(s) served, Congressional District, and UEI number. ***Used for Near hotline and OCS Service Provider Tool and clearinghouse.***

Alternate Outreach and Intake, 2605(b)(15) - Assurance 15

If you selected "State Department of Welfare (administers TANF, SNAP, and/or Medicaid)" in question 8.1, you must complete questions 8.2, 8. 3, and 8.4, as applicable.

8.2 How do you provide alternate outreach and intake for heating assistance?

N/A

8.3 How do you provide alternate outreach and intake for cooling assistance?>

N/A

8.4 How do you provide alternate outreach and intake for crisis assistance?

N/A

8.5 LIHEAP Component Administration.	Heating	Cooling	Crisis	Weatherization
8.5a Who determines client eligibility?	Community Action Agencies	Community Action Agencies	Community Action Agencies	Community Action Agencies
8.5b Who processes benefit payments to gas and electric vendors?	Community Action Agencies	Community Action Agencies	Community Action Agencies	
8.5c who processes benefit payments to bulk fuel vendors?	Community Action Agencies	Community Action Agencies	Community Action Agencies	

8.5d Who performs installation of weatherization measures?				Community Action Agencies

Include a current list of subrecipient(s) name, main office address (do not list P.O. Box), phone number, county(s) served, Congressional District, and UEI number.

If any of your LIHEAP components are not centrally-administered by a state agency, you must complete questions 8.6, 8.7, 8.8, and, if applicable, 8.9.

8.6 What is your process for selecting local administering agencies?

OEO may redesignate an eligible entity if an area of the state is not served or ceases to be served by an eligible entity. This includes situations where an existing eligible entity goes out of business, funding is terminated, or relinquishes its designation as an eligible entity. The procedure for redesignation shall be as follows: 1. The State will notify in writing and request written applications from:(a) Any private nonprofit organization that is geographically located in the unserved area, that can provide a range of services designed to meet the requirements of the LIHEAP Statute; and (b)Any private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area. 2. Special Consideration. The designation shall be granted to an organization of demonstrated effectiveness in meeting the goals and purposes of LIHEAP. Priority may be given to eligible entities that are providing related services in the unserved area.

Each CAA is assigned a service area made up of a county or counties whereby program services of these grants are provided to specific county residents. Allocations for LIHEAP and the LIHEAP Weatherization Assistance Program (LWAP) are prepared by OEO's Fiscal Manager. Sub-grantee allocations for each grant are calculated based on the poverty rates of the county(ies) served by the sub-grantee. Disbursements are payments to the sub-grantees for administrative and program costs based, in part, on the funding allocated to a sub-grantee, timing, and reason for disbursement. All disbursements made to sub-grantees must ensure that the time between the day the funds are paid to the sub-grantee and when the sub-grantee spends the funds are minimized, ensuring compliance with federal requirements. The SC OEO references guidance in section 2 C. F.R 200.305(b)(1). During the program year, it is the sub-grantee's responsibility to track expenditures and submit a Certification of Advancement of Funds requesting funds needed and the reason for the request through the statewide database. The Certification of Advancement of Funds must be signed and dated by the sub-grantee's Executive Director, Finance Officer, and Program Officer. A separate form is required for each grant. The Senior Fiscal Manager must review the request, and if approved, a disbursement request will be submitted to Accounts Payable within the Department of Administration's Finance office for processing.

8.7 How many local administering agencies do you use? 13

8.8 Have you changed any local administering agencies in the last year?

- ○ Yes
- ◉ No

8.9 If so, why?

- ☐ **Agency was in noncompliance with Grant recipient requirements for LIHEAP -**
- ☐ **Agency is under criminal investigation**
- ☐ **Added agency**
- ☐ **Agency closed**
- ☐ **Other - describe**

N/A

8.10 If a subrecipient is no longer providing LIHEAP, are you aware of prior-year LIHEAP funds being mismanaged or misspent? ○ Yes ○ No

8.10a If yes, please explain.

N/A

8.10b If you are aware, were other federal programs impacted such as CSBG, SSBG, Head Start, TANF, and Department of Energy Weatherization funding, etc. ○ Yes ○ No

8.10c If yes, please explain.

N/A

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN

Section 9: Energy Suppliers, 2605(b)(7) - Assurance 7

9.1 Do you make payments directly to home energy suppliers?

Heating	(•) Yes ( ) No
Cooling	(•) Yes ( ) No
Crisis	(•) Yes ( ) No
Are there exceptions?	( ) Yes (•) No

If yes, Describe.

9.2 How do you notify the client of the amount of assistance paid?

LIHEAP Subgrantees must provide the customer a copy of the customer voucher generated through the statewide database to include the Notice of Fair Hearing and Appeals. The customer voucher includes the amount of assistance paid to the vendor.

9.3 How do you assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment?

The vendor shall charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment. The vendor agreement attached is an arrangement between the energy supplier and the eligible entity. The eligible entity is responsible for making direct payments to the vendor on behalf of the customer. Eligible customers are notified of the award amount at the time of application and a voucher is generated via the statewide database. The state office (OEO) does not make payments directly to home energy suppliers. However, the validity of charges and payments are reviewed by OEO during monitoring.

9.4 How do you assure that no household receiving assistance under this title will be treated adversely because of their receipt of LIHEAP assistance?

The state prohibits any difference in treatment to households because of their receipt of LIHEAP assistance. This prohibition is reflected on the customer application and the statewide LIHEAP vendor agreement.

9.5. Do you make payments contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households?

( ) Yes (•) No

If so, describe the measures unregulated vendors may take.
Attach a copy of the template statewide vendor agreement or a policy that indicates local agreements must adhere to statewide policies and assurances.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN

Section 10: Program, Fiscal Monitoring, and Audit, 2605(b)(10)

10.1. How do you ensure good fiscal accounting and tracking of funds?

The State maintains the internal controls and financial management system necessary to accurately account for LIHEAP expenditures; both fiscally and programmatically. OEO's fiscal team initially reviews and accepts budget applications, then closely monitors comprehensive expenditure reports and monthly financial status reports prepared/submitted by Subgrantees. Technical assistance and fiscal training are ongoing for agency fiscal officers and staff.

10.1a Provide your definitions of the following:

Obligation

An obligation is a legal liability to pay out money in the future, or immediately, as a result of a series of actions. For OEO, funds are to be considered obligated to subgrantees, when OEO and the subgrantee enter into a grant agreement, or when OEO enters into a binding commitment with another vendor or agency. For OEO, funds are to be obligated to subgrantees within the federal award period, as stated in Section IV *Definitions, E* of the grant agreement and Section VI *Funding; Federal Award Period* of the grant agreement. For subgrantees, funds are to be considered obligated when the subgrantee enters into some form of a binding commitment to pay out money. For subgrantees, obligations may include, but are not limited to, contracts for supplies or services, contracts with local agencies, credit lines established with vendors, lease or rental agreements, and approval letters issued to clients. Subgrantees must obligate funds within the expenditure timeframe, as stated in Section III *Grant Period* of the grant agreement and Section VI *Funding; Subgrantee Period of Performance* of the grant agreement.

Expenditures

Expenditures are charges made by a subgrantee to a project or program for which a federal award was received, as referenced in 2 CFR 200.1 *Expenditures* and 45 CFR 75.1 *Expenditures*. Expenditures are to be charged to awards based on the proportional benefit of the expenditure to the federal award(s), as referenced in 2 CFR 200.405 (d) and 45 CFR 75.405 (d). Expenditures may be reported on a cash or accrual basis, as referenced in 2 CFR 200.1 *Expenditures* and 45 CFR 75.1 *Expenditures*.

Expenditure timeframe

The expenditure timeframe is the period of time in which subgrantees may charge expenditures to federal awards. The expenditure timeframe for subgrantees is stated in Section III *Grant Period* of the grant agreement and Section VI *Funding; Subgrantee Period of Performance* of the grant agreement.

Administrative costs

Administrative costs are expenses, incurred by OEO or the subgrantees, which support the day-to-day business operations of their organization. Administrative costs are overhead costs, which are not directly tied to a specific program purpose.

Audit Process

10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A - 133?
○ Yes ◉ No

10.2a - if yes, describe your auditor selection process.

10.3. Describe any audit findings of the grant recipient (i.e. State/Tribe/Territory) rising to the level of material weakness or reportable condition cited in the single audits, inspector general reviews, or other government agency reviews from the most recently audited fiscal year.

No Findings ☑

Finding	Type	Brief Summary	Resolved?	Action Taken
1				

10.4. Audits of Local Administering Agencies

What types of annual audit requirements do you have in place for local administering agencies/district offices? Select all that apply.

☑ **Local agencies/district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133**

☑ **Local agencies/district offices are required to have an annual audit (other than A-133)**

☑ **Local agencies/district offices' A-133 or other independent audits are reviewed by Grant recipient as part of compliance process.**

☑ **Grant recipient conducts fiscal and program monitoring of local agencies/district offices**

☑ **Local agencies and district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133**

Compliance Monitoring

10.5. Describe your monitoring process for compliance at each level below. Check all that apply.

Grant recipients have a policy in place for appropriate separation of duties and internal controls.

☑ **Internal program review**

☑ **Departmental oversight**

☑ **Secondary review of invoices and payments**

☐ **Other program review mechanisms are in place. Describe:**

Local Administering Agencies/District Offices:

☑ **On - site evaluation**

☑ **Annual program review**

☑ **Monitoring through central database**

☑ **Desk reviews**

☑ **Client File Testing/Sampling**

☑ **Other program review mechanisms are in place. Describe:**

Monthly financial and household reports; quarterly vendor interaction reports; annual cumulative financial and household reports.

10.6 Explain, or attach a copy of your local agency monitoring schedule and protocol.

To assure the accomplishment of program outcomes and grant compliance, the OEO will monitor each Subgrantee a minimum of one time per three program years. Monitoring visits will be scheduled and confirmation letters will be forwarded to the Subgrantee at least 30 days prior to the scheduled visit. The OEO may conduct monitoring through a team visit. The team or individuals visiting Subgrantees will prepare a summary of the field visit and monitoring report upon return to the OEO. Subsequently, the monitoring report will be forwarded to the Subgrantee, with a copy to the Chairman of the Board of Directors, and will address any deficiencies identified during the field visit. (Copies of the monitoring report will be forwarded to the entire Board of Directors when there are major issues to be addressed.) Each Subgrantee will have a specific period of time to correct the deficiencies identified, if applicable. Major findings will be tracked by OEO to final resolution. Uncorrected deficiencies may result in contract suspension or possible termination in accordance with established policies. Monitoring Report Timeline: Following the exit conference, the CAA has five (5) business days to provide pending information requested by OEO to resolve outstanding monitoring concerns. •Following the exit conference, OEO has twenty-five (25) calendar days to issue a draft report to the CAA.•From the date of receipt, the CAA has ten (10) calendar days to respond to OEO's report.•Finally, OEO has twenty (20) calendar days to issue a final report, including the CAA's rebuttals.•Note: If the deadline falls on a holiday or weekend, the deadline will be extended to the next business day.It is a best practice for OEO to monitor each subgrantee annually. Along with the yearly review, OEO reviews financial expenditures by way of the subgrantee submissions of financial status reports. A fiscal desk review of subgrantee's detailed general ledgers and summary expenditure reports is also performed intermittently throughout the year. A tracking of quarterly expenditures is reviewed by programmatic LIHEAP staff and households served. OEO may also review real-time customer intake applications through the statewide database.

10.7. Describe how you select local agencies for monitoring reviews. Attach a risk assessment if subrecipients are utilized.

Site Visits:

OEO provides program and fiscal monitoring for each agency, at least once every three program years. Additional monitoring will be imposed by the state if severe deficiencies are identified. As a best practice, OEO makes the effort to monitor annually.The state attempts to perform on-site monitorings annually as a best practice. Criteria used to determine the scope of monitoring include the following:Financial stability of agency•Agency's financial/quality management systems•Results of past monitorings and status of findings•Results of single audit report•Leadership and key staff of agency, turnover•Reporting and timely submission•Additional monitoring activities may be performed due to: Results of last monitoring performed•Unresolved findings•Escalation of findings from last monitoring from noncompliant to deficient or immediate deficiency•Resolution of findings•News, word of mouth, complaints, etc.•Potential mismanagement of funds•Consistent errors in reporting•Monitoring activities of the state include, but are not limited to the following:On-site monitoring (program and fiscal)•Desk monitoring•Monthly review of Financial Status Reports•Single audit review.

Desk Reviews:

Fiscal monitoring staff perform a desk monitirng of all subgrantees in addition to the on-site monitoring to assist in identifying potential issues, opportunities for training and technical assistance, and areas to focus on during the on-site monitoring. A desk review is also performed on the subgrantee's single audit with a management decision issued when required. Programmatic desk reviews will be performed as needed.

10.8. How often is each local agency monitored? ***Please attach a monitoring schedule if one has been developed.***
Other

10.9. How many local agencies are currently on corrective action plans? 0

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 11: Timely and Meaningful Public Participation, 2605(b)(12), 2605(C)(2)

11.1 How did you obtain input from the public in the development of your LIHEAP plan? Select all that apply.
Note: Tribes do not need to hold a public hearing but must ensure participation through other means.

- ☐ **Tribal Council meeting(s)**
- ☑ **Public Hearing(s)**
- ☑ **Draft Plan posted to website and available for comment**
- ☐ **Hard copy of plan is available for public view and comment**
- ☐ **Comments from applicants are recorded**
- ☑ **Request for comments on draft Plan is advertised**
- ☑ **Stakeholder consultation meeting(s)**
- ☐ **Comments are solicited during outreach activities**
- ☐ **Other - Describe:**

Public Hearings, 2605(a)(2) - For States and the Commonwealth of Puerto Rico Only

11.2 List the date and location(s) that you held public hearing(s) on the proposed use and distribution of your LIHEAP funds?

	Date	Event Description
1	08/15/2025	Public Hearing

11.3. How many parties commented on your plan at the hearing(s)? 0

11.4 Summarize the comments you received at the hearing(s).

N/A

11.5 What changes did you make to your LIHEAP plan as a result of public participation and solicitation of input?

The LIHEAP benefit for 2026 will be reduced to $1,000 per service. A maximum of two LIHEAP services may be provided during the program year. The unemployment printout from the SC Department of Workforce Employment (DEW) will not be required for adults reporting zero income, as this form did not provide the intended employment information and created a burden on customers, DEW, and LIHEAP staff.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 12: Fair Hearings, 2605(b)(13) - Assurance 13

12.1 How many fair hearings did the Grant recipient have in the prior federal Fiscal Year? 0

12.2 How many of those fair hearings resulted in the initial decision being reversed? 0

12.3 Describe any policy and/or procedural changes made in the last federal Fiscal Year as a result of fair hearings?

N/A

12.4 Describe your fair hearing procedures for households whose applications are denied and/or not acted upon in a timely manner.

Except for emergencies, all non-emergency applications must be processed within 10 business days from the applicant's date of submission. LIHEAP crisis assistance must be expedited, and eligible households receive assistance within 18 to 48 hours upon the receipt of all required documents necessary for application. Individuals whose applications are not acted upon within the established timeframes may appeal at the agency and state level. Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.•If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:• Attention: Legal Counsel, the South Carolina Department of Administration Office of Economic Opportunity, 1205 Pendleton Street, Suite 366, Columbia, SC 29201. If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written hearing decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the S.C. Administrative Procedures Act. •The funds or services in question must be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be reverted to Client Assistance and made available to eligible participants. OEO will also provide training and technical assistance to agencies whose applications fail to be processed in a timely manner. OEO verifies applications are processed in a timely manner during monitoring.

12.5 When and how are applicants informed of these rights?

An Appeal and Fair Hearing notice must be posted in the lobbies and at intake sites where LIHEAP applications are taken. The notice outlines the escalation process for appeals, beginning with the serving agency. Applicants are also informed of their right to appeal on the statewide application, the customer's commitment voucher, and OEO website.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 13: Reduction of home energy needs, 2605(b)(16) - Assurance 16

13.1 Describe how you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance?

N/A

13.2 How do you ensure that you don't use more than 5% of your LIHEAP funds for these activities?

N/A

13.3 Describe the impact of such activities on the number of households served in the previous federal Fiscal Year.

N/A

13.4 Describe the level of direct benefits provided to those households in the previous federal Fiscal Year.

N/A

13.5 How many households received these services? 0

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 14:Leveraging Incentive Program, 2607(A)

14.1 Do you plan to submit an application for the leveraging incentive program?

○ Yes ◉ No

14.2 Describe instructions to any third parties and/or local agencies for submitting LIHEAP leveraging resource information and retaining records.

14.3 For each type of resource and/or benefit to be leveraged in the upcoming year that will meet the requirements of 45 C.F.R. § 96.87(d)(2)(iii), describe the following:

Resource	What is the type of resource or benefit ?	What is the source(s) of the resource ?	How will the resource be integrated and coordinated with LIHEAP?
1			

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 15: Training

15.1 Describe the training you provide for each of the following groups:

a. Grant recipient Staff:

- [x] **Formal training provided virtually, on-site, and/or formal training conference**

How often?

- [ ] **Annually**
- [ ] **Biannually**
- [x] **As needed**
- [x] **Other, describe:** New employees as hired
- [x] **Employees are provided with policy manual**
- [x] **Other, describe:**

  Additional federal training is requested per the needs of the state.

b. Local Agencies:

- [x] **Formal training provided virtually, on-site, and/or formal training conference**

How often?

- [x] **Annually**
- [ ] **Biannually**
- [x] **As needed**
- [ ] **Other, describe:**
- [x] **On-site training**

How often?

- [ ] **Annually**
- [ ] **Biannually**
- [x] **As needed**
- [ ] **Other, describe:**
- [x] **Employees are provided with policy manual**
- [ ] **Other, describe:**

c. Vendors

- [ ] **Formal training conference**

How often?

- [ ] **Annually**
- [ ] **Biannually**
- [x] **As needed**
- [ ] **Other, describe:**
- [x] **Policies communicated through vendor agreements**
- [ ] **Policies are outlined in a vendor manual**

☐ **Other, describe:**

15.2 Does your training program address fraud reporting and prevention?

◉ Yes
○ No

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 16: Performance Goals and Measures, 2605(b) - Required for States Only

16.1 Describe your progress toward meeting the data collection and reporting requirements of the four required LIHEAP (Benefit Targeting Index, Burden Reduction Targeting Index, Restoration of Home Energy Service, and Prevention of Loss of Home Energy Service). Include timeframes and plans for meeting these requirements and what you believe will be accomplished in the coming federal fiscal year.

Performance data is used to determine South Carolina’s LIHEAP benefit matrix and the level of benefit assistance provided for energy assistance. Performance measures influence changes to South Carolina's eligibility guidelines (frequency of services and dollar amount for assistance). An annual review of energy data and households served is used to guide South Carolina’s benefit matrix which is designed to target households with the lowest incomes and highest energy need. South Carolina will continue to engage additional vendors and collect data from electric, natural gas and propane vendors/utilities to ensure a more accurate account of customer energy consumption and costs.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

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Section 17: Program Integrity, 2605(b)(10)

17.1 Fraud Reporting Mechanisms

a. Describe all mechanisms available to the public for reporting cases of suspected waste, fraud, and abuse. Select all that apply.

- [x] **Online Fraud Reporting**
- [ ] **Dedicated Fraud Reporting Hotline**
- [x] **Report directly to local agency/district office or Grant recipient office**
- [x] **Report to State Inspector General or Attorney General**
- [x] **Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste, and abuse**
- [x] **Other - Describe:**

  Each subgrantee is required to submit an annual LIHEAP integrity plan to address fraud, waste and abuse.

b. Describe strategies in place for advertising the above-referenced resources. Select all that apply

- [ ] **Printed outreach materials**
- [ ] **Posted in local administering agencies offices.**
- [x] **Addressed on LIHEAP application**
- [x] **Website**
- [ ] **Other - Describe:**

17.2. Identification Documentation Requirements

a. Indicate which of the following forms of identification are required or requested to be collected from LIHEAP applicants or their household members.

Type of Identification Collected	Collected from Whom?					
	Applicant Only		All Adults in Household		All Household Members	
Social Security Card is photocopied and retained	☐	Required	☐	Required	☑	Required
	☐	Requested	☐	Requested	☐	Requested
Social Security Number (Without actual Card)	☐	Required	☐	Required	☐	Required
	☐	Requested	☐	Requested	☐	Requested
Government-issued identification card (i.e.: driver's license, state ID, Tribal ID, passport, etc.)	☑	Required	☐	Required	☐	Required
	☐	Requested	☐	Requested	☐	Requested

	Other	Applicant Only Required	Applicant Only Requested	All Adults in Household	All Adults in Household	All Household Members	All Household Members

				Required	Requested	Required	Requested
1	Official proof for disabled persons to be considered vulnerable and receive expedited or additional benefits.	☐	☐	☐	☐	☐	☑
2	Official proof for veterans to be considered to receive additional non-emergency benefits if funds are available.	☐	☐	☐	☐	☐	☑

17.3. Citizenship/Legal Residency Verification

What are your procedures for ensuring LIHEAP recipients are U.S. citizens or qualified non-citizens who are eligible to receive LIHEAP benefits? Select all that apply.

- ☐ **Clients sign an attestation of citizenship or U.S. Citizen or Qualified Non-Citizen**
- ☑ **Client's submission of certain Social Security Administration cards is accepted as proof of U.S. Citizen or Qualified Non-Citizen.**
- ☑ **Non-Citizens must provide documentation of immigration status**
- ☐ **Citizens must provide a copy of their birth certificate, naturalization papers, or passport**
- ☐ **Non-Citizens are verified through the SAVE system**
- ☐ **Tribal members are verified through Tribal enrollment records/Tribal ID card**
- ☑ **Other - Describe:**

  Green cards, consular identification, visas or proof of right to work in the state is allowed for foreign naturals. If a Social Security card is not available, the state will accept a Social Security number printed on a government issued document.

17.4. Income Verification

What methods does your agency utilize to verify household income? Select all that apply.

- ☑ **Require documentation of income for all adult household members**
  - ☑ **Pay stubs**
  - ☑ **Social Security award letters**
  - ☐ **Bank statements**
  - ☑ **Tax statements**
  - ☑ **Zero-income statements**
  - ☑ **Unemployment Insurance letters**
  - ☑ **Other - Describe:**

    Section 8 utility allowance check copies. Unemployment printouts for adult household members reporting zero income.
- ☐ **Computer data matches:**
  - ☐ **Income information matched against state computer system (e.g., SNAP, TANF)**
  - ☐ **Proof of unemployment benefits verified with state Department of Labor**
  - ☐ **Social Security income verified with SSA**
  - ☐ **Utilize state directory of new hires**
  - ☐ **Other - Describe:**

b. Describe any exceptions to the above policies.

Elderly and/or homebound applicants may qualify for a waiver if identification is expired.

17.5 Identification Verification

Describe what methods are used to verify the authenticity of identification documents provided by clients or household members. Select all that apply

- ☐ **Verify SSNs with Social Security Administration**
- ☐ **Match SSNs with death records from Social Security Administration or state agency**
- ☐ **Match SSNs with state eligibility/case management system (e.g., SNAP, TANF)**
- ☐ **Match with state Department of Labor system**
- ☐ **Match with state and/or federal corrections system**

- [ ] **Match with state child support system**
- [ ] **Verification using private software (e.g., The Work Number)**
- [ ] **In-person certification by staff (for tribal Grant recipients only)**
- [ ] **Match SSN/Tribal ID number with tribal database or enrollment records (for tribal Grant recipients only)**
- [x] **Other - Describe:**

  Applicants are required to provide a South Carolina identification card and proof of U.S. Citizenship/Legal Residency for all household members. Legal documents may be provided to support a difference in names. Subgrantees may also verify identification in-person during intake, request wage verification information from employers, Social Security Administration award letters, SNAP and TANF printouts, and accepted income tax documentation.

17.6. Protection of Privacy and Confidentiality

Describe the financial and operating controls in place to protect client information against improper use or disclosure. Select all that apply.

- [x] **Policy in place prohibiting release of information without written consent**
- [x] **Grant recipient LIHEAP database includes privacy/confidentiality safeguards**
- [x] **Employee training on confidentiality for:**
  - [x] **Grant recipient employees**
  - [x] **Local agencies/district offices**
- [x] **Employees must sign confidentiality agreement**
  - [x] **Grant recipient employees**
  - [x] **Local agencies/district offices**
- [x] **Physical files are stored in a secure location**
- [x] **Electronic files are protected in a secure location.**
- [x] **Other - Describe:**

  Policy and procedures manual and contract outline requirements for Grantee and agencies.

17.7. Verifying the Authenticity

What policies are in place for verifying vendor authenticity? Select all that apply.

- [ ] **All vendors must register with the State/Tribe.**
- [x] **All vendors must supply a valid SSN or TIN/W-9 form**
- [x] **Vendors are verified through energy bills provided by the household**
- [ ] **Grant recipient and/or local agencies/district offices perform physical monitoring of vendors**
- [ ] **Other - Describe and note any exceptions to policies above:**

17.8. Benefits Policy - Gas and Electric Utilities

What policies are in place to protect against fraud when making benefit payments to gas and electric utilities on behalf of clients? Select all that apply.

- [x] **Applicants required to submit proof of physical residency**
- [x] **Applicants must submit current utility bill**
- [x] **Data exchange with utilities that verifies:**
  - [x] **Account ownership**
  - [x] **Consumption**
  - [x] **Balances**
  - [x] **Payment history**
  - [x] **Account is properly credited with benefit**
  - [ ] **Other - Describe:**
- [ ] **Centralized computer system/database tracks payments to all utilities**
- [x] **Centralized computer system automatically generates benefit level**
- [x] **Separation of duties between intake and payment approval**

- [x] **Payments coordinated among other energy assistance programs to avoid duplication of payments**
- [x] **Payments to utilities and invoices from utilities are reviewed for accuracy**
- [x] **Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities**
- [ ] **Direct payment to households are made in limited cases only**
- [x] **Procedures are in place to require prompt refunds from utilities in cases of account closure**
- [x] **Vendor agreements specify requirements selected above, and provide enforcement mechanism**
- [ ] **Other - Describe:**

17.9. Benefits Policy - Bulk Fuel Vendors

What procedures are in place for averting fraud and improper payments when dealing with bulk fuel suppliers of heating oil, propane, wood, and other bulk fuel vendors? Select all that apply.

- [ ] **Vendors are checked against an approved vendors list**
- [ ] **Centralized computer system/database is used to track payments to all vendors**
- [x] **Clients are relied on for reports of non-delivery or partial delivery**
- [x] **Two-party checks are issued naming client and vendor**
- [ ] **Direct payment to households are made in limited cases only**
- [x] **Vendors are only paid once they provide a delivery receipt signed by the client**
- [x] **Conduct monitoring of bulk fuel vendors**
- [ ] **Bulk fuel vendors are required to submit reports to the grant recipient.**
- [x] **Vendor agreements specify requirements selected above, and provide enforcement mechanism**
- [ ] **Other - Describe:**

17.10. Investigations and Prosecutions

Describe the Grant recipients procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients, staff, or vendors found to have committed fraud. Select all that apply.

- [x] **Refer to state Inspector General**
- [ ] **Refer to local prosecutor or state Attorney General**
- [x] **Refer to US DHHS Inspector General (including referral to OIG hotline)**
- [x] **Local agencies/district offices or Grant recipient conduct investigation of fraud complaints from public**
- [ ] **Grant recipient attempts collection of improper payments. If so, describe the recoupment process**
- [x] **Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned?** one year to permanent debarment.
- [x] **Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated**
- [x] **Vendors found to have committed fraud may no longer participate in LIHEAP**
- [ ] **Other - Describe:**

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.BrBbr.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,'' provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or

voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later

determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,'' without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

☑ **By checking this box, the prospective primary participant is providing the certification set out above.**

Section 19: Certification Regarding Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central pint is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the Grant recipient is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the Grant recipient knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For Grant recipients other than individuals, Alternate I applies.

4. For Grant recipients who are individuals, Alternate II applies.

5. Workplaces under grants, for Grant recipients other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the Grant recipient does not identify the workplaces at the time of application, or upon award, if there is no application, the Grant recipient must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the Grant recipients drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the Grant recipient shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grant recipients attention is called, in particular, to the following definitions from these rules:

Controlled substance **means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);**

Conviction **means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;**

Criminal drug statute **means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;**

Employee **means the employee of a Grant recipient directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the Grant recipients payroll. This definition does not include workers not on the payroll of the Grant recipient (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the Grant recipients payroll; or employees of subrecipients or subcontractors in covered workplaces).**

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grant recipients Other Than Individuals)
The Grant recipient certifies that it will or will continue to provide a drug-free workplace by:,

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grant recipients workplace and specifying the actions that will be taken against employees for violation of such prohibition;
(b) Establishing an ongoing drug-free awareness program to inform employees about --
(1)The dangers of drug abuse in the workplace;
(2) The Grant recipients policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
(1) Abide by the terms of the statement; and
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a

central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
(f)Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted -(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
(B) The Grant recipient may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance ***(That this must be physical address. No PO Boxes allowed.)***

1205 Pendleton Street *** Address Line 1**
Address Line 2
Address Line 3

Columbia *** City**	SC *** State**	29201 *** Zip Code**

Check if there are workplaces on file that are not identified here.

Alternate II. (Grant recipients Who Are Individuals)

(a) The Grant recipient certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

☑ **By checking this box, the prospective primary participant is providing the certification set out above.**

Section 20: Certification Regarding Lobbying

The submitter of this application certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying,'' in accordance with its instructions

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying,'' in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

☑ **By checking this box, the prospective primary participant is providing the certification set out above.**

Assurances

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair;and

(D)plan, develop, and administer the State's program under this title including leveraging programs, and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i)assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of -

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

(except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income

energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that -

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local Grant recipients and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursal of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed $200,000. Neither territories with annual allotments of $200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and

thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

☑ **By checking this box, the prospective primary participant is agreeing to the Assurances set out above.**

Plan Attachments

PLAN ATTACHMENTS
The following documents must be attached to this application
• **Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.**
• **Heating component benefit matrix, if applicable**
• **Cooling component benefit matrix, if applicable**
• **Minutes, notes, or transcripts of public hearing(s).**
• **Policy Manual.**
• **Subrecipient Contract.**
• **Model Plan Participation Notes for Tribes.**

List of Cell Level Attachments

	File Name	Location
1	2026 MASTER LIHEAP Grant Agreement.pdf	Section 9 - Energy Suppliers,, 2605(b)(7) - Assurance 7 Attach a copy of the template statewide vendor agreement or a policy that indicates local agreements must adhere to statewide policies and assurances.
2	Statewide LIHEAP Vendor Agreement.pdf	Section 9 - Energy Suppliers,, 2605(b)(7) - Assurance 7 Attach a copy of the template statewide vendor agreement or a policy that indicates local agreements must adhere to statewide policies and assurances.
3	25 LIHEAP State Plan_Section 10.2_ Audit Explanation .pdf	Section 10 - Program, Fiscal Monitoring, and Audit, 2605(b)(10) - Assurance 10 **If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.**
4	FY 2026 Public Hearing Transcript_8.15.25.pdf	Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2) 11.4 Summarize the comments you received at the hearing(s).
5	RE_ IMPORTANT_ 2025 Draft CSBG & LIHEAP State Plans for Public Review 5.7.2024.pdf	Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2) 11.4 Summarize the comments you received at the hearing(s).
6	2025 State CSBG_LIHEAP State Plans Public Input Forum_ Presentation 6.21.24.pdf	Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2) 11.4 Summarize the comments you received at the hearing(s).
7	SC OEO_2025 State Plan Reiew for CSBG & LIHEP Grants - Attendance Report and Chat Records 6.21..24.pdf	Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2) 11.4 Summarize the comments you received at the hearing(s).
8	Notice of Virtual Public Hearing for 2025 LIHEAP.pdf	Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2) 11.4 Summarize the comments you received at the hearing(s).
9	Miller Designation Letter 2026.pdf	Plan Attachments • **Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.**
10	25 Miller Designation Letter.pdf	Plan Attachments • **Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.**
11	25 LIHEAP_Governor's Delegation Letter.pdf	Plan Attachments • **Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.**
12	2026 LIHEAP Benefit Matrix.pdf	Plan Attachments • **Heating component benefit matrix, if applicable**
13	2025 LIHEAP Benefit Matrix.pdf	Plan Attachments • **Heating component benefit matrix, if applicable**

14	2025 LIHEAP Benefit Matrix.pdf	Plan Attachments • **Cooling component benefit matrix, if applicable**
15	Public Hearing Attendance Log 8.15.25.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
16	Notice of Virtual Public Hearing for 2026 CSBG and LIHEAP 7.2.25.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
17	2026 State Plan_Public Forum Presentation 6.20.25.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
18	2026 CSBG_LIHEAP State Plan Review 6.20.25_Attendance Log.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
19	SC OEO_ 2025 LIHEAP Public Hearing - Attendance report 8-15-24.csv.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
20	FY 2025 LIHEAP Public Hearing Transcript_8.15.24.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
21	25 Public Hearing and State Plans Posting to OEO Website.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
22	Notice of Virtual Public Hearing for 2025 LIHEAP.pdf	Plan Attachments • **Minutes, notes, or transcripts of public hearing(s).**
23	DRAFT 2026 Administrative Guide.pdf	Plan Attachments • **Policy Manual.**
24	2026 MASTER LIHEAP Grant Agreement.pdf	Plan Attachments • **Policy Manual.**
25	Monitoring Protocol for CSBG & LIHEAP Grants_July 2024.pdf	Plan Attachments • **Policy Manual.**
26	OEO Fiscal Guidance and Procedural Manual as of January 2022.pdf	Plan Attachments • **Policy Manual.**
27	2024 SC OEO Administrative Guide_ Effective 1.1.24.pdf	Plan Attachments • **Policy Manual.**
28	Monitoring Protocol for CSBG &	Plan Attachments

	LIHEAP Grants.pdf	• **Policy Manual.**
29	Statewide LIHEAP Vendor Agreement.pdf	Plan Attachments • **Subrecipient Contract.**
30	2025 MASTER LIHEAP Grant Agreement.pdf	Plan Attachments • **Subrecipient Contract.**

PROGRAM YEAR _____
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM
GRANT AGREEMENT

(CFDA 93.568)

Between

THE STATE OF SOUTH CAROLINA
Department of Administration
Office of Economic Opportunity (OEO)
UEI #: UL2HEZMR7HN1
1205 Pendleton Street
Columbia, South Carolina 29201

And

Subgrantee Name
UEI #:
Address
Address

EFFECTIVE DATES:
January 1, ___through December 31, ____

PROGRAM YEAR ____
LOW-INCOME HOME ENERGY ASSISTANCE
GRANT AGREEMENT

(CFDA 93.568)

This Grant Agreement effective as of the 1st day of January ____ by and between the Department of Administration, Office of Economic Opportunity, hereinafter referred to as the "Grantee" and Subgrantee Name, hereinafter referred to as the "Subgrantee."

WHEREAS, the Secretary of the United States Department of Health and Human Services (USDHHS) has allocated funds under the Low-Income Home Energy Assistance Act, hereinafter referred to as the "Act," to the State of South Carolina for the conduct of human service programs to assist eligible households in meeting home energy expenses within all of South Carolina's 46 counties; and,

WHEREAS, the Grantee meets applicable standards as a provider to administer the energy assistance program associated with the Low-Income Home Energy Assistance Act of 1981, as amended by the Low-Income Home Energy Assistance Amendment of 1998, and the Energy Policy Act of 2005;

NOW THEREFORE, the parties to this Grant Agreement, in consideration of the mutual promises, terms, conditions, covenants, and stipulations set forth herein agree as follows:

I. **ENGAGEMENT OF SUBGRANTEE:** The Grantee hereby agrees to engage the Subgrantee and the Subgrantee hereby agrees to perform the services hereinafter set forth in this Grant Agreement.

II. **SERVICE AREA:** The Subgrantee shall perform the services provided under this Grant Agreement in the following counties: List counties served

III. **GRANT PERIOD:** The Grant Agreement shall take effect as of January 1, ____ and shall continue in full force through December 31, ____, unless sooner terminated in accordance with Section XI herein.

IV. **DEFINITIONS:** Terms used in this Grant Agreement, unless another meaning is clearly indicated by context, are defined as follows:

A. Act: Low-Income Home Energy Assistance Act of 1981 (Title XXVI of The Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, as amended); and the Energy Policy Act of 2005;

B. Administrative Guide**:** A comprehensive manual containing program guidelines;

C. DA**:** Direct Assistance Heating (DAH) or Direct Assistance Cooling (DAC);

D. ECIP**:** Emergency Crisis Intervention Program;

E. Federal Award Date: The date the Federal Award was signed by the authorized Federal awarding agency.

F. Federal Award Period: The timeframe federal funding is available for obligation.

G. FFY**:** Federal Fiscal Year means the October 1, 2023 through September 30, ____;

H. Grantee**:** The State of South Carolina, Department of Administration, Office of Economic Opportunity;

I. LIHEAP**:** Low-Income Home Energy Assistance Program;

J. PY**:** Program Year means the Grant period January 1, ____ through December 31, ____;

K. Recipient**:** A household or individual that has been determined eligible for services as outlined in the ____ State Plan;

L. Secretary**:** The Secretary of the U.S. Department of Health and Human Services;

M. State**:** The State of South Carolina;

N. State Plan**:** The State of South Carolina's PY ____ State Plan for Low-Income Home Energy Assistance, which describes the methodology, policy and procedures for implementing the grant program;

O. Subgrantee**:** Community Action Agency (CAA)

P. Subgrantee Period of Performance: The timeframe a subgrantee has to obligate funds.

Q. Subgrantee Closeout Period: The timeframe a subgrantee must liquidate or pay all obligations incurred under the award for the funding period, conduct final reconciliations, data collection, and other administrative activities necessary to close the grant; and

R. Vulnerable Households**:** Households with frail, older individuals, individuals with disabilities, and/or those with very young children that meet LIHEAP program and income eligibility standards.

V. PURPOSE OF THE STATE LIHEAP PROGRAM: The Low-Income Home Energy Assistance Program (LIHEAP) is designed to assist low-income households in meeting home heating and cooling expenses. LIHEAP helps to alleviate home energy crisis through the provision of home energy assistance, energy education, home weatherization, income management counseling, and intervention with energy providers.

The goals for PY ____ include:

A. Expand outreach in one or more vulnerable household categories;

B. Target energy assistance to eligible households with the highest energy needs and lowest incomes;

C. Increase efficiency of energy usage by applicant households; and

D. Address inefficient home heating/cooling systems through repair and/or replacement utilizing LIHEAP Weatherization.

VI. FUNDING

A. Grantee agrees to provide the Subgrantee the PY ____ allocation of $ _____

US Department of Health and Human Services-Office of Community Services
Federal Award Date: 10/23/2023
Federal Award Period: 10/01/2023 – 09/30/2025
Federal Award Identification Number: 2402SCLIEA
Assistance Listing Number: 93.568
Low-Income Home Energy Assistance Program
Subgrantee Period of Performance: 01/01/____ to 12/31/____
Subgrantee Budget Period: 01/01/____ to12/31/____
This is not an R&D award.

County	**Administration**	**Operations & Outreach**	**Total ____ LIHEAP Allocation**

Total			

B. Minimum Performance

Each Subgrantee must expend the LIHEAP allocation according to the quarterly percentages in the following table. Any Subgrantee who does not expend the minimum percentage of LIHEAP funds will be required to submit a Plan of Action Report within ten (10) days of receiving notification from Grantee.

1st Quarter – January, February, March	-	25%
2nd Quarter – April, May, June	-	50%
3rd Quarter – July, August, September	-	75%
4th Quarter – October, November, December	-	100% expended

VII. TERMS AND CONDITIONS

Now, therefore, the parties to this Grant, in consideration of the mutual promises, terms and conditions, covenants, and stipulations set forth herein, agree to the following terms and conditions:

A. GRANTEE RESPONSIBILITIES

1. Monitoring and Evaluation

The Grantee is responsible for monitoring grant, sub-grant and contract supported activities to assure compliance with Federal and State requirements, and that performance goals are being achieved. Monitoring must cover each project, function and activity. (See 45 C.F.R. §75.342). In a timely, complete and accurate manner, the Subgrantee shall report all data and information requested by the Grantee. The Subgrantee agrees that the Grantee and its representatives may carry out monitoring and evaluation activities, including announced and unannounced activities. The Subgrantee agrees to ensure the cooperation of all Subgrantee employees and board members and make all program records and facilities available to the Grantee to examine and copy to complete monitoring requirements. (See 45 C.F.R. §75.364) During the visit, the Grantee may contact clients and vendors, and will review service delivery as specified in the Grant, as well as review current monitoring reports for other programs administered by the Subgrantee. In addition, internal program reviews shall be conducted by the Subgrantee in accordance with all other procedures issued by the Grantee.

A copy of each Subgrantee fiscal and program monitoring report shall be mailed to the Board Chairperson and the Executive Director; if issues are identified that could cause an agency to become at-risk, the entire board will receive a copy of the report and other correspondences.

Effective controls over and accountability for federal funds require subgrantees to assure funds are used solely for authorized purposes; i.e., those activities that relate to the approved Budget and Work Plan. Subgrantee must review and document client assistance file, as it is an effective tool in maintaining control and ensuring compliance over Federal funds.

2. Payments

45 C.F.R. §75.305 sets forth the payment guidelines that OEO will follow.

a. Method of Payments

Advance payments must be limited to the minimum amounts needed and be in accordance with the actual, immediate cash requirements of the Subgrantee in carrying out the purpose of the LIHEAP program. Therefore, OEO will release a scheduled one-time advancement of funds for the first two to four (2-4) months of expenses of the grant period for LIHEAP.

Subgrantees should request additional cash payments throughout the program year using the "Certification of Advancement of Funds" form. A separate form is required for each grant.

Cash payment requests should be made on a monthly basis but may be submitted as frequently as biweekly.

In determining the cash request, Subgrantees should take into consideration:

- The amount of funds that have been obligated;
- Commitments and other funds needed to continue daily operations; and
- Time for Grantee to process and release funds requested. It may take up to thirty (30) days for Grantee to process and release the requested disbursement.

Pursuant to 45 C.F.R. §75.305, the Subgrantee must maintain and demonstrate the willingness to maintain both written procedures that minimize the time elapsing between transfer of fund and disbursement by the Subgrantee, and financial management systems that meet the standards for fund control and accountability. As such, Subgrantees must continuously monitor grant funds received from Grantee to ensure compliance with this requirement. Grantee maintains the right to request additional information from the Subgrantee prior to disbursing payments.

b. Conditions of Payments

The Grantee shall only make payment for allowable costs that are authorized in the course of providing services pursuant to this Grant. Allowable costs shall meet the basic considerations prescribed in 45 C.F.R. §75.403. The Grantee shall make payments on the condition that the Subgrantee is in full and faithful compliance with the terms, conditions, covenants and stipulations of this grant.

c. Limit of Payments

The total payment to the Subgrantee shall not exceed the amount on Section VI, Funding, page 3 of this Grant Agreement unless authorized by an amendment issued by the Grantee.

d. Recall of Funds

The Grantee may request return of unexpended grant funds upon written notice to the Subgrantee. The notice will indicate the allowable time for the return of the funds and stipulate causes.

B. SUBGRANTEE RESPONSIBILITIES:

The Subgrantee shall do, perform and carry out, in a satisfactory manner, as determined by the Grantee, the services herein:

1. Description of Service**:**

The services to be provided are the program elements described in the ____ South Carolina LIHEAP State Plan and approved Subgrantee Work Plan for implementation of the Act. These services are listed below:

a. Administration:

Provides program and fiscal support, technical assistance and training, program development and oversight for the program elements outlined below in paragraphs b – d;

b. Direct Assistance (DA):

Assists eligible households with home heating and cooling expenses (Refer to PY ____ Administrative Guide);

c. Energy Crisis Intervention (ECIP):

Assists eligible households with home emergency heating and cooling expenses and/or home energy needs created by extreme weather-related temperatures, fuel supply shortages, and other emergency conditions as defined by the State (Refer to PY ____ Administrative Guide); and

2. Provision of Services**:**

The Subgrantee certifies it has the legal authority to apply for the Grant and the capability to ensure proper planning, management and completion of the program elements approved in the Work Plan and Grant Agreement.

a. Performance

The services shall be provided and performed in accordance with the ____ South Carolina LIHEAP State Plan and Administrative Guide as soon as practicable after the approval of the Work Plan and Budget and the execution of the ____ LIHEAP Grant Agreement. Subgrantees are required to report deviations from Budget and Work Plan and request prior approvals for Budget and Work Plan revisions, including changes in the scope or objective of the program.

b. Clients

The Subgrantee agrees to provide LIHEAP services only to households whose eligibility is established in accordance with the ____ South Carolina LIHEAP State Plan and Administrative Guide, and to disburse LIHEAP funds for heating and cooling components during the ____ Program Year as outlined in the Administrative Guide.

c. Notification of Payment to Client and Vendors

Subgrantee shall:

(A) notify each participating household of the amount of assistance paid on its behalf;
(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;
(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and
(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs.

See 42 U.S.C. §8624(b)(7).

d. Appeal and Fair Hearing

Subgrantee agrees to publicize procedures for an opportunity for a fair hearing for any applicant or recipient of services whose request for any service is not acted upon with promptness or is denied.

3. Personnel:

a. Generally

The Subgrantee agrees to secure the personnel required to perform the services under this Grant Agreement. Subgrantee should employ personnel who can demonstrate the knowledge and aptitude needed to serve recipients and achieve the Grant's Performance Targets, including fiscal requirements. Personnel engaged by the Subgrantee to perform services under this Grant shall be employed in accordance with Federal and State laws and regulations, as well as Subgrantee's Personnel Policies and Procedures. In the budget, the Subgrantee shall identify all positions to be funded by this Grant, full/part-time and temporary, by providing the Employee ID and the county served of each position to be occupied and the percentage of salary. If there are positions to be filled later, the Subgrantee shall submit an updated, final list within ninety (90) days of the beginning of the grant or whenever all positions have been filled, or whichever is sooner. If there are still position vacancies at the time of submission of the final list, the list must still be submitted to the Grantee with the vacancies noted.

All services required will be performed by the Subgrantee or under the direct supervision of the Subgrantee as approved by the Grantee. The Grantee considers Subgrantee's Personnel Policies and Procedures an integral part of this Grant, as are any amendments, and will be reviewed during the OEO monitoring.

b. Subcontractors

Unless otherwise expressly authorized by the Grantee, all services hereunder shall be provided by the Subgrantee directly and no grant for the provision of such services shall be entered into by the Subgrantee. Authorized subcontracts under this Grant shall be in writing, attached to this Grant and shall be subject to the term of this Grant. The Subgrantee will, of necessity due to limitations of administrative funds, be expected to establish cooperative procedures with such other organizations and procedures will be in accordance with the approved Work Plan. The Subgrantee shall establish outreach procedures for eligible households using assistance from volunteer private and public agencies.

Subgrantee shall require any subcontractor to comply with the provisions of this Grant Agreement. Subgrantee shall be responsible for the performances of any subcontractor and shall monitor the performance of any subcontractor.

Subcontractors engaged by the Subgrantee to perform services under this grant shall be contracted with in accordance with state laws and local ordinances. Under this Grant Agreement, an employee of the Subgrantee is not eligible to provide services to recipients as a subcontractor. Applicable procurement laws and procedures as outlined in the OEO Fiscal Guidance and Procedural Manual will be followed in securing subcontractors who provide services. See Section VII, Paragraph (B), Subsection (10), of this Grant Agreement.

c. Confidentiality and Safeguarding Information

Any reports, information or data obtained by Subgrantee, or prepared at the request of Grantee by Subgrantee, shall not be made available to any individual or organization without the prior written approval of Grantee. Subgrantee shall not disclose any personally identifiable information (PII) (see 45 CFR §75.2) of a recipient to any third party without the express written authorization of the client or of his/her legal guardian.

The Subgrantee shall safeguard the use and disclosure of information concerning applicants and recipients of services in accordance with applicable Federal or State laws or regulations and shall restrict access to, use and disclosure of such information, in accordance with said laws and regulations. Any question regarding access to information should be referred in writing to the Grantee. Accessibility will be permitted only at the direction of the Grantee.

Subgrantee must comply with 45 C.F.R §75.365 Restrictions on public access to records.

Subgrantee must develop and implement a confidentiality policy for all employees, consultants and volunteers to sign and adhere to while working with personal information of household members being serviced under this Grant Agreement.

d. Safety

The Subgrantee must take necessary steps to protect itself and its personnel while providing services through this grant. The Subgrantee will comply with all applicable local, State and Federal occupational and safety acts, rules and regulations. The Grantee assumes no responsibility with respect to accident, illness or claims arising out of any work undertaken with funds provided through this grant.

4. Time of Performance:

Services by the Subgrantee shall commence as soon as practicable**,** only after the approval of the Work Plan and Budget, and the execution of this Grant Agreement. Services shall be undertaken to assure completion in accordance with timelines**,** goals and objectives, as stipulated in the approved Work Plan.

5. Client Files

Subgrantee agrees to maintain files that contain source documents that (1) support recipient eligibility, (2) support costs that are allowable and traceable to the accounting system, and (3) are in accordance with provisions of cost principles, conditions of this Grant Agreement and 45 CFR §75.305(b). The review of files can be used to support future individual or agency training, employee performance evaluation and other human resource procedures.

Subgrantee agrees to secure and protect client information collected, used, stored, and maintained in the execution of this grant.

6. Work Plan:

The Subgrantee shall submit a Work Plan describing the agency's operational plan, Performance Targets, Outcome Statements, goals and objectives for the LIHEAP Program, to include a clear description of advertising outreach, of how identified linkages will be utilized to fill identified gaps in services, and to prevent the duplication of services within the designated service area. The Work Plan will provide the total number of low-income households in the service area and clearly indicate the percentage of vulnerable households that the agency is planning to target. Projections must include: target elderly, disabled, households with children age 5 and younger, and households with a high burden (energy bill is 20% or greater than the total household monthly income).

The Subgrantee shall immediately notify the Grantee of significant developments potentially impacting or changing the approved scope of work or in case of problems, delays, or adverse conditions which could impair the ability to meet the objectives of the award. The notification shall include a statement of action(s) to be taken or contemplated and identify any assistance needed to resolve the situation(s). Any revised Work Plans must be approved by the Grantee.

7. Budget

a. General Requirements

Subgrantee must submit to OEO a budget package through the statewide database system, which has been approved by their Board of Directors. The budget must set forth a plan summarizing the financial aspects of their program, specifically stating the estimated revenues and expenses. Subgrantee also agrees to adhere to the cost principles set forth in 45 C.F.R. §75 - Subpart E.

b. Allowable Costs

Pursuant to 45 C.F.R. §75.403, an allowable cost is a cost that meets the following general criteria:

- Be necessary and reasonable for the performance of the grant and be allocable thereto;

- Conform to any limitations or exclusions as to types or amounts of cost items;
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the Subgrantee;
- Be accorded consistent treatment. A cost may not be assigned to a grant as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the grant as an indirect cost;
- Be determined in accordance with generally accepted accounting principles (GAAP);
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-funded program in either the current or prior period;
- Be adequately documented.

c. Reasonable Costs

Pursuant to 45 C.F.R. §75.404, a cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

d. Direct Costs

Pursuant to 45 C.F.R. §75.413, direct costs are those costs that can be identified specifically with a particular final cost objective, such as grant funds, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

e. Indirect Costs

Pursuant to 45 C.F.R. §75.2, indirect costs means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

Pursuant to 45 C.F.R. §75.414, indirect costs shall be classified within two broad categories: "Facilities" and "Administration."

- "Facilities" is defined as depreciation on buildings, equipment and capital improvement, interest on debt associated with certain buildings, equipment and capital improvements, and operations and maintenance expenses.
- "Administration" is defined as general administration and general expenses such as the director's office, accounting, personnel and all other types of expenditures not listed specifically under one of the subcategories of "Facilities."

The Subgrantee shall establish an indirect cost rate in accordance with the cost principles and procedure by the cognizant agency. See 45 C.F.R. §75.414(e) for requirements for development and submission of indirect cost rate proposals and cost allocation plans. The Subgrantee shall provide documentation to substantiate an approved rate from the cognizant agency and provide subsequent re-issuance of such rate agreement. The Subgrantee shall utilize the approved IDC in accordance with the cost principles and procedures set forth by the cognizant agency.

f. Allocable Costs

Pursuant to 45 C.F.R. §75.405, a cost is allocable to a particular grant or other cost objective if the goods or services involved are chargeable or assignable to that grant or cost objective in accordance with relative benefits received. This standard is met if the cost:

- Is incurred specifically for the grant;
- Benefits both the grant and other work of the Subgrantee and can be distributed in proportions that may be approximated using reasonable methods; and
- Is necessary to the overall operations of the Subgrantee and is assignable in part to the grant funds in accordance with costs principles set forth in Subpart E.

g. Program Income

Program income means gross income earned by the Subgrantee that is directly generated by a supported activity or earned as a result of the LIHEAP funds during the period of performance. See 45 C.F.R. §75.2.

Program income that is earned may be retained and deducted from the total allowable costs pursuant to 45 C.F.R. §75.307(e)(1).

8. Financial Management System**:**

a. General Requirements

By accepting this grant, the Subgrantee certifies that it has established an effective and efficient system of accounting and administrative internal controls to properly conduct this grant with full accountability for the resources made available. The Subgrantee's financial management systems, including records documenting compliance with State and Federal statutes, regulations and the terms and conditions of this grant, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracking of funds to a level of expenditures adequate to establish that such funds have been used according to State and Federal statutes, regulations and the terms and conditions of this grant.

Subgrantee's financial management system must comply with 45 C.F.R. §75.302 (b).

b. Cash Management
Grantee is required to comply with the Cash Management Act (CMIA) 31 CFR 205 (amended 1992). The payment guidelines for the Subgrantee are set forth in 45 CFR §75.305(b).

See 45 CFR §75.305 (a) and (b).

c. Identification of Accounts

Subgrantee must have a separate fund account for LIHEAP funds and must be able to identify the source and application of funds for LIHEAP activities. The Subgrantee's records must contain information pertaining to the LIHEAP award, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. Program and grant fund identification must include, as applicable, the CFDA title and number, grant identification number and year, name of the Federal Agency, and name of the pass-through entity, OEO.

No portions of LIHEAP funds may be used for the purpose of making loans to employees or other programs within the agency without approval from OEO and HHS.

9. Internal Control Systems:

Subgrantee agrees to establish and maintain effective internal control over the grant funds that provides reasonable assurance that the funds are being managed in compliance with Federal and State statutes, regulations, and the terms and conditions of this agreement. These internal controls must be in compliance with 45 C.F.R. §75.303.

Subgrantee must take prompt action when instances of noncompliance are identified, including but not limited to noncompliance identified in audit findings and/or monitoring activities.

10. Procurement

Subgrantee shall follow the South Carolina Consolidated Procurement Code set forth in S.C. Code Ann. §11-35-10, et seq., in conducting procurements unless the proposed purchase is from a vendor

that is selected from the current State Procurement Contract list, which must be verified through the State's Materials Management Office (MMO). Subgrantee also agrees to follow the requirements set forth in §§45 C.F.R. §§75.327 through 75.335, any applicable memorandums issued by the State and Grantee's Fiscal Guidance and Procedural Manual. Subgrantee's agreements and contracts with subcontractors shall follow the procurement guidelines.

All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. The subgrantee shall be alert to organizational conflicts of interest and noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, invitation for bid and/or requests for proposals shall be excluded from competing for such procurements. Any and all bids or offers may be rejected when it is in the subgrantee's interest to do so.

The use of sole source contracting is highly discouraged. Sole source contracts will be awarded only under exceptional circumstance and in compliance with Section 11-35-1560 of the South Carolina Consolidated Procurement Code. Subgrantee must also refer to the OEO Fiscal Guidance and Procedural Manual for specific guidance and requirements. Subgrantee is required to submit a written explanation justifying this type of procurement, with support documentation, to OEO prior to entering into a sole source contract.

Grantee will review the Subgrantee's procurement procedures and purchases during their monitoring. Grantee may request, at any time, justification and documentation supporting any purchase as a direct cost in this grant.
As stated in §507 of Public Law 103-333, to the extent practicable, all equipment and products purchased with grant funds should be American made.

11. Program and Fiscal Records

    a. General Requirements

    The Subgrantee must maintain records which adequately identify the source and application of funds provided for grant activities. The Subgrantee also agrees to prepare, retain, and permit the Grantee and its authorized representative(s) to inspect Subgrantee records as the Grantee deems necessary for monitoring purposes. In addition to inspections, the Subgrantee agrees to give access to the Grantee and its authorized representative(s) to the following records:

    - Fiscal transactions;
    - Audits;
    - Personnel files;
    - Administration;
    - Program; and
    - Any other record deemed relevant by the Grantee.

    See 45 C.F.R. §75.364.

    b. Statewide Database System

    Subgrantee must fully utilize the statewide database system as prescribed by Grantee. Subgrantee is required to ensure that all staff with access to the statewide database system remain current with access requirements and documentation (i.e. SANS Training and User Confidentiality Agreement). Subgrantee is also required to ensure that staff who will be given access to the statewide database system meet all requirements, documentation and training.

    If Subgrantee determines a need to maintain client information outside of the statewide database system, Subgrantee agrees to appropriately protect the information, and dispose of the information in a manner that renders the information unreadable, indecipherable, and irrecoverable.

c. Record Retention

All pertinent grant records including financial, program, supporting documents, statistical and non-expendable property records must be retained for three (3) years after the Subgrantee submits the final expenditure report to the Grantee. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.

To see additional exceptions, see 45 C.F.R. §75.361.

12. Reporting Requirements

Subgrantee will file all required reports using Grantee's on-line Budget and Financial Status Reporting process. For further details, see the Grantee's Fiscal Guidance and Procedural Manual, § IV.

All required reports, fiscal and programmatic, must be sent to Grantee in a manner acceptable to Grantee. "Acceptable to Grantee" means that the work product was submitted accurately and complete within the required time frame and completed in accordance with generally accepted accounting principles and is consistent with the Budget, Work Plan and Grant Agreement. When Grantee receives an incomplete report, Subgrantee shall provide additional fiscal and program records, updates or information as may be required by Grantee.
When reports are not submitted within the required time frame, nor completed in accordance with generally accepted principles, nor consistent with the approved budget, Work Plan or this Agreement, the State may exercise its right to temporarily stop grant funding. Among other required data, this includes, but is not limited to program reports, quarterly reports, annual reports, budgets and budget revisions, Financial Status Reports, individual audits, close-out reports, Board Meeting Minutes, and submission of carryover (when required). **Failure to submit timely and accurate FSRs may result in delayed payments of advancements.**

Required reports, prescribed above, must be sent to the Grantee in a manner acceptable to the Grantee, or the Grantee may withhold further payments/awards until they are completed or may take action as set forth in "Section X– Administrative Enforcement" of this Agreement.

a. Financial

The Subgrantee shall furnish the Grantee monthly Financial Status Reports (FSR) no later than the 15th day of the following month (refer to OEO Fiscal Guidance and Procedural Manual). The FSR reports shall include an accounting of all financial activity completed during the reporting period. A final FSR report shall be required within forty-five (45) days after the completion of the grant period (time-frame subject to change).

b. Programmatic

The Subgrantee shall provide the Grantee monthly household reports no later than fifteen (15) days after the end of each quarter of the program year and shall continue to provide the reports each quarter until submission of the annual close-out report is due forty-five (45) days after termination of this Agreement.

Upon reasonable notice, the Subgrantee shall provide such additional fiscal and/or program updates or information as may be required by the Grantee.

c. Monitoring Reports from Other Funding Sources

The Subgrantee shall provide the Grantee current monitoring reports for other programs administered by the Subgrantee, including but not limited to any federal funding sources and Project Share, within thirty (30) days of receipt. (See 45 C.F.R. §75.364).

d. Board of Directors

Within thirty (30) days of the date of execution of minutes, one copy of each set of approved Board Meeting Minutes is to be submitted to the Grantee by uploading them to the BoardPro module of the statewide database system. Board Rosters are to be updated as needed and a revised copy is to be submitted to the Grantee within thirty (30) days of the revision(s).

e. Subcontractor and/or Consultants

The Subgrantee shall send Grantee written notification identifying all subcontractors and/or consultants that Subgrantee directly contracted with for services for its organization, funded in whole or in part by this grant. (Refer to OEO Fiscal Guidance and Procedural Manual, page 35, which further defines Contractual/Professional Services.) Subgrantee will provide to the Grantee copies of all relevant business licenses and insurance certificates of the subcontractors and/or consultants.

f. Property

Pursuant to 45 C.F.R. §75.2, Property means real property or personal property and equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the Subgrantee for financial statement purposes, or $2,500. Title to all property shall vest with the Subgrantee so long as it is used for the purposes of this Grant. When the Subgrantee determines that property is no longer required for the purposes of this Grant, the Subgrantee is to contact the Grantee for disposition instructions and approval (refer to OEO Fiscal Guidance and Procedural Manual).

Subgrantee must maintain property records that include a description of the property, a serial number or other identification number, the source of funding for the property (including FAIN), who holds title, the acquisition date and cost of the property, the percentage of Grantee's participation in the project cost for the grant funds under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

Subgrantee must perform an annual physical inventory of the property and reconcile the results as of the end of the fiscal year. Subgrantee will submit a final equipment inventory to Grantee no later than April 30, ____.

See 45 C.F.R. §75 - Property Standards, §§75.316 through 75.323 and Grantee's Fiscal Guidance and Procedural Manual for further details.

13. Single Audit

Subgrantees that expend $750,000 or more in a fiscal year in federal funds are federally required to have a single audit conducted for that year in accordance with 45 CFR §75 Subpart F –Audit Requirements.

Within thirty (30) days of receipt of the independent audit report, or nine (9) months after the year end, whichever comes first, the Subgrantee is required to electronically submit the completed data collection form and reporting package to the Federal Audit Clearinghouse per 45 CFR §75.512. If findings are reported, the subgrantee is required to submit a corrective action plan compliant with 45 CFR §75.511(c). Subgrantee must make copies available for public inspection.

C. CLOSE-OUT

1. General Requirements

The Grantee will close-out the grant when it is determined that all applicable administrative actions and all required work of the grant have been completed by the Subgrantee within the grant period. The Grantee will provide close-out procedures, which comply with 45 C.F.R. §75.381, in the Fiscal Guidance and Procedural Manual and the close-out memorandum.

2. Reports

No later than 45 calendar days after the end date of the period of performance, the Subgrantee shall submit all financial, performance, and other reports as required by the terms and conditions of the grant.

3. Cost Adjustments

The Grantee will make adjustments upward or downward to allowable costs based on the final close-out financial report.

4. Cash Adjustments

The Subgrantee shall, within the close-out period, refund to the Grantee any balance of unobligated funds unless otherwise directed by the Grantee.

The Subgrantee will make payment to the Grantee for all unallowable costs within thirty (30) days of notification.

5. Later Disallowed Costs and Adjustments

The close-out of this Grant does not affect the following:

- The Grantee's right to disallow costs and recover funds on the basis of a later audit or other financial review;
- The Subgrantee is obligated to return any funds due as a result of later refunds, corrections or other transactions; and
- Record retention as required in §VII, (B)(10)(c) of this Grant Agreement.

D. MISCELLANEOUS

1. Political Activities

The Subgrantee agrees that no funds shall be utilized, nor services provided, or personnel assigned in a manner supporting or resulting in the identification of such programs with:

- Any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office;
- Any activity to provide voters and prospective voters with transportation to the polls or to provide similar assistance in connection with any election;
- Any voter registration activity; or
- Any political activities as set forth in the U.S. Code, Title 5, Chapter 15, Section 1502(a)(i)(2) and (3).

2. Nondiscrimination

No persons shall because of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available through this Grant. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (U.S.), or with respect to an otherwise qualified disabled individual as provided in Section 504 of the Rehabilitation Act of 1978 (U. S.), and Americans with Disabilities Act of 1990 (U.S.) shall also apply to any such activity conducted under the provisions of this Grant.

3. Investigations

   The Subgrantee will permit and cooperate with any Federal investigation undertaken by the Secretary, Comptroller General, or any State investigation to determine compliance with the provisions of this Grant. The Subgrantee will make available any books, documents, papers and records to any authorized representatives for examination, copying or mechanical reproduction on or off the premises of the Subgrantee based upon a reasonable request. Subgrantee will disclose, in a timely manner, in writing to Grantee all investigations s potentially affecting the award.

4. Limitations of Construction

   Funds made available under this Grant may not be used by the Subgrantee for improvement of land or the purchase, construction, or permanent improvements (other than low-cost residential weatherization or other energy-related repairs) of any building or other facility. The Secretary only may waive this limitation.

5. Professional Services

   Costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of Subgrantee, are allowable when reasonable in relation to the services rendered and when not contingent upon recovery of the costs from the Grantee. Subgrantee must comply with 45 C.F.R. §75.459.

   Additionally, legal and related services are limited under 45 C.F.R. §75.435.

6. Copyright / Publications

   Except as otherwise provided in the terms and conditions of this Grant, the Grantee or a Subgrantee paid through this Grant, is free to copyright any books, publications or other copyrightable materials developed in the course of or under this Grant. However, the Federal awarding agency and State funding agency (SFA) reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal government and SFA purposes:

   - The copyright in any work developed under this Grant, or through a contract under this Grant; and,
   - Any rights of copyright to which a Subgrantee purchases ownership with Grant support.

   The Federal government's rights and the SFA's rights identified above must be conveyed to the publisher and the language of the publisher's release form must ensure the preservation of these rights.

7. Information related to Illegal Acts

   The Subgrantee shall furnish the Grantee information about all illegal acts/criminal activities discovered or alleged. Any attempt to conceal illegal acts/criminal activities, withhold information from the Grantee or otherwise obstruct justice will be cause for enforcement action, which may result in suspension or termination of this Grant Agreement. See 45 C.F.R. §75.113.

8. Certifications

   Subgrantee and/or their subcontractors must maintain the following certifications:

   - Certification for Contracts, Grants, Loans and Cooperative Agreements
   - Drug-Free Workplace Certification
   - Debarment, Suspension, Ineligibility & Voluntary Exclusion Certification
   - Lobbying Certification
   - Environmental Tobacco Smoke Certification

9. Insurance

   Subgrantee shall provide adequate insurance coverage for the following, but not limited to, assets, real property and equipment acquired with or improved by Grantee funds in compliance with 45 C.F.R. §75.317.

   Subgrantee must provide and certify that any subcontractor provided adequate insurance coverage.

10. Utilization of Minority Business

    Subgrantee must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. See 45 C.F.R. §75.330.

11. Americans With Disabilities Act of 1990 (ADA)

    The Subgrantee shall comply with the Americans With Disabilities Act of 1990 (ADA), as applicable.

12. Section 504 of the Rehabilitation Act of 1973 (Disabled)

    All subgrantees must comply with Section 504 of the Rehabilitation Act of 1973 (U.S.), and Americans with Disabilities Act of 1990 (U.S.) shall also apply to any such activity conducted under the provisions of this Grant. Therefore, the subgrantees, pursuant to the requirements of The Act, hereby gives assurance that no otherwise qualified disabled person shall, solely by reason of disability, be excluded from the participation in, be denied the benefit of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The subgrantee agrees it will ensure that requirements of The Act shall be included in the agreements with and be binding on all of its subgrantees, contractors, subcontractors, assignees or successors.

13. Coordination

    The Subgrantee agrees that it will coordinate any program activities conducted through this grant with other anti-poverty programs in the area to avoid duplication of services and to expand customer outcomes.

14. Mandatory Disclosures

    Subgrantee must disclose, in a timely manner, in writing to Grantee all investigations and violations of State and Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award. See 45 C.F.R. §75.113.

    Subgrantee must disclose, in a timely manner, in writing to Grantee all potential or pending litigation involving the Subgrantee which could potentially affect the award.

15. Conflict of Interest

    Subgrantee must disclose in writing to Grantee any potential conflict of interest in accordance with applicable policies. Personnel and other officials connected with this Grant shall adhere to the policies given below:

    a. Advice

       No official or employee of the State or a unit of local government or of non-government Grantees/Subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative grant, claim controversy, or other particular matter in which these funds are used, where to his/her knowledge their immediate family, partners, organization other than a public agency in which s/he is servicing

as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

b. Appearance

In the use of these grant funds, officials or employees of the State or a local unit of government and non-governmental Subgrantees shall avoid any action which might result in, or create the appearance of:

- Using an official position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; and/or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

c. Nepotism

Subgrantees are restricted from the hiring of family members in accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 and to further restrict the hiring of relatives within the same office, program area, or the equivalent work unit.

In accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 (Ethics Act), no supervisory employee of the agency may cause the employment, appointment, promotion, transfer or advancement of a family member to a position in which the employee supervises or manages. Employees may also not participate in an action relating to discipline of their family members.

For the purpose of this section nepotism means appointing unqualified relatives and friends to positions in one's organization when an outsiders might be better qualified, see Black's Law Dictionary.

Definitions: The Ethics Act defines family member as an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild; or (b) a member of the individual's immediate family.

Immediate family is further defined as follows:
- A child/adult residing in an employee's household;
- A spouse of an employee;
- An individual claimed by the employee or employee's spouse as a dependent for income tax purposes.

Furthermore, for the purposes of this policy, the Grantee has defined relative as: spouse, parent, sibling, child, parent in-law, grandparent, grandchild, sibling in-law, grandparent in-law, step-grandchild, step-child, child in-law, aunt, uncle, niece, or nephew of the employee or a member of the employee's household. Grantee, the State, recognizes common-law marriage and the relationships that are created as a result. This policy also applies to all members of the Board of Directors.

Employees are expected to disclose relationships covered by this policy to the agency Executive Director and supervisor whenever the relationships come into existence. Employees have up to 90 days after marriage to find employment in either a suitable unit within the agency or outside the agency. An employee's failure to disclose such information will lead to discipline up to and including termination. Supervisors shall not recommend the hiring of an individual that result in violation of this requirement.

See 45 C.F.R. §75.112.

16. Community Action Agencies or Non-Profit Private Organizations

    Any Subgrantee which is a Community Action Agency or non-profit private organization to which funds are provided from the LIHEAP must have at the time of the Grant and must agree to maintain a Board of Directors consisting of: (1) one-third members who are elected public officials currently holding office, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the Board, membership on the Board of appointive public officials may be counted in meeting the requirement; (2) at least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served; and (3) the remainder of the members are officials or members of business, industry, labor, religious, welfare, education or other major groups and interests in the community. Board members must reside in the service area and must be able to participate actively in the development, planning, implementation, and evaluation of the program to serve low-income communities.

17. Fees for Services

    No fees shall be imposed by the Subgrantee upon any eligible person for services described in this Grant. Any attempt to collect such fees shall be grounds for termination of this Grant.

18. Acknowledgment

    The Subgrantee shall announce or print the following information when conducting any public relations activities related to this Grant: "Funded in whole or in part (whichever the case may be) by the Department of Administration, Office of Economic Opportunity, through funding from the U. S. Department of Health and Human Services."

19. Drug-Free Workplace

    The Subgrantee shall establish and implement policies, procedures and programs in accordance with the Certification Regarding Drug-Free Workplace Requirements as set forth in Appendix C to this Grant Agreement. The Subgrantee must submit to the Grantee a completed Place of Performance, Drug-Free Workplace Certification, contained in Appendix C to this Grant, within 30 days of the beginning of this Grant.

20. Compliance with Public Law 103-227, Part C - Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994.

    This Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments. Federal programs include grants, cooperative agreements, loans, or loan guarantees and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment.

    By signature, Subgrantees certify accordance. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to $1,000 per day.

21. Lobbying

    The Subgrantee shall certify compliance with terms and conditions stated in Appendix E. See 45 C.F.R. §75.450.

22. Religious Activities

    Direct grants, sub-awards, or contracts under this program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, Subgrantees

must take steps to separate, in time or location, their inherently religious activities from the services funded under this program.

VIII. CORRECTIVE ACTION AND SUSPENSION OF FUNDING

In administering this section, the Grantee will comply with 42 U.S.C. § 9915, 45 C.F.R. §§ 75.205 – 207, and 75.371- 75.374. The Grantee must evaluate the risks posed by the Subgrantee. If Grantee determines Subgrantee poses a risk, Grantee may impose additional specific conditions that correspond to the degree of risk assessed.

A. Special conditions and/or restrictions may be imposed when the Grantee determines that the Subgrantee:
   1. Is not financially stable;
   2. Has a management system and ability that does not meet the management standards set forth by the Grantee;
   3. Has a documented history of unsatisfactory performance;
   4. Has not complied with the general or specific terms, conditions, covenants and stipulations of previous grant awards; OR
   5. Is otherwise not responsible.

   See 45 C.F.R. §§75.205 and 75.207(a).

B. Special conditions and/or restrictions Grantee may impose include, but are not limited to the following:

   1. Payment to the Subgrantee on a reimbursement basis;
   2. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;
   3. Requiring additional detailed financial reports and/or data;
   4. Additional project monitoring and interim audits;
   5. Requiring the Subgrantee to obtain technical and/or management assistance;
   6. Establishment of additional prior approvals;
   7. Establishment of additional constraints as necessary and appropriate in the circumstances; AND/OR
   8. Require Board acknowledgement of agency's status.

   See 45 C.F.R. §75.207(b).

C. If Grantee decides to impose such special conditions and/or restrictions, Grantee will notify the Subgrantee as early as possible, of the following:

   1. The nature of and reason for the special conditions and/or restrictions;
   2. The corrective actions which must be approved Grantee and completed by the Subgrantee prior to the removal of the special conditions and/or restrictions;
   3. The time allowed for completing the corrective actions, if applicable;
   4. The method of appeal for reconsideration of the imposed conditions/restrictions; and
   5. The training and technical assistance Grantee is offering to the Subgrantee, if appropriate, to help correct the deficiency. If training and technical assistance are not appropriate, Grantee will include an explanation detailing the reason(s).

   See 45 C.F.R. §75.207(c).

D. Grantee will remove any special condition(s) and/or restriction(s) once the condition(s) prompting them have been corrected. See 45 C.F.R. §75.207(d).

IX. REMEDIES FOR NONCOMPLIANCE

If Subgrantee fails to comply with Federal and/or State statutes, regulations or the terms and conditions of a Federal Award, Grantee may impose additional conditions, as described in §VIII of this grant agreement. If Grantee determines that noncompliance cannot be remedied by imposing additional conditions, Grantee may take one or more of the following actions, as appropriate in the circumstances:

A. Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee;
B. Disallow all or part of the cost of the activity or action not in compliance;
C. Wholly or partly suspend or terminate the grant agreement;
D. Initiate suspension, debarment or termination of the grant agreement;
E Withhold further grant agreement funds for the project or program; and/or
F. Take other remedies that may be legally available.

See 45 C.F.R. §75.371.

X. ADMINISTRATIVE ENFORCEMENT

The enforcement remedies identified in the agreement do not preclude the Subgrantee from being subject to "Debarment and Suspension" as prescribed by the Grantee. When a Subgrantee fails to comply with the terms of this Agreement, as outlined in Section VIII (Corrective Action and Suspension of Funding) and/or grant requirements/reports are not submitted within the required time frame, nor completed in accordance with the generally accepted principles, nor consistent with the approved budget, Work Plan or Grant Agreement; a temporary suspension of funding for enforcement purposes may be instituted, but shall not constitute a statutory termination or reduction of funding.

A. Effects of Suspension (45 C.F.R. §75.375)

Costs incurred by the Subgrantee during a suspension or after termination of the Grant Agreement are not allowable unless the Grantee expressly authorizes such in the Notice of Suspension or Termination. Other Subgrantee costs during suspension or termination, which are necessary and not reasonably avoidable, are allowable if:

1. The costs result from obligations which were properly incurred by the Subgrantee before the effective date of the suspension or termination are non-cancelable; and
2. The costs would be allowable if the Grant was not suspended or expired normally at the end of the funding period in which the termination takes effect and the Subgrantee has written permission from the Grantee to incur such costs.

B. Relationship to Debarment and Suspension

If this Grant exceeds $25,000 or if the Subgrantee has critical influence on or substantive control over the transaction completion of the Grant, completion of the Debarment Certification, which is included in Appendix C to this Grant, is required. The Subgrantee is responsible for completing the Debarment Certification, monitoring the submission, and maintaining the official document.

XI. TERMINATION

Termination is defined as the permanent withdrawal of funding by the state administering authority of an eligible entity's authority to obligate previously awarded funds before that authority would otherwise expire, or the refusal of the state to continue funding to the eligible entity. A temporary suspension of funding for administrative enforcement purposes shall not constitute a statutory termination or reduction of funding.

Termination of this Grant Agreement may be initiated by the Grantee, the Subgrantee, or by mutual agreement of both parties as prescribed herein. The following shall apply to the termination of this Grant:

A. Termination for Lack of Funds

The parties hereto covenant and agree that their liabilities and responsibilities, one to another, shall be contingent upon the availability of funds, Federal or State, for the funding of LIHEAP activities. This Grant shall be terminated if such funding ceases to be available. The Grantee shall have the sole authority for determining the lack of availability of such funds. The Grantee shall immediately notify the Subgrantee of any cutback in funds of which it becomes aware.

B. Termination for Breach of Grant

This Grant may be suspended or terminated by the Grantee at any time within the Grant period whenever it is determined by the Grantee that the Subgrantee has breached or otherwise failed to comply with its obligations.

C. Termination for Breach of Previous Contracts and Grants or Non-Payment of Previous Audit Disallowances

This Grant may be suspended or terminated by the Grantee at any time within the Grant period if the Subgrantee has failed to make payment in full to the Grantee for audit disallowances pursuant to any previous Contract or Grant Agreement between the parties or the Subgrantee has failed to comply with the maintenance and inspection of records requirements of any previous Contract or Grant between the parties.

D. Termination by Subgrantee

The Subgrantee may terminate this Grant by giving the Grantee 30 days written notice of intent to do so. Expenditures legitimately incurred by the Subgrantee prior to the date of termination of this Grant will be permitted providing they are in accordance with provisions of this Grant.

E. Termination for Convenience

The Grantee and Subgrantee may mutually agree to terminate the Grant in whole or in part. In which case, the two parties shall agree upon the termination conditions, the effective date and in the case of partial termination, the portion to be terminated.

F. Termination for Insolvency

This Grant is subject to immediate termination by the Grantee upon the Subgrantee's insolvency, including the filing of proceedings in bankruptcy.

G. Notice of Termination

In the event of Grant termination, except Termination for Insolvency in F above, the party terminating the Grant shall give notice of such termination in writing to the other party. Notice of Termination shall be sent by certified mail, return receipt requested, and shall be effective 30 days after the date of the receipt, unless otherwise provided by law; provided however, if terminated pursuant to Paragraph A of this section, said termination shall be effective upon receipt of such notice.

H. Process for Termination

If Grantee believes cause for funding termination exists, the following steps shall be followed:

1. If Subgrantee fails to correct any and all deficiencies identified during a corrective action plan or if based on the seriousness of any of the deficiencies, Grantee determines Termination is appropriate, a certified letter will be sent from Grantee's Director to Subgrantee's Board Chairperson advising him/her of Grantee's recommendation to terminate the grant, along with the reasons for this recommendation. Within fifteen (15) days of receipt of this recommendation, Subgrantee may request a hearing in writing to appeal this recommendation.

2. If Subgrantee appeals Grantee's recommendation, the Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within thirty (30) days of receipt of the letter of appeal, utilizing informal hearing procedures. All proceedings will be recorded.

3. The decision made by the Hearings Officer shall be the final decision of OEO.

4. In the event funding termination occurs, Grantee may either extend the geographic service area of an existing eligible entity or submit a Request for Proposal and bid for a new eligible entity. This will be

done, as necessary, to provide services to the low income population in that service area and shall be administered in accordance with existing Federal and State legislation.

I. Return of Data upon Termination

In the event of a termination of the grant, the Grantee shall immediately revoke the Subgrantee's access to the statewide database system. The Subgrantee shall return all relevant records to the Grantee, including electronic and paper records. The transfer of records must be done in a secure manner to ensure confidentiality.

XII. MISCELLANEOUS LEGAL PROVISIONS

A. Conformity with Law

The provisions of this Grant and performance hereunder are subject to all applicable laws, regulations, ordinances and code of Federal, State and local governments. If it appears that the terms hereof are in conflict with such, then the terms hereof, which conflict therewith, shall be deemed inoperative and null and void to the extent of the conflict and shall be deemed modified to conform therewith. In the event the regulations contradict each other, State and Federally imposed regulations always supersede.

B. Collected Information

Pursuant to Section 30-2-40(B) of the S.C. Code of Laws, information collected by and/or provided to the Office of Economic Opportunity may be personal information as defined by "The Family Privacy Protection Act of 2002" (S.C. Code Section 30-2-10 et seq.) and subject to public scrutiny or release. This grant agreement and all materials associated with it may be released pursuant to FOIA or media request.

C. Legal Services

Subgrantee shall not use grant funds to engage an attorney-at-law pursuant to any term of this Grant Agreement unless Grantee has provided written permission to Subgrantee. Such permission will only be granted by Grantee after consultation with the Attorney General of South Carolina.

D. Non-Waiver of Breach

The failure of the Grantee at any time to require performance by the Subgrantee of any provision of this Grant shall in no way affect the right of the Grantee thereafter to enforce the same; nor shall the waiver by the Grantee of any breach of any provision hereof, be taken or held to be a waiver of any succeeding breach of such provision, or waiver of the provision itself.

E. Statute of Limitations

The Statute of Limitations applicable to the Grant is as stated in South Carolina Law.

F. Venue of Actions

Any and all suits or actions for the enforcement of the obligations of this Grant and for any and every breach thereof may be instituted and maintained, at the option of the Grantee, in any court of competent jurisdiction in the State of South Carolina.

G. Attorney Fees

In the event the Grantee shall bring suit or action to compel performance of or to recover for any breach of any stipulation, covenant, or condition of this Grant, the Subgrantee shall pay to the Grantee such attorney fees the court may adjudge reasonable in addition to the amount of judgment and costs.

H. Non-Assignability

No assignments of this Grant or of any rights hereunder by the Subgrantee shall be valid without the prior written consent of the Grantee.

XIII. AMENDMENT

Amendments or modifications to this Grant shall be valid if in writing and signed by both of the parties hereto.

XIV. INCORPORATION OF DOCUMENTS

The ____ South Carolina LIHEAP State Plan, OEO Administrative Guide, OEO Fiscal Policies and Procedural Manual, OEO Memoranda and Guidance, Office of Community Services (OCS) Memoranda and Guidance, Program Budgets, Appendices, Personnel Policies and Procedures, Audit Appeals Guide, Monitoring Guide, Program Evaluation Guide, and Work Plans, operational plans or procedures are expressly made a part of this Grant Agreement. There may be subsequent amendments to the State Plan and further notices, waivers and/or memoranda issued by OEO and HHS/OCS. By signature, Subgrantee affirms it has read the above-mentioned documents, statutes of and regulations and is responsible for complying with any subsequent changes.

IN WITNESS WHEREOF, the Subgrantee and the Grantee by their authorized agents, have executed this Grant Agreement to be effective as of **January 1, ____.**

The Department of Administration	
Office of Economic Opportunity	
1205 Pendleton Street	
Columbia, South Carolina 29201	
SIGNATURE AND DATE	SIGNATURE AND DATE
James Miller, OEO Director	
PRINT NAME AND TITLE	PRINT NAME AND TITLE
WITNESS SIGNATURE AND DATE	WITNESS SIGNATURE AND DATE
WITNESS PRINT NAME	WITNESS PRINT NAME

APPENDICES

Appendix A **Subcontractors/Consultants List**

Appendix B **Drug-Free Workplace Certification**

Appendix C **Debarment, Suspension, Ineligibility & Voluntary Exclusion Certification**

Appendix D **Lobbying Certification**

Appendix E **Environmental Tobacco Smoke Certification**

APPENDIX A

SUBCONTRACTORS/CONSULTANTS LIST

OFFICE OF ECONOMIC OPPORTUNITY

SUBGRANTEE: _____

GRANT NAME: PY ____ Low-Income Home Energy Assistance Program

GRANT PERIOD: January 1, ____ - December 31, ____

Subcontractor/Consultant (Professional services provided by an outside agency or individual, as the result of a written contract).

Official Name	Federal Employer's I.D. or Social Security Number

_____ _____

Signature **Date**

APPENDIX B
Drug-Free Workplace Certification

DRUG-FREE WORKPLACE (Subgrantees other than individuals) - Applicable to Grantees receiving $50,000 or more and all State agencies regardless of Grant amount.

As required by the S. C. Drug-Free Workplace Act #593 of 1990 and the Federal Drug-Free Workplace Act of 1988 and implemented under the applicable 10CFR, Part 1036 for grantees:

A. The undersigned certifies, acknowledges and will comply and continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b. Establishing an on-going drug-free awareness program to inform employees about:
   1. The dangers of drug abuse in the workplace;
   2. The grantee's policy of maintaining a drug-free workplace;
   3. Any available drug counseling, rehabilitation and employee assistance programs; and
   4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the Grant be given a copy of the statement required by paragraph a;

d. Notifying the employee in the statement required by paragraph a. that as a condition of employment under the Grant, the employee will:
   1. Abide by the terms of the statement; and
   2. Notify the employer in writing of their conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph d.2. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the State Funding Agency. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.2., with respect to any employee who is so convicted:
   1. Taking appropriate personnel action against such an employee, up to an including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
   2. Requiring such employees to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a., b., c., d., e. and f.

DRUG-FREE WORK PLACE (Grantees Who Are Individuals) - Applicable to Grantees Receiving $50,000 or More.

As required by the S. C. Drug-Free Workplace Act #593 of 1990 and the Federal Drug-Free Workplace Act of 1988, and implemented under the applicable CFR for grantees:

A. As a condition of the grant I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction to the State Agency.

_____ _____

(Signature of Executive Director) (Date)

APPENDIX B-1

PLACE OF PERFORMANCE
FOR CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Name of Subgrantee: _____

Grant Program Name: PY Low-Income Home Energy Assistance Program

Grant Period: January 1, ____ - December 31, ____

Subgrantee shall insert in the space provided below the site(s) expected to be used for the performance of work under the grant covered by the certification:

Place of Performance (include street address, city, county, state, and zip code for each site):

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Agency name and site(s) for the performance of work done in connection with the grant:

_____

_____

_____

_____

Name and Title of Authorized Official (Typed or Printed)

_____

Signature of Authorized Official **Date**

APPENDIX C

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when HHS determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, HHS may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the HHS agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction, debarred, suspended, ineligible, lower tier covered transaction, principal, proposal, and voluntarily excluded," as used rules implementing Executive Order 12549, "Debarment and Suspension." See 45 CFR 92.35.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is Debarred, Suspended, Declared Ineligible, or Voluntarily Excluded from participation in this covered transaction, unless authorized by HHS.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by HHS, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless frequency by which it determined the eligibility of its principals. Each participant may, but is not required to, check the Non-Procurement List (of excluded partied).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered from participation in this transaction, in addition to other remedies available to the Federal Government, HHS may terminate this transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS.

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

   a. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;
   b. have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
   c. are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State of local) with commission of any of the offenses enumerated in paragraph 1 b of this certification; and
   d. have not, within a three-year period preceding this application/proposal, had one or more public transactions (Federal, State or Local) terminated for cause or default.

2. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

GRANT NAME AND DATE: Low-Income Home Energy Assistance Program, PY____

_____ _____

(Signature) (Date)

APPENDIX D

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Grant, the making of any Federal loan, the entering into any of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) Federal grant funds provided under this award may not be used to support lobbying activities to influence proposed or pending Federal or State legislation or appropriations. This prohibition is related to the use of Federal grant funds and is not intended to affect an individual's right or that of any organization, to petition Congress, or any other level of Government, through the use of other resources. (See 45 CFR Part 93.)

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all subgrantees shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature _____

Print Name _____

Title _____

Date _____

Low-Income Home Energy Assistance Program, PY____

APPENDIX E

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 per day.

Signature _____

Print Name _____

Title _____

Date _____

Low-Income Home Energy Assistance Program, PY ____

SOUTH CAROLINA LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
VENDOR AGREEMENT

This Vendor Agreement shall govern certain activities of the Low-Income Home Energy Assistance Program, hereinafter referred to as LIHEAP, which are to be carried out by the Vendor identified on the signature page of this Agreement, hereinafter referred to as the Vendor, as a condition of receipt of payment, and the Community Action Agency; hereinafter referred to as the CAA.

The_____and the Vendor agree to the following:
(Community Action Agency)

A. SERVICES TO BE PERFORMED

1. The Community Action Agency (CAA) shall notify each participating household and vendor of the amount of assistance paid on the household's behalf.
2. The Vendor shall charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment.
3. The Vendor is required to verify the account holder's name and/or household member(s), account number, current balance on account and signature upon receipt of the energy voucher prior to crediting the customer's account.
4. The Vendor will accept the voucher(s) as credit for actual commitment/cash payment for the purchase of home heating or cooling assistance. The Vendor shall specify on the signature page of this Agreement the energy type to be provided. The Vendor will accept vouchers for the purchase of only the energy type approved in this Agreement.
5. The Vendor will only deliver fuel to the actual residence of the account holder or credit the account of the account holder as documented on the voucher.
6. If the customer has moved and the energy voucher does not reflect the new address, the Vendor shall not accept the voucher until the customer returns the voucher and requests a change of address from the CAA.
7. Vendors are to ensure credit and/or service to approved households within the designated program year.
8. This assistance is provided for households, not individuals. For this reason, no name changes may be made on the energy voucher. The address that appears on the voucher should match the name and address shown on the Vendor records. No alterations of any kind should be made to the voucher.
9. LIHEAP assistance may be used for deposits if specified by the CAA.
10. The parties recognize that each party is bound to act in accordance with their respective bylaws and policies at all times. Nothing in this Agreement is intended or shall be construed to supersede a party's obligations under their respective bylaws and policies or prevent a party from acting in accordance therewith.

B. PROVISIONS UNDER WHICH PAYMENT WILL BE MADE TO VENDORS

1. The Vendor must return this properly executed Vendor Agreement to the CAA prior to being reimbursed.
2. The Vendor must provide a Federal Employer Identification Number (FEIN) or a Social Security number will be acceptable only if the Vendor is an individual and has no FEIN.
    a. If a Vendor provides a Social Security Number, the Vendor must use the proprietor's name, not the company name. If a FEIN is supplied, a company name must be used.
    b. The Vendor shall notify the CAA in writing immediately when the FEIN, Social Security number, business name and/or address changes. Failure to report changes may result in a delay of payments. An IRS W-9 must accompany changes.

3. For fuel oil, propane and/or kerosene, the Vendor shall provide the eligible customer a quantity up to the value of the energy voucher but not to exceed the amount required to fill the tank. A delivery ticket must be submitted for actual payment remittance within 30 days of the delivery.

    a. If the value of the quantity of fuel purchased by a customer is less than the value of the energy voucher, the Vendor shall credit the difference to the customer's account. The credit balance on accounts that equals or exceeds the minimum delivery must be expended each consecutive month until the benefit is exhausted.

    If the value of the quantity of fuel required/purchased by a customer is greater than the energy voucher amount, payment for the remaining balance due must be negotiated between the customer and the Vendor. The CAA will not intervene in these matters.

    b. **The Vendor will not exchange a customer's energy voucher for cash nor will any cash equivalent be given for excess credit.** Violations shall be treated in accordance with Federal and State statutes, to include termination of this Agreement and termination of future services with the Vendor.

    c. When a customer moves from the Vendor's service area, or becomes deceased, and a credit balance remains on that account, the following policies shall apply within the current program year:

        i. Any legal survivors living in the residence of the deceased customer (as listed on the voucher), who were household residents at the time of application, are entitled to use the remaining benefit.

        ii. If there are no remaining legal survivors within the household, any remaining credit balance shall be refunded to the CAA within 30 days of the death or date of last service for the active voucher – whichever comes first.

        iii. Credit balances not used during the current program year (January 1 – December 31) are to be returned to the CAA within 45 days of the close of the grant period.

        iv. Any other circumstances arising shall be dealt with on a case-by-case basis. The Vendor should contact the CAA for additional instruction.

C. PAYMENT PROCEDURES

1. Once the Vendor has honored the energy voucher, as specified herein, the Vendor shall mail the energy voucher(s) to the CAA for payment.

2. Within 30 days of the date of the receipt of the energy voucher(s), payment amount equal to the total amount of the energy voucher(s) for electric service received by the CAA will be made to the Vendor. For kerosene, propane, fuel oil and/or wood vendors, payment will be made for the actual amount delivered, not to exceed the voucher amount.

    If a Vendor has not received payment for the energy voucher(s) within 30 days following the submission, the Vendor should contact the CAA and report the delay. In instances of reported delays, the Vendor may also contact the Office of Economic Opportunity (803-734-0662).

3. CAAs will submit an IRS Form 1099 to record payments in excess of $600 to non-incorporated vendors.

4. All properly executed Vendor Agreements must be maintained on file with the CAA and Vendor.

D. MONITORING

1. The Vendor will maintain records documenting the amount of energy assistance that the customer received and the date of receipt for all fuels other than electricity and natural gas. Records are to be maintained for one year after the program year ends.

2. The Vendor shall permit access to records pertaining to the activities engaged in by the Vendor under this Agreement. Such records include energy voucher payment forms or other documents supporting the delivery of services or receipt of payments for services rendered by the Vendor, as well as the amount of sale, customers' names and addresses.

3. The Vendor shall not discriminate against or adversely treat any eligible household regarding terms and conditions of sale, credit, delivery, or service. No discrimination shall be made based on the source(s) of household income. All sources of household income are documented on the Application and then processed, reviewed and approved by an agency representative. Additionally, the State prohibits any discrimination against households because of their receipt of LIHEAP assistance.

4. The Vendor will cooperate with any Federal, State or local investigation, audit or program review.

E. LIABILITY

To the fullest extent permitted by law, each party agrees to indemnify and hold harmless each other, the Office of Economic Opportunity and their agents, and employees from and against all claims, damages, losses, and expenses including but not limited to attorney's fees, arising out of or resulting from, whether directly or indirectly, any default or negligent or wrongful act or omission of each party, its agents, employees, or subcontractors in the performance or non-performance of the work, the enforcement of this agreement, or any other legal action.

Any losses caused by criminal activity, gross negligence and/or malicious intent is excluded from this indemnification section.

F. CONFIDENTIALITY

The parties agree that the information and records developed as a result of the provision of services under this Agreement are to be kept confidential. The parties shall safeguard the use and limit disclosure of information concerning applicants for and recipients of services by restricting access, use and disclosure of such information to those individuals who have a need to know such information and have agreed to keep such information confidential.

G. REPORTING DISCLOSURE

The Vendor will allow the CAA and the Office of Economic Opportunity access to LIHEAP customer's household fuel/utility/energy information for the purpose of State and Federal data reporting, as approved by the customer, via the statewide application for service.

H. AMENDMENTS and INTEGRATION

This Agreement contains the entire agreement of the parties with respect to the subject matter of this Agreement, and supersedes all prior contract, negotiations, agreement and understandings with respect thereto. This Agreement may only by amended by a written document duly executed by all parties.

I. TERMINATION

1. Either the CAA or the Vendor may terminate this Agreement by giving the other party at least 30 days written notice.

2. This Agreement will terminate immediately should the Vendor supply false information or attempt to defraud the CAA or the eligible customer. In such cases, no additional reimbursement will be made to the Vendor until such matter is resolved.

In witness hereto, the CAA and the Vendor have executed this Agreement on this_____day of _____, 20_____.

VENDOR: Complete Section 1-9. Do not leave anything blank.
Vendor must provide physical address or agreement is void.

1. _____
(Business or Vendor Name)

2. _____
(Mailing Address – Include City, State and Zip Code)

3. _____
(Street Address – Include City, State and Zip Code)

4. _____
(Area Code and Telephone Number)

5. VENDOR DOCUMENTATION

The Vendor must provide a Federal Employment Identification Number (FEIN), or, if you do not have a FEIN, a Social Security number (SSN) will be acceptable only if used with the proprietor's name (e.g. Hallman's Wood – (FEIN) or Mark Hallman (SSN).

Federal Employer Identification Number _____ **or**

Social Security Number _____

6. Energy Type – Circle all Types of Energy Provided

Fuel Oil	**Electricity**
Kerosene	**Wood**
Propane Gas	**Coal**
Natural Gas	**Landlord or Building Operator Who Provides Heat to Tenants**

7. Check all that apply:

□ **I certify that I am not subject to backup withholding.**

□ **I certify that the mailing address on file is correct and current.**

□ **A W-9 is enclosed as required for new vendor(s), or for existing vendors to report change of address or change in FEIN or Social Security number and/or business name.**

_____	_____
(Print Authorizing CAA Signature)	**(Print Authorizing Vendor Signature)**
_____	_____
(Authorizing Signature)	**(Authorizing Signature)**
_____	_____
(Witness)	**(Witness)**
_____	_____
(Date)	**(Date)**

Section 10 - Program, Fiscal Monitoring, and Audit, 2605(b)(10) - Assurance 10
Review - Is your LIHEAP program audited annually under the Single Audit Act
10.2 Please explain why you are not subject to audit?

LIHEAP is subject to the single audit, which is conducted by the South Carolina Office of the State Auditor (SCOSA). SCOSA uses a risk-based approach in determining major programs to test as required. Based on this, it has been SCOSA's practice to test LIHEAP as a major program every three years. LIHEAP was tested as a major program in the state's single audit for the fiscal years end 6/30/2021 and 6/30/2018.

THE SOUTH CAROLINA DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE of ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
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FY 2026 combined Public Hearing Transcript for the Community Services Block Grant and Low- Income Home Energy Assistance Program

Good morning and thank you for participating in the combined public hearing to review the proposed model state plans for the 2026 Community Services Block Grant and Low-Income Home Energy Assistance Program. My name is Kelly Buckson, and I'm the senior manager for both CSBG and LIHEAP. We kindly request that all attendees please mute their devices until the comment period begins.

For the record, today is Friday, August 15, 2025, and the time is 10 a.m. This hearing is being conducted virtually by the SC Department of Administration, Office of Economic Opportunity.

As a condition of funding, each state is required to develop what's called a State Plan. And the state plan is simply an application created by our federal funders in the U.S. Department of Health and Human Services. Soliciting public input in forums like today's public hearing is required by federal legislation. Drafts of both plans were sent by email to the state's subgrantees, state partners, and utility vendors, and have been posted to OEO's website since May 14.

More about our office. The South Carolina Office of Economic Opportunity administers funds to Community Action agencies and other nonprofits to eliminate the causes of poverty, prevent homelessness, revitalize communities, and equip low-income families with the necessary resources.

Subgrantees that receive Community Services Block Grant funding in South Carolina are Community Action Agencies, created through the Economic Opportunity Act of 1964, and were designated as eligible entities in the CSBG Act. These eligible entities must be governed by a tripartite board. This board structure comprises elected public officials, representatives from the low-income community, and leaders from the private sector.

This federal fiscal year, South Carolina received a Community Services Block Grant award of approximately $11.7 million. The state's total projected award for Federal fiscal year 2026 is $11 million and is based on South Carolina's 2025 CSBG award. CSBG funds will be distributed to the community action agencies responsible for serving the counties in their service territory. Allocations provided to each county will be based on the number of low-income residents identified in the 2020 Census. Each of South Carolina's 46 counties receives CSBG funding.

The Community Services Block Grant, also known as CSBG, provides funding to eligible organizations for a range of local community programs aimed at reducing poverty and helping families achieve financial independence. CSBG is adaptable because it allows agencies to evaluate the overall needs of the communities they serve and then offer various types of assistance designed to motivate low-income families and individuals toward self-sufficiency. Therefore, CSBG can be used to support individuals and

households with expenses such as rent, mortgage, school tuition, work-readiness skills, food, prescription medicines, health costs, and other emergencies.

1. Under the CSBG Act, 90 percent of the state's CSBG funding must be awarded to local Community Action agencies to fund anti-poverty initiatives in the areas of employment, education, income management, housing, nutrition, or other areas that contribute to anti-poverty efforts.

2. Five percent of the award may be retained by OEO and used at the state's discretion. A portion of the state's discretionary dollars funds a youth leadership initiative, where agencies expose youth to college and career opportunities, teach lessons in character curriculum, financial literacy, and provide internship opportunities to break the cycle of poverty. Discretionary dollars are also used to maintain the statewide application database, provide training and technical assistance to subgrantees, and fund other innovative activities.

3. The final five percent of the total allocation is retained by the Office of Economic Opportunity for Administrative costs.

The Community Services Block Grant shall be coordinated with other human service and faith-based agencies, and units of local government to address the overall needs of our families and avoid duplicating services.

National Performance Indicators will be used to report program outcomes to the federal government. And Community Action agencies will be required to comply with the 58 Organizational Standards established by the Center of Excellence. Finally, CSBG will operate from January 1 through December 31.

This completes the overview of South Carolina's proposed plan for CSBG during the 2026 program year. We will continue with an overview of the Low-Income Home Energy Assistance Program, also known as LIHEAP.

The Low-Income Home Energy Assistance Program helps families stay warm in the winter and cool in the summer. South Carolina's priority for LIHEAP during the 2026 program year is to assist households experiencing energy emergencies. That means assisting families who have had their energy disconnected or those who are in danger of disconnection. We will also target energy assistance to households with the lowest incomes who have the highest energy costs and expand services to previously unserved households.

Congress established the formula for distributing LIHEAP funds to states based primarily on each state's weather, fuel prices, and low-income population. This federal fiscal year, South Carolina was awarded approximately $50.8 million for LIHEAP. This allocation includes temporary funding provided by the Infrastructure Investments and Jobs Act. The state's total projected award for federal fiscal year 2026 is $50 million, considering only the state's usual LIHEAP allocation and no pandemic-related funds.

In South Carolina, the Office of Economic Opportunity serves as the passthrough entity for LIHEAP, and funds are allocated exclusively to Community Action agencies to serve eligible households. LIHEAP funds awarded to Community Action agencies are based on the number of low-income households in each agency's service territory. South Carolina's 46 counties receive LIHEAP funding.

LIHEAP income eligibility in South Carolina is based on a household's total gross income and must not exceed 60% of the State's Median Income. The state will provide energy crisis assistance and reserves the option to provide nonemergency energy assistance during the heating and cooling seasons should funding be available. LIHEAP may also be used for minor energy-related home repairs, and up to 15% of the state's award may be used for weatherization assistance. LIHEAP in South Carolina will operate from January 1 through December 31.

Each state receiving LIHEAP *is* required to provide crisis energy assistance but has the option to provide nonemergency energy assistance during the heating and cooling seasons. South Carolina will provide eligible households with emergency energy assistance up to $1,000 per service, and a household may receive two services during the program year. If funding allows, nonemergency LIHEAP benefits may be provided to eligible households up to $850 per service. These limits are subject to change depending on the state's actual allocation and customers' energy needs.

LIHEAP subgrantees will continue to coordinate with and refer customers to the Community Services Block Grant and the Weatherization Assistance Program.

This completes the overview of South Carolina's proposed plan for LIHEAP during the 2026 program year.

Finally, to ensure timely and meaningful participation, copies of the CSBG and LIHEAP State Plans were provided to local Community Action agencies, the state association, local energy vendors, and community partners on May 14 for review and feedback. A draft of this plan is also posted on OEO's website for public review and comment. To further develop the plans, OEO hosted a virtual webinar on June 20. And finally, the notice of today's public hearing was sent by electronic mail and posted to OEO's website for public notice on July 3. No comments on either plan have been received before today's hearing.

At this time, we will open the meeting for final comments. Any remarks should be addressed to the Office of Economic Opportunity and should pertain only to the 2026 CSBG or LIHEAP State Plans. Each speaker will be allowed a maximum of three minutes and should provide their name prior to making remarks for the record. All comments will be part of the official hearing record and considered by OEO.

Are there any comments at this time? *(No comments.)*

As a reminder, State Plans are due to HHS no later than September 1. Please be aware that these plans are working documents and may be amended anytime during the program year. If this happens, an amendment will be submitted to HHS for review. Once accepted, OEO will disseminate the amended plans accordingly.

This concludes OEO's public hearing for the 2026 CSBG and LIHEAP State Plans.

Thank you for attending.

The FY 2026 State Plan Public Hearing for CSBG and LIHEAP adjourned at 10:16 a.m.

From:	Buckson, Kelly
To:	Morrison, Tricia
Subject:	RE: IMPORTANT: 2025 Draft CSBG & LIHEAP State Plans for Public Review
Date:	Tuesday, May 7, 2024 2:48:00 PM
Attachments:	image001.png

Agency names appear that way in OLDC

From: Morrison, Tricia <Tricia.Morrison@admin.sc.gov>
Sent: Tuesday, May 7, 2024 2:28 PM
To: Buckson, Kelly <Kelly.Buckson@admin.sc.gov>
Subject: RE: IMPORTANT: 2025 Draft CSBG & LIHEAP State Plans for Public Review

Oh good. I just saw that the names weren't updated, so I wasn't sure. Thanks.

Tricia Morrison

From: Buckson, Kelly <Kelly.Buckson@admin.sc.gov>
Sent: Tuesday, May 7, 2024 2:24 PM
To: Morrison, Tricia <Tricia.Morrison@admin.sc.gov>
Subject: RE: IMPORTANT: 2025 Draft CSBG & LIHEAP State Plans for Public Review

Yes, it did.

From: Morrison, Tricia <Tricia.Morrison@admin.sc.gov>
Sent: Tuesday, May 7, 2024 1:36 PM
To: Buckson, Kelly <Kelly.Buckson@admin.sc.gov>
Subject: RE: IMPORTANT: 2025 Draft CSBG & LIHEAP State Plans for Public Review

Thanks for sending. Looks like my edits didn't make it in?

Tricia Morrison

From: Buckson, Kelly <Kelly.Buckson@admin.sc.gov>
Sent: Tuesday, May 7, 2024 1:16 PM
To: George Anderson (gaed291@gmail.com) <gaed291@gmail.com>; Bertie McKie <Bertie.McKie@abccaa.org>; Bethany Holloway <bethany.holloway@abccaa.org>; Patrice Jones <patrice.jones@abccaa.org>; Cheryl McMichael <cheryl.mcmichael@abccaa.org>; James Williams <jgwilliams@thebjeoc.org>; aholmes@thebjeoc.org; Latoya Washington <lwashington@thebjeoc.org>; Karen Brackett-Browning (kbrackett-browning@ccainc.org) <kbrackett-browning@ccainc.org>; kkee@ccainc.org; Mary Reid <mreid@ccainc.org>; 'Artimisha Foster' <afoster@ccainc.org>; Latasha Golden <lgolden@thebjeoc.org>; Juanita Belton <jbelton@ccainc.org>; Jacquelyn Slayton <jslayton@dccaa.net> <jslayton@dccaa.net>; Pamela Stevenson <pstevenson@dccaa.net>; Rosa McLeod <rmcleod@dccaa.net>; Stephanie Howell

<showell@dccaa.net>; sjeter@GLEAMNSHRC.org; mkennedy@gleamnshrc.org; Flucker, Zsaquez <zflucker@gleamnshrc.org>; Desmond Edwards <dedwards@gleamnshrc.org>; dhall@gleamnshrc.org; 'Tara Glover' <tara.glover@lowcountrycaa.org>; eamitchell@lowcountrycaa.org; Tamika Shiggs <tamika.shiggs@lowcountrycaa.org>; cwright@ocabcaa.org; Janice Jamison (jjamison@ocabcaa.org) <jjamison@ocabcaa.org>; dshuler@ocabcaa.org; csingleton@palmettocap.org; Thomas Nix (tnix@palmettocap.org) <tnix@palmettocap.org>; Ronald K. Dixon <rdixon@palmettocap.org>; swest@palmettocap.org; Patrice Simmons <psimmons@palmettocap.org>; wfleming@peedeecap.org; Al Moore <amoore@peedeecap.org>; ALBERTA DURANT <flopdcaa@aol.com>; Valeria Cusack <vcusack@peedeecap.org>; Queen McCall (qmccall@peedeecap.org) <qmccall@peedeecap.org>; Felicia Davis (fdavis@peedeecap.org) <fdavis@peedeecap.org>; CLounds@pcasp.org; Vanessa Davis <VDavis@pcasp.org>; Julita Chandra <JChandra@pcasp.org>; psims@sharesc.org; Tandy Bannister (tbannister@sharesc.org) <tbannister@sharesc.org>; bcox@sharesc.org; LaVonya Baker <lbaker@sharesc.org>; Doris Pitchford <dpitchford@sharesc.org>; james.pasley@weoc.org; Shenika Gibbs <shenika.gibbs@weoc.org>; janice.wideman@weoc.org; Annette Tucker (atucker@wcai.org) <atucker@wcai.org>; Margaret Gibson <mgibson@wcai.org>; Tinika Cantey <tcantey@wcai.org>; Jessica McMoore <jmcmoore@scacap.org>; Elaina Lamar <eslamar@scacap.org>; jessica.grant@catawba.com; Kaytee.Watson@dominionenergy.com; Lyke, Brittany <Brittany.Lyke@duke-energy.com>; Washington, Stacey <swashington@ors.sc.gov>; Bishop, Valarie <Valarie.Bishop@admin.sc.gov>; Bailey, Jalawnda <jbailey@aging.sc.gov>; Haynes, Jamel Henderson <Jamel.Haynes@duke-energy.com>; fkithome@dew.sc.gov; Diggs, Mary L <Mary.Lynne.Diggs1@dss.sc.gov>

Cc: Miller, James <James.Miller@admin.sc.gov>; Cosare, Kimberly <Kimberly.Cosare@admin.sc.gov>; Crosby, Lisa <Lisa.Crosby@admin.sc.gov>; Edmond, Sandra <Sandra.Edmond@admin.sc.gov>; Bujak, Linda <Linda.Bujak@admin.sc.gov>; Morrison, Tricia <Tricia.Morrison@admin.sc.gov>; Davis, Johnnie <Johnnie.Davis@admin.sc.gov>; Giles, Gerri <Gerri.Giles@admin.sc.gov>; Melton, Matthew <Matthew.Melton@admin.sc.gov>; Brock, Savannah <Savannah.Brock@admin.sc.gov>; Dennis, Matthew <Matthew.Dennis@admin.sc.gov>; Anderson, Eric <Eric.Anderson@admin.sc.gov>; Watson, Franchesca <Franchesca.Watson@admin.sc.gov>; Davis, Rebecca <Rebecca.Davis@admin.sc.gov>; Batchelder, Davis <Davis.Batchelder@admin.sc.gov>; Bunnell, Umrella <Umrella.Bunnell@admin.sc.gov>; Figueroa, Sylvia <Sylvia.Figueroa@admin.sc.gov>; Hartley, Hunter <Hunter.Hartley@admin.sc.gov>; Dowlen, Michele <Michele.Dowlen@admin.sc.gov>; schelp@ecompasstech.com

Subject: IMPORTANT: 2025 Draft CSBG & LIHEAP State Plans for Public Review

Importance: High

*** 2025 PROPOSED STATE PLANS *for* REVIEW ***

Draft 2025 Community Services Block Grant (CSBG) and Low-Income Home Energy Assistance Program (LIHEAP) State Plans are attached for review and comment.

Please share with Board members, vendors and staff.

Email all comments to oeo@admin.sc.gov **no later than Monday, June 17, 2024.**



Community Action Plan Submission Timeline:

- *May – August 2024:* Dissemination of draft plans and open comment period
- *June 21, 2024:* 2025 State Plan Review (Webinar)
- *August 2024:* Public Hearing & Legislative Public Hearing (TBA)
- ***August 30, 2024:* Subgrantee Community Action Plans due to OEO**
- *September 1, 2024:* OEO deadline to submit State Plans to HHS

Kelly Buckson
Senior Grants Manager

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2025 CSBG/LIHEAP State Plan Review

FRIDAY, JUNE 21, 2024

MICROSOFT TEAMS

SOUTH CAROLINA OFFICE *of*
ECONOMIC OPPORTUNITY



Kelly Buckson
Senior Manager *for*
CSBG & LIHEAP

Franchesca Watson
Grants Administrator *for*
CSBG & LIHEAP

Matthew Melton
Senior Manager *for*
Weatherization

Lisa Crosby
Fiscal Service Manager *for*
CSBG, LIHEAP, Weatherization



STATE PLAN: Statutory Requirements

“Community Services Block Grant”

Overview for comments, edits and suggestions

“Low-Income Home Energy Assistance Plan”

Overview for comments, edits and suggestions

“LIHEAP Weatherization”

Matthew Melton, OEO Weatherization Manager

“OEO FISCAL GUIDANCE”

Lisa Crosby, OEO Fiscal Service Manager

State Plan Timeline:

- ✓ ***May 7 – August 2024:*** Dissemination of draft plans and open comment
- ✓ ***June 18, 2024 :*** CSBG Legislative Hearing
- ✓ ***June 21, 2024:*** 2024 State Plans Review (OEO Webinar)
- ❑ ***LIHEAP Public Hearing (August 2024)***
- ❑ ***August 30, 2024:*** Community Action Plans (Work Plans) due to OEO
- ❑ ***September 1, 2024:*** OEO Submits Final State Plans to HHS

Additional Comments to oeo@admin.sc.gov



“Community Services Block Grant”

Overview for comments, edits and suggestions

DRAFT: 2025 CSBG State Plan

Cover Page
(completed by OEO)

Section 1: CSBG Lead Agency, Authorized Official, Point of Contact and Official State Designation Letter (completed by OEO)

Section 2: State Legislation and Regulation
(completed by OEO)

Section 3:

State Plan Development & Statewide Goals

3.1: CSBG Lead Agency Mission and Responsibilities

3.2: State Plan Goals

3.3: State Plan Development

3.4: Eligible Entity Involvement *(will be updated to reflect this year's efforts to involve eligible entities and partners develop the 2025 plan)*

3.5: Eligible Entity Overall Satisfaction: 81

2021 score from eligible entities on the development of CSBG State Plan: 74 (Good)

Section 4:

CSBG Hearing Requirements

4.1: Public Inspection (how the state made plans available for comment)

4.2: Public Notice Hearing (will be issued once hearing date is finalized)

4.3: Public Hearing
(legislative hearing for CSBG held virtually on June 18.)

4.4: Supporting documentation of public hearing (to be included once finalized)

Section 5:

CSBG Eligible Entities

5.1: CSBG Eligible entities listed

5.2: Total number of CSBG eligible entities – 14

5.3: Changes to eligible entities – None

Section 6: Organizational Standards

6.1: Choice of Standards – COE's 58 Organizational Standards

6.2: No changes will be made to the established standards

6.3: Standards established by IM 138 Federal regulations, State Plan policy, contracts with CAA's.

6.5: The state will not make exceptions to Org. Stand. Described in IM 138

6.6: State Projects 72% achievement (9 of 14 agencies met 100% standards in 2023)

Section 7: State Use of Funds

7.1: Funds are allocated to eligible entities based on a formula that considers poor population by county (Census data)

7.1a: 90% of funds are allocated to eligible entities

7.2: Will outline projected allocation by agency based on 2024 funding

7.3: Distribution process outlined

7.4: "No." SC operates on a calendar year. Funds will be distributed in December, rather than the FY. South Carolina has not encountered an interruption in services due to calendar year operations.

Section 8: State T/TA

8.1: Chart of training and technical assistance provided

8.1a: Planned budget for T/TA (indicated in 7.9) – $50k

8.2: TAPs are issued to entities with unmet Organizational Standards

8.3: OEO provides T/TA in partnership with the State Association to CAA's, utilizing national providers and consultants (ROMA/ROMA Next Generation, Organizational Standards, NASCSP, US HHS, DBA, etc.)

8.4: OEO's plan for increased training and technical assistance

Section 9: State Linkages & Communication

9.1: State office coordinates with LIHEAP, WAP and ESG

9.2: Local entities will develop linkages to fill identified gaps in service through referrals and coordinate public and private resources.

9.3a: The state will ensure linkages through monitoring, Community Action Plans and State forms (ex. OEO form 507 – outlines all agency funding sources)

9.3b: Eligible entities will develop linkages through referrals outlined in logic models to fill identified gaps. Private resources can also be utilized to support innovative projects.

Section 10: Monitoring, Corrective Action & Fiscal Controls

10.1: Tentative 2025 monitoring schedule based on the 2024 schedule

10.2: OEO will attach monitoring procedures

10.3: OEO must disseminate an initial monitoring report to CAA's within 25 days of the exit conference.

10.4: State procedures address documenting deficiencies and findings

10.5: "0" eligible entities are on QIPs

10.6: OEO will follow IM 116 to report entities on QIPs to OCS

10.7: OEO will follow IM 116 to reduce or terminate funding

10.8, 9, 10: Does State law provide for the Designation, De-designation and Re-Designation. "No".

Section 11: Eligible Entity Tripartite Board

11.1: Measures taken to ensure Tripartite Board compliance

11.2: The State requires updates annually, as vacancies occur and as meeting minutes are approved.

11.3: OEO ensures Tripartite representation via Board Roster and Composition forms. Updates should be submitted to OEO by way of the statewide database, within 30 days of change.

11.4: The State does not permit an alternative to eligible entities having a Tripartite Board.

Section 12: Individual & Community Income Eligible Requirements

12.1: Income eligibility: 200% of the Federal Poverty Level (FPL).

12.1a: An applicant's total household income must not exceed 200% of the FPL.

12.2: Self-certification of income will be permitted using the "Declaration of Zero Income" form

12.3: Eligible entitles are required to utilize low-income participation (reported on the Annual Report, Organizational Standards, also reflected in Board Minutes (low-income sector representatives))

Section 13: ROMA System

13.1: A Results Oriented Management Accountability system is utilized

13.1a: Track ROMA efforts in DBA (monthly reporting, community action plans uploaded to DBA to include logic models, board compliance, Org. Standards, etc.)

13.2: Outcome measures reflected using NPI's (national performance indicators)

13.3: OEO funds the statewide database (DBA); encourages CAA's to fully utilize the database; fund ROMA certification.

Section 14: CSBG Programmatic Assurance & Informative Narrative

14.1a: Local initiative projects will address the anti-poverty goals set forth in Section 672 of the CSBG Act (assured in approved logic models & during monitoring)

14.3: Discretionary funds will be used to fund the State's Youth Leadership Program. Additional monies will fund innovative programs, community and neighborhood initiatives.

14.3 d: CAA's will create local initiative projects set forth in Section 672 of the CSBG Act (employment, education, income management, etc.)

CSBG State Plan QUESTIONS





PY 2023 CSBG
Statewide Performance

Franchesca Watson, *Grants Administrator*

SC 2023 CSBG Performance



4,558

Households received CSBG assistance at least once during PY23.



2023 CSBG:
Who was the CSBG customer?

- ✓ Female (age 25-44)



2023 CSBG:

Who was the CSBG customer?

- ✓ Female (age 25-44)
- ✓ High School Diploma



2023 CSBG:

Who was the CSBG customer?

- ✓ Female (age 25-44)
- ✓ High School Diploma
- ✓ Employed ($22,057/Yr)



2023 CSBG:

Who was the CSBG customer?

- ✓ Female (age 25-44)
- ✓ High School Diploma
- ✓ Employed ($ 22,057/Yr)
- ✓ Renter

Requests for Assistance

- ❑ Emergency Rental Assistance (GEAP)
- ❑ Food/Nutrition

CSBG CAA Initiatives



- What initiatives could a CAA create to better assist this customer?
- Who creates the agency's CSBG initiatives?
- Who determines the maximum and frequency of service?

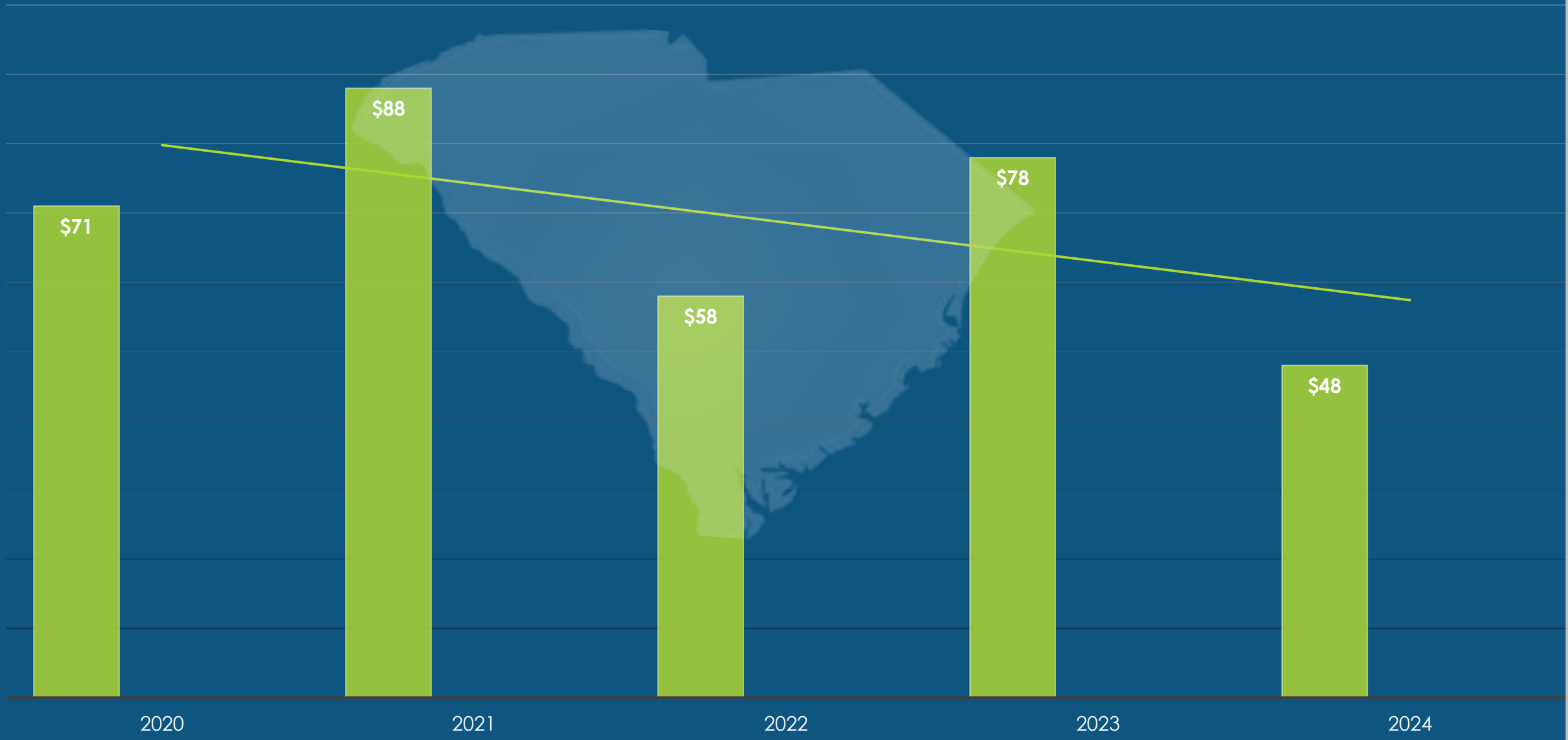
CSBG Performance QUESTIONS

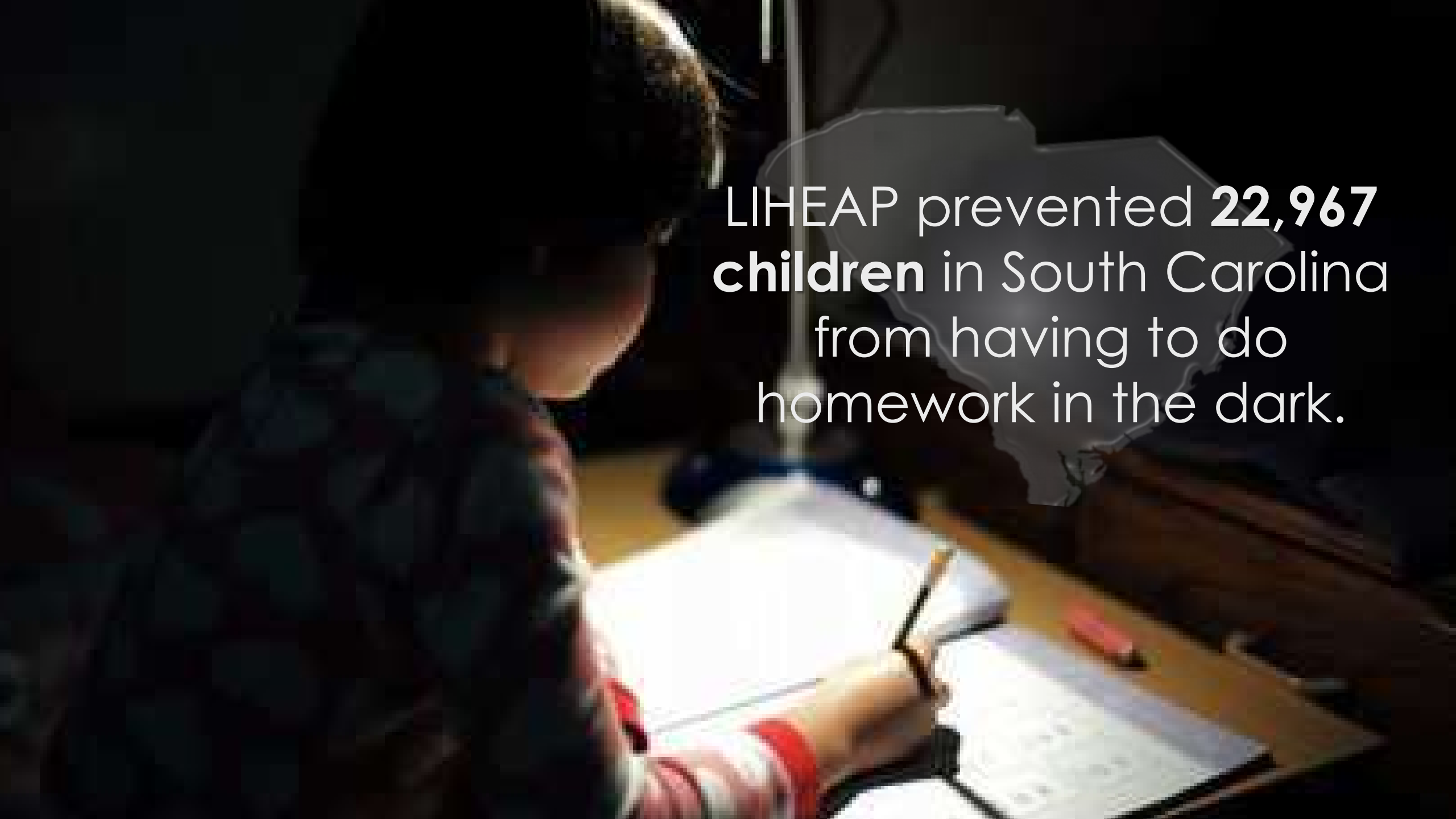


“Low-Income Home Energy Assistance Plan”

Overview for comments, edits and suggestions

South Carolina: Annual LIHEAP Funds, 2020-2024
($ millions)

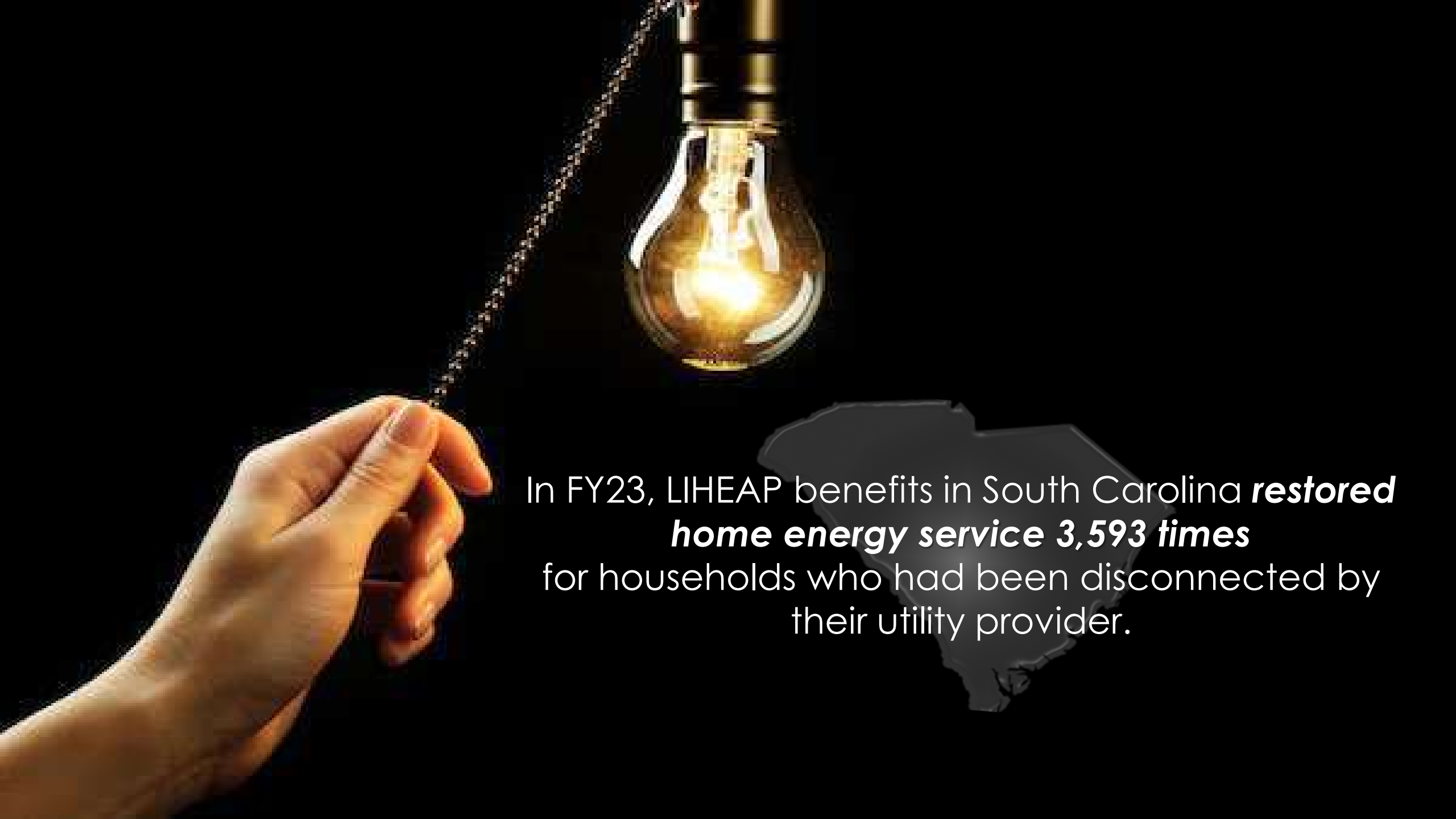



LIHEAP prevented **22,967 children** in South Carolina from having to do homework in the dark.


LIHEAP prevented 14,576 households with an elderly family member from heating with an unsafe energy source.



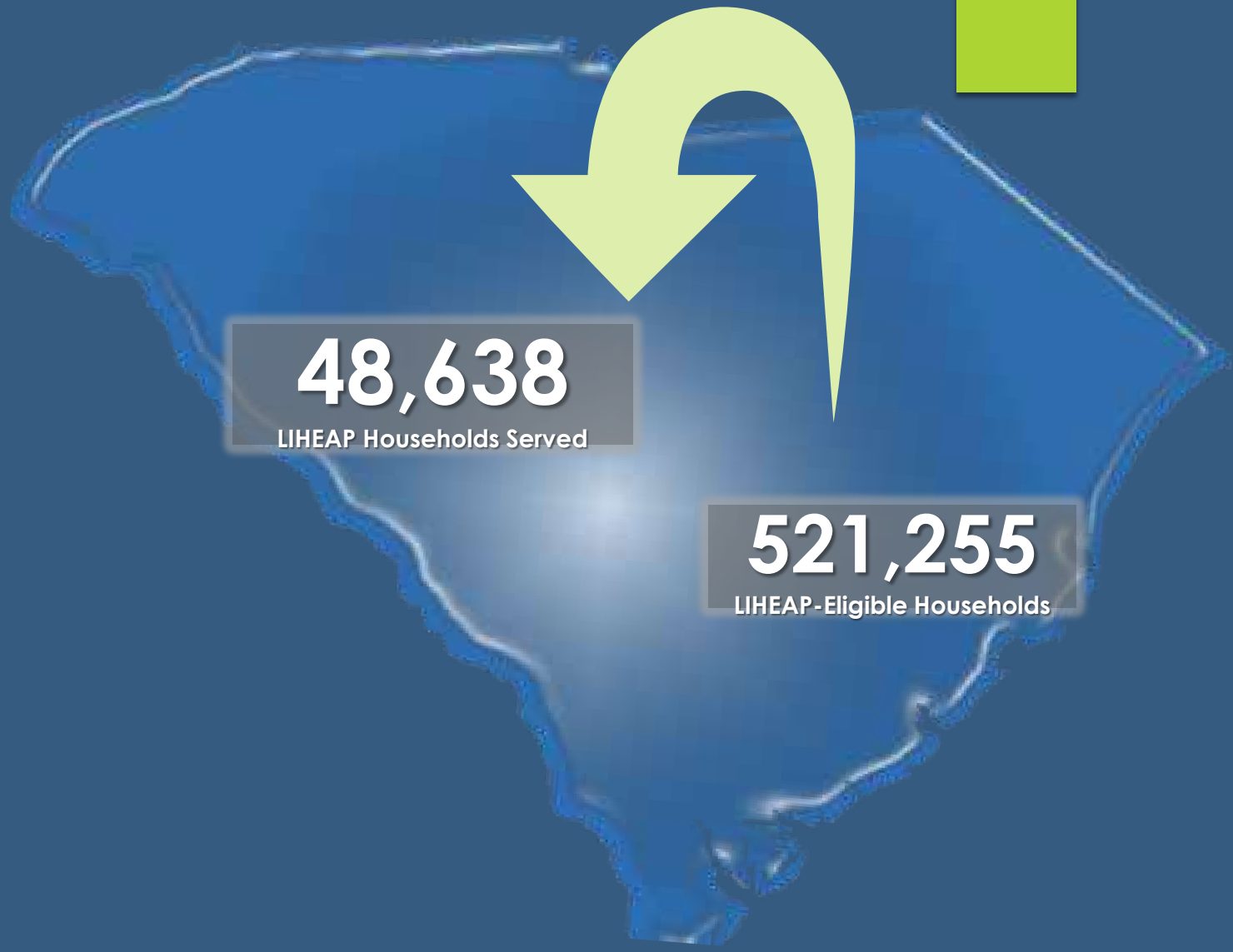
In FY23, LIHEAP benefits in South Carolina ***prevented the loss of service 10,949 times***, by stopping threatened utility service disconnections and by delivering fuel to homes that were at risk of running out.



In FY23, LIHEAP benefits in South Carolina ***restored home energy service 3,593 times*** for households who had been disconnected by their utility provider.

South Carolina: LIHEAP Income-Eligible Population vs. LIHEAP Households Served

- 521,255 LIHEAP Income-Eligible Households.
- 48,638 LIHEAP Households Served.
- LIHEAP services went to 9% of the state's total eligible population.
- 9,292 new households were served in PY 2023.



“Low-Income Home Energy Assistance Plan”

Overview for comments, edits and suggestions

LIHEAP: Income Eligibility

Section 2605(b)(2)(B) of the LIHEAP statute at 42 USC 8624(b)(2)(B), sets the maximum allowed in determining income eligibility for LIHEAP at 60 percent of SMI or 150 percent of the Federal Poverty Guidelines (FPG), whichever is greater.

60% of SMI

- States have the flexibility to use their State's median income (SMI) to determine eligibility for LIHEAP.
- HHS provides State Median Income guidelines annually.
- Households may not exceed 60% of their State's Median Income to be considered eligible.

Home Energy Assistance Program Overview

LIHEAP is a federally-funded grant that helps eligible households pay their home heating and cooling costs.

SC currently operates on a calendar year (January 1 – December 31) and provides benefits during the following season.





Year-Round Energy Crisis Assistance

- Offer year-round crisis energy assistance, only.
- Maximum for emergency energy assistance up to $1,500 per service, not to exceed two services in one program year.
- Income-eligible vulnerable households (elderly (age 60+), disabled, children aged 5 and younger) with a bill due will qualify for emergency energy assistance.
- Allow for nonemergency heating and cooling assistance if funding is available.

LIHEAP Nonemergency Benefit Matrix

MINIMUM DIRECT ASSISTANCE BENEFIT	**$200**
Fuel (heating season, only)	$ 75
Energy burden	$ 175
Elderly aged 60 +	$ 75
Income = or < 100% FPL	$ 175
Disabled	$ 50
Child age 5 and under	$ 50
Veterans	$ 50
Maximum Allowable (Heating)	**$ 850**
Maximum Allowable (Cooling)	**$775**

Section 4: Crisis Assistance

Section 2604(c)(1)(2) of the LIHEAP Statute requires an energy crisis be resolved not later than 18-48 hrs.

Definition of Crisis

- An energy crisis is when a low-income household is facing imminent disconnection and/or needs restoration of their home heating/cooling source. An energy crisis may also be the result of weather or energy-related emergencies. Must be resolved within 48-hours following eligibility determination.

Definition of Life-Threatening Crisis

- A life-threatening crisis is an emergency requiring immediate action to prevent the loss or impairment of life/health due to a medical condition if the household's energy service is interrupted. Must be resolved within 18-hours following eligibility determination.

“LIHEAP Weatherization„

Matthew Melton, OEO Weatherization Manager

Section 5
WEATHERIZATION ASSISTANCE

LIHEAP WEATHERIZATION 2024

- 15% - Weatherization Assistance
- 200% Income Eligibility Threshold
- April 1, 2024, through March 31, 2025

LIHEAP Weatherization is mostly under DOE Weatherization rules

Where
LIHEAP Weatherization and
DOE Weatherization Rules Differ

LIHEAP Weatherization not subject to DOE Weatherization maximum statewide average per dwelling unit

-- LIHEAP Weatherization - $12,000 average cost per dwelling

-- DOE Weatherization - $8,250 (est.) statewide average cost per unit

LIHEAP Weatherization measures are not subject to DOE Weatherization Savings to Investment Ratio (SIR) standards

LWAP ELIGIBILITY

Elderly

60 years of age and older

Disabled

Children

Households with minors under age 18

High Energy Burden

At least 20 percent of the household income is utilized to pay for energy usage.

High Energy User

LIHEAP eligible household

Renters must have permission from owner and rent must not increase once weatherization services are completed for one year.

LIHEAP WEATHERIZATION MEASURES

Weatherization needs Assessments/Audits	Caulking and Insulation	Storm Windows	HVAC Assessments	Furnace/Heating System Modifications/ Repairs
Furnace Replacement	Cooling System Modifications/ Repairs	Cooling System Replacement	Water Conservation Measures	CFLs LED Bulbs
Energy Related Roof Repair	Major Appliance Repairs / Replacement	Windows/Sliding Glass Doors	Doors	Water Heater

Weatherization Comments for Consideration

Section 6: Outreach

- 6.1: Outreach activities to make eligible households

  aware of LIHEAP assistance selected.

- ✓ Inserts in energy vendor billing
- ✓ Customers informed during application intake

According to the LIHEAP statute, Assurance 3, Outreach should be: *"designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available" under the program.*

Section 7: Coordination

- LIHEAP programs coordinated through:
  - Referrals
  - One-stop Intake Centers (WIOA, SC Works)
  - DSS, SSA, HUD, etc.

Section 8: Agency Designation

- 8.1: The primary responsibility of the State agency is the Administration Agency
- 8.2, 8.3, 8.4: Skip
- 8.5: CAA's determine eligibility, processes benefit payments, and perform installation of WAP measures
- 8.6: Agencies were created by the Legislature or Governor with input from OEO
- 8.7: 13 Agencies administer LIHEAP
- 8.8: No local administering agencies have changed in the last year.

Section 9: Energy Suppliers

- 9.1: The State does not make payment to vendors
- 9.2: Eligible entities notify customers of their benefit during the intake process (verified through vouchers and check copies)
- 9.3: The current bill is required during intake to determine the amount
- 9.4: The State prohibits any difference in treatment to households. This is outlined in the agency Integrity Plan and Vendor Agreement
- 9.5: Payments are not made to vendors who take measures to alleviate the energy burden without agency approval.

Section 10: Program, Fiscal Monitoring & Audit

- 10.1: The State ensures good fiscal accounting and tracking of LIHEAP funds by maintaining internal controls and a financial management system necessary to accurately account for LIHEAP expenditures.
- 10.2: The LIHEAP program is audited annually under the Single Audit and A-133.
- 10.6: Tentative Monitoring schedule will be attached (based on 2024 schedule)
- 10.7: Monitoring reviews conducted via site visits and desk reviews
- 10.8: Agency's are monitored at least once every three years

Section 11: Timely & Meaningful Public Participation

- 11.1: Pending
- 11.2: Pending
- 11.3: Pending
- 11.4: Pending
- 11.5: Pending
- 11.6: Pending

Section 12: Fair Hearings

- 12.1: "0" Fair Hearing in the prior FFY
- 12.2: "0" Fair Hearing resulted in the initial decision being reversed
- 12.3: No policy and/or procedural changes were made in the last FFY.
- 12.4: Fair hearing procedures outlined (will also be attached)
- 12.5: An approved Fair Hearings notice must be posted in the lobbies at each intake site. Applications also reflect the notice.
- 12.6: Fair hearing procedures for households whose applications are not acted on in a timely manner can appeal to the agency and the State office.
- 12.7: The appeal and fair hearing process is posted at each site.

Section 13: Reduction of Home Energy Needs (Assurance 16)

- SC will not conduct Assurance 16 activities in 2025.

Section 14: Leveraging Incentive Program

- 14.1: OEO will not submit application to enter the leveraging program

Note: The State leverages resources form private agency funding

(Dominion's Energy Share, Duke Energy's Share the Light/Warmth and other Project Share dollars.)

Section 15: Training

- 15.1 a, b, c: Training of OEO, Local Agencies and Vendors outlined

- 15.2: Training programs address fraud reporting (documents pertaining to abuse and fraud are collected from local agencies through Organizational Standards, agency policies, LIHEAP Integrity Plan, etc.)

Section 16: Performance Goals & Measures

- 16.1: OEO's data collection goal is to engage new utility vendors to complete LIHEAP performance measures.



Section 17: Program Integrity

- 17.1a: Fraud Reporting Mechanisms (selected)
- 17.1b: Program Integrity Strategies addressed on LIHEAP application and State website.
- 17.2: Identification documentation requirements are outlined below
- 17.3: Identification verification methods (selected)
- 17.4: Citizenship/Legal Residency Verification (selected)
- 17.5: Income Verification (selected)

LIHEAP State Plan QUESTIONS



“OEO FISCAL GUIDANCE”

Lisa Crosby, OEO Fiscal Service Manager


Reminder:2025 budgets are not due with Community Action Plan submissions.
Budget

2025 Fiscal Update

	2023 Infrastructure		2024 Infrastructure		Emergency 1,2 & 3		LIHWAP	
	Amount	% of Allocation	Amount	% of Allocation	Amount	% of Allocation	Amount	% of Allocation
Total Allocation	1,148,054.00		808,456.00		76,919,361.00		19,068,273.00	
Disbursed	1,148,054.00	100%	808,456.00	100%	76,919,361.00	100%	19,068,273.00	100%
Expenditures	1,044,652.00	91%	0.00	0%	67,672,484.76	88%	16,827,755.66	88%
Unexpended	103,402.00	9%	808,456.00	0%	9,246,876.24	12%	2,240,517.34	12%

2024 Fiscal Guidance

FRIENDLY REMINDER, IT IS NOT ALLOWABLE TO CHARGE GRANTS INCORRECTLY FOR ANY REASON. EACH AWARD MUST BE TRACKED SEPARATELY.

Upcoming obligation deadlines:

- 2023 CSBG and LIHEAP carry-forward must be expended by 9/30/2024.
- 2023 LIHEAP Emergency Supplemental grant funds must be expended by 9/30/2024.
- 2023 Infrastructure grant funds must be expended by 9/30/2024.
- 2024 Infrastructures grant funds must be obligated by 12/31/2024.
- OEO is in the process of closing out the LIHWAP grants.

2025 Fiscal Guidance

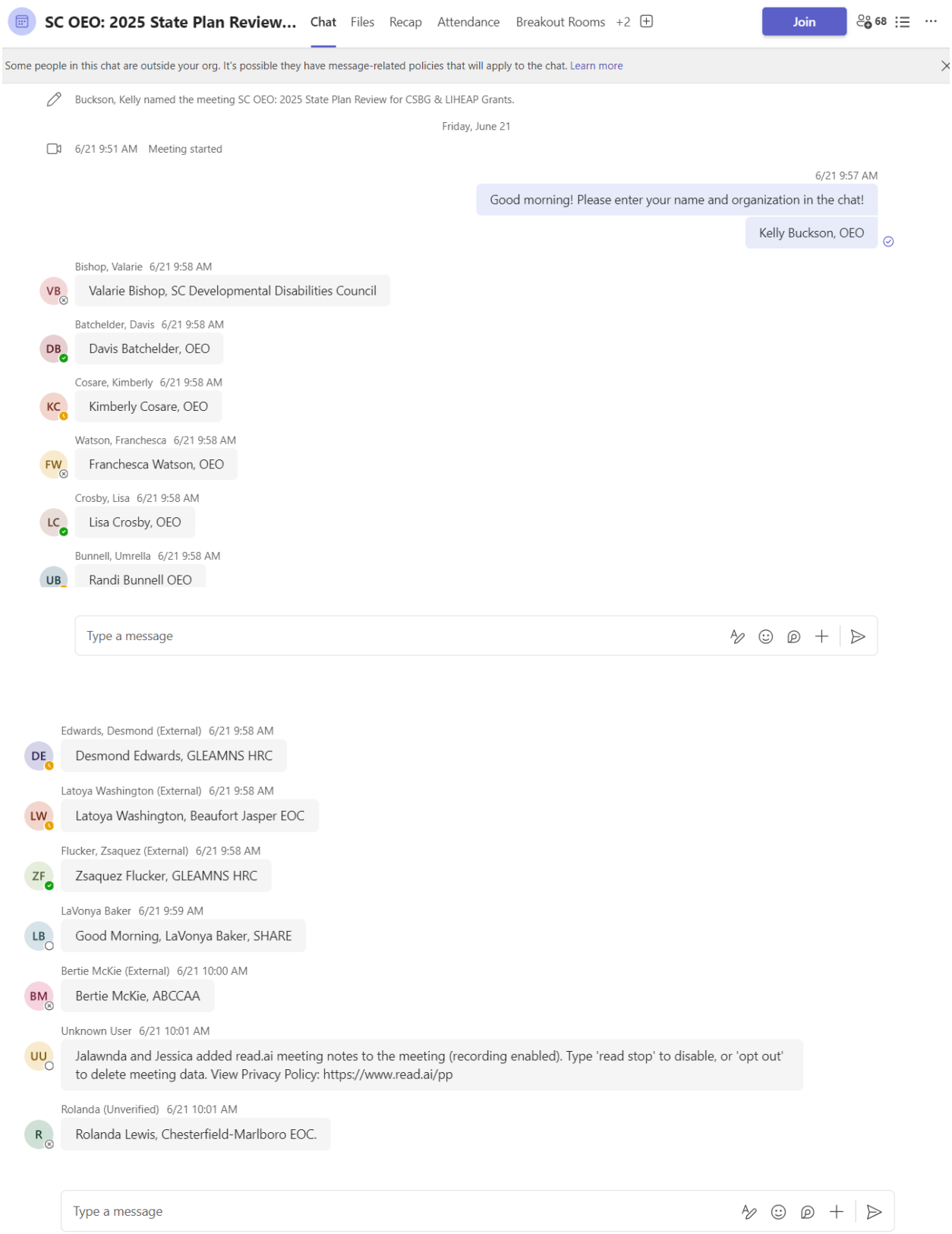
- When planning for 2025, use your agency's 2024 allocations as an estimate for what your 2025 award will be.
- OEO will announce 2025 CSBG and LIHEAP grant awards when we receive the award notifications from HHS.
- Awards from HHS are issued late fall. OEO will allow sufficient time to submit and review budgets prior to 1/1/2025.
- As a reminder, OEO has no control over when the state receives HHS funding for the new program year. Please plan accordingly.

State Plan Timeline:

- ✔ ***May 7 – August 2024:*** Dissemination of draft plans and open comment
- ✔ ***June 18, 2024 :*** CSBG Legislative Hearing
- ✔ ***June 21, 2024:*** 2024 State Plans Review (OEO Webinar)
- ***LIHEAP Public Hearing (August 2024)***
- ***August 30, 2024:*** Community Action Plans (Work Plans) due to OEO
- ***September 1, 2024:*** OEO Submits Final State Plans to HHS

Additional Comments to oeo@admin.sc.gov




SC OEO: 2025 State Plan Review...
Chat
Files
Recap
Attendance
Breakout Rooms
+2
Join
68
Some people in this chat are outside your org. It's possible they have message-related policies that will apply to the chat. Learn more
Buckson, Kelly named the meeting SC OEO: 2025 State Plan Review for CSBG & LIHEAP Grants.
Friday, June 21
6/21 9:51 AM Meeting started
6/21 9:57 AM
Good morning! Please enter your name and organization in the chat!
Kelly Buckson, OEO
Bishop, Valarie 6/21 9:58 AM
VB
Valarie Bishop, SC Developmental Disabilities Council
Batchelder, Davis 6/21 9:58 AM
DB
Davis Batchelder, OEO
Cosare, Kimberly 6/21 9:58 AM
KC
Kimberly Cosare, OEO
Watson, Franchesca 6/21 9:58 AM
FW
Franchesca Watson, OEO
Crosby, Lisa 6/21 9:58 AM
LC
Lisa Crosby, OEO
Bunnell, Umrella 6/21 9:58 AM
UB
Randi Bunnell OEO
Type a message
Edwards, Desmond (External) 6/21 9:58 AM
DE
Desmond Edwards, GLEAMNS HRC
Latoya Washington (External) 6/21 9:58 AM
LW
Latoya Washington, Beaufort Jasper EOC
Flucker, Zsaquez (External) 6/21 9:58 AM
ZF
Zsaquez Flucker, GLEAMNS HRC
LaVonya Baker 6/21 9:59 AM
LB
Good Morning, LaVonya Baker, SHARE
Bertie McKie (External) 6/21 10:00 AM
BM
Bertie McKie, ABCCAA
Unknown User 6/21 10:01 AM
UU
Jalawnda and Jessica added read.ai meeting notes to the meeting (recording enabled). Type 'read stop' to disable, or 'opt out' to delete meeting data. View Privacy Policy: https://www.read.ai/pp
Rolanda (Unverified) 6/21 10:01 AM
R
Rolanda Lewis, Chesterfield-Marlboro EOC.
Type a message

Tandy Bannister (External) 6/21 10:01 AM

TB Tandy Bannister-SHARE

Doris Pitchford (External) 6/21 10:01 AM

DP Doris Pitchford, SHARE

Kaytee Watson (Services - 6) (Unverified) 6/21 10:01 AM

KW Kaytee Watson with Dominion Energy South Carolina's Customer Assistance Team. Nice to see so many partners here today!

Secil Jackson (External) 6/21 10:01 AM

SJ Secil Jackson - Lexington Office

Tinika Cantey (External) 6/21 10:01 AM

TC Tinika Cantey, WCAI

Dill, Diana (External) 6/21 10:01 AM

DD Diana Dill - GLEAMNS

Thomas Nix (External) 6/21 10:01 AM

TN Thomas Nix, Palmetto CAP

Patrice Simmons, Palmetto CAP 6/21 10:01 AM

PS Patrice Simmons, Palmetto CAP

Patrice Simmons, Palmetto CAP 6/21 10:01 AM

PS Patrice Simmons, Palmetto CAP

Pamela Stevenson (External) 6/21 10:01 AM

PS Pamela Stevenson,Darlington County Caa

Hall, Darlene (External) 6/21 10:02 AM

DH Darlene - GLEAMNS

Ernest, Victoria (External) 6/21 10:02 AM

VE Victoria Ernest, GLEAMNS HRC

Bailey, Jalawnda 6/21 10:02 AM

JB Jalawnda Bailey, South Carolina Department on Aging

Patrice Simmons, Palmetto CAP 6/21 10:02 AM

PS Alonda Thomas, Palmetto CAP

Queen McCall (External) 6/21 10:02 AM

QM Queen McCall Pee Dee CAP

Haynes, Jamel Henderson (Unverified) 6/21 10:02 AM

JH Jamel Haynes with Duke Energy's Agency Team

Andray Holmes 6/21 10:02 AM

AH Andray Holmes, BJEOC

Janice Wideman (Guest) 6/21 10:03 AM

JW Janice Wideman WEOC, Inc.

Roscoe Mines (External) 6/21 10:12 AM

RM Roscoe Mines, DBA Helpdesk

Thomas, Ameca (External) 6/21 10:13 AM

AT Ameca Thomas- GLEAMNS HRC

Margaret Gibson (External) 6/21 10:15 AM

MG Margaret Gibson, Wateree

Cheryl D. McMichael (Guest) 6/21 10:15 AM

CM Cheryl D. McMichael, Aiken-Barnwell CAA

Kaytee Watson (Services - 6) (Unverified) 6/21 10:40 AM

KW Thank you so much. Great overview.

👍 1

Bishop, Valarie 6/21 10:40 AM

VB Thank you!

Edwards, Desmond (External) 6/21 10:40 AM

DE Thank you!

Margaret Gibson (External) 6/21 10:41 AM

MG Thanks!

Haynes, Jamel Henderson (Unverified) 6/21 10:41 AM

JH thank you

Thomas Nix (External) 6/21 10:41 AM

TN Thank you!

Bailey, Jalawnda 6/21 10:41 AM

JB Great presentation!

Secil Jackson (External) 6/21 10:41 AM

SJ Thank you!!!

Rolanda (Unverified) 6/21 10:41 AM

R Thank you

Queen McCall (External) 6/21 10:41 AM

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE of ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
803.734.0356 Fax

THE OFFICE OF ECONOMIC OPPORTUNITY ANNOUNCES VIRTUAL PUBLIC HEARING

This notice advises the public that the South Carolina Office of Economic Opportunity (SC OEO) will be conducting a public hearing virtually at 10 a.m., Thursday, August 15, 2024, to formally review the proposed 2025 Low-Income Home Energy Assistance Program (LIHEAP) State Plan.

To attend the virtual legislative hearing, go to the following address at the date and time indicated above: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OWJmMTlkYWMtNjA3Yy00ZWMwLWI2NzItNTFhYTgwMDMzMDVl%40thread.v2/0?context=%7b%22Tid%22%3a%22e9f8d014-80d8-4f27-b0d6-c3d6c085fcdd%22%2c%22Oid%22%3a%22bb882b44-7784-4544-9909-a4df21abe568%22%7d using Meeting ID: 241 113 033 160. If you do not have internet access, you may attend by dialing 1-803-454-9963 using Access Code: 331 342 706#.

The U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Office of Community Services, Division of Energy Assistance administers LIHEAP. Federal governing regulations for LIHEAP are P.L. 109-58 which reauthorized LIHEAP through FY 2007. The LIHEAP statute is codified in the United States Code at 42 U.S.C. § 8621-8630 (2008). Reauthorization of LIHEAP is currently pending.

LIHEAP provides federally funded assistance to reduce the costs associated with home energy bills, energy crises, weatherization, and minor energy-related home repairs. The LIHEAP State Plan outlines eligibility requirements, household benefit levels and the projected funds for LIHEAP assistance.

The proposed LIHEAP 2025 State Plan is available and may be reviewed at https://oeo.sc.gov/managedsites/prd/oeo/index.html. A copy of the plan may be requested from the local Community Action agency in your area.

Prior to the virtual hearing, participants requesting to make public comment during the virtual meeting must call (803-734-0662) and leave their name and telephone number no later than 3 p.m., August 14, 2024. Each speaker will be allowed up to three minutes for comments. Written comments regarding the 2025 proposed LIHEAP State Plan may be mailed to the Office of Economic Opportunity at 1205 Pendleton Street, Suite 364 Columbia, SC 29201, or emailed to oeo@admin.sc.gov. All timely written comments submitted by mail or email will be included as part of the official record for this hearing and considered by SC OEO.

For more information, contact the South Carolina Office of Economic Opportunity (803-734-0662).

###

admin
THE SOUTH CAROLINA
DEPARTMENT *of* ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
803.734.0356 Fax

August 12, 2025

Ms. J. Janelle George
Acting Director, Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street, SW
Washington, D.C. 20201

Dear Ms. George,

I, James Miller, Director of South Carolina's Department of Administration Office of Economic Opportunity delegate my authority to the Senior Manager to certify the assurances outlined in the Community Services Block Grant and Low-Income Home Energy Assistance Program, as amended, and otherwise preform all necessary functions to properly administer the Community Services Block Grant and Low-Income Home Energy Assistance Program except for signing for grant funds.

If you have any questions or concerns, please contact me at your earliest convenience. I may be reached at 803-734-0425 or by email at james.miller@admin.sc.gov.

Sincerely,

James E. Miller
Director

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE of ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
803.734.0356 Fax

July 12, 2024

Dr. Lanikque Howard
Director, Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street, SW
Washington, D.C. 20201

Dear Dr. Howard,

I, James Miller, Director of South Carolina's Department of Administration Office of Economic Opportunity delegate my authority to the Senior Manager to certify the assurances outlined in the Community Services Block Grant and Low-Income Home Energy Assistance Program, as amended, and otherwise preform all necessary functions to properly administer the Community Services Block Grant and Low-Income Home Energy Assistance Program except for signing for grant funds.

If you have any questions or concerns, please contact me at your earliest convenience. I may be reached at 803-734-0425 or by email at james.miller@admin.sc.gov.

Sincerely,

James E. Miller
Director

HENRY MCMASTER
GOVERNOR

May 1, 2024

Dr. Lanikque Howard
Director, Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street, SW
Washington, D.C. 20201

Dear Dr. Howard,

I hereby designate Mr. James E. Miller, Director of the Office of Economic Opportunity, to sign South Carolina's annual application and certifications for the Low-Income Home Energy Assistance Program (LIHEAP). Mr. Miller is authorized to sign assurances and to administer the 2025 LIHEAP in the State of South Carolina.

Thank you for your time and consideration. If you have any questions, please contact Mr. Miller at (803) 734-0425.

Yours very truly,

Henry McMaster

HM/kt

cc: Mr. James Miller, Director, Office of Economic Opportunity

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

2026 Benefit Matrix

Low Income Home Energy Assistance Program (LIHEAP) Block Grant

Maximum Income Eligibility based on 60% of the State Median Income:

	60%
FAMILY SIZE	ANNUAL SMI
1	$30,629
2	$40,054
3	$49,478
4	$58,903
5	$68,327
6	$77,751

Reference ACF HHS Policy Guidance for additional households: https://www.acf.hhs.gov/ocs/policy-guidance/liheap-im-2024-02-federal-poverty-guidelines-and-state-median-income-estimates

Crisis Assistance Benefits (Electric and Non-electric Vendors)

Maximum:	**Vulnerable Household**	**Non-vulnerable Household**
60% SMI	Up to $1,000.00	Up to $1,000.00

Non-Emergency Benefits (Electric and Non-electric Vendors)

South Carolina's non-emergency LIHEAP benefit matrix is intended to provide vulnerable and high-burden households the highest non-emergency LIHEAP benefit to offset the cost of home heating/cooling expenses. Each eligible household receives a minimum non-emergency benefit of $200. Additional benefits are awarded if the household/a member of the household is: elderly ($75); disabled ($50); household income 70% of the 60% SMI or less ($175); child 5 years of age or younger ($50); household energy burden is demonstrated ((20% or more of income used for utilities) $175); heats with fuel ($75); a veteran ($50). The maximum non-emergency benefit during the heating season is $850. The maximum non-emergency benefit during the cooling season is $775 (no fuel benefit awarded May 1 – September 30).

Maximum:	***Description***	***Vulnerable Household***	***Non-Vulnerable Household***
60% SMI	**Minimum Benefit**	**$200**	**$200**
60% SMI	Child Age 5 or <	$50	-
60% SMI	Energy Burden	$175	$175
60% SMI	Elderly, Age 60+	$75	-
60% SMI	Disabled	$50	-
60% SMI	Income <70% of 60% SMI	$175	-
60% SMI	Fuel	$75	$75
60% SMI	Veteran	$50	$50
		Maximum Non-Emergency Heating Award:	**$850.00**
		Maximum Non-Emergency Cooling Award:	**$775.00**

VULNERABLE HOUSEHOLDS & NONEMERGENCY BENEFIT MATRIX DEFINED

(1) Elderly - Individuals aged 60 years or older.

(2) Disabled – Individuals must provide proof of disability. Proof of disability is to be provided from a current year's award letter or SSI report from the Social Security Administration (SSA) verifying disability, a current year's letter from Vocational Rehabilitation or the Veterans Administration, Disability Income Check, or an official handicapped sticker bearing the appropriate photograph. Disability may be either temporary or permanent. This medical documentation must be attached to the application on file.

(3) Income is at 70% of the 60% SMI or less - Total household income for the last 30 days, including the date of application must be at or below 70% of the 60% SMI. Reference the current program year's Federal Guidelines for State Median Income by Household Size.

(4) Household with Children Age 5< - One or more children living in household age 5 or younger.

(5) Energy Burden – An Energy Burden must be calculated using only the current month's home energy cost (ex., kWh or Therms). To determine the Energy Burden for electric households, multiply total monthly household income by 20% (.20) = PRODUCT. Because fuel expands, tanks and cylinders are never filled to the maximum size of the tank. Instead, tanks are only filled to about 80 to 85 percent of their capacity. **To determine the Energy Burden for fuel customers, multiply the cost to fill the customer's tank by 80%.** If the current energy bill is higher than the PRODUCT, then an energy burden has been demonstrated. The current home energy cost should exclude all non-utility and unallowable charges.

(6) Fuel – According to the LIHEAP Performance Measures, fuel is defined as Natural Gas, Fuel Oil/Kerosene, or Propane (LPG – liquefied petroleum gas). For an additional benefit, the household must heat with one of the fuels mentioned above. Proof of fuel service must be in the file.

(7) Veterans - Individuals must provide proof of veteran status. Documentation must be in the customer's file.

admin
THE SOUTH CAROLINA DEPARTMENT of ADMINISTRATION

2025 Benefit Matrix

Low Income Home Energy Assistance Program (LIHEAP) Block Grant

Maximum Income Eligibility based on 60% of the State Median Income:

	60%
FAMILY SIZE	ANNUAL SMI
1	$27,994
2	$36,607
3	$45,221
4	$53,835
5	$62,448
6	$71,062

Reference ACF HHS Policy Guidance for additional households:
https://www.acf.hhs.gov/sites/default/files/documents/ocs/COMM_LIHEAP_Att1SMITable_FY2024.pdf

Crisis Assistance Benefits (Electric and Non-electric Vendors)

Maximum:	**Vulnerable Household**	**Non-vulnerable Household**
60% SMI	Up to $1,500.00	Up to $1,500.00

Non-Emergency Benefits (Electric and Non-electric Vendors)

South Carolina's non-emergency LIHEAP benefit matrix is intended to provide vulnerable and high burden households the highest non-emergency LIHEAP benefit to offset the cost of home heating/cooling expenses. Each eligible household receives a minimum non-emergency benefit of $200. Additional benefits are awarded if the household/a member of the household is: elderly ($75); disabled ($50); household income 70% of the 60% SMI or less ($175); child 5 years of age or younger ($50); household energy burden is demonstrated ((20% or more of income used for utilities) $175); heats with fuel ($75); a veteran ($50). The maximum non-emergency benefit during the heating season is $850. The maximum non-emergency benefit during the cooling season is $775 (no fuel benefit awarded May 1 – September 30).

Maximum:	***Description***	***Vulnerable Household***	***Non-Vulnerable Household***
60% SMI	**Minimum Benefit**	**$200**	**$200**
60% SMI	Child Age 5 or <	$50	-
60% SMI	Energy Burden	$175	$175
60% SMI	Elderly, Age 60+	$75	-
60% SMI	Disabled	$50	-
60% SMI	Income <70% of 60% SMI	$175	-
60% SMI	Fuel	$75	$75
60% SMI	Veteran	$50	$50
		Maximum Non-Emergency Heating Award:	**$850.00**
		Maximum Non-Emergency Cooling Award:	**$775.00**

VULNERABLE HOUSEHOLDS & NONEMERGENCY BENEFIT MATRIX DEFINED

(1) Elderly - Individuals age 60 years or older.

(2) Disabled – Individuals must provide proof of disability. Proof of disability is to be provided from a current year's award letter or SSI report from the Social Security Administration (SSA) verifying disability, a current year's letter from Vocational Rehabilitation or the Veterans Administration, Disability Income Check, or an official handicapped sticker bearing the appropriate photograph. Disability may be either temporary or permanent. This medical documentation must be attached to the application on file.

(3) Income is at 70% of the 60% SMI or less - Total household income for the last 30 days, including the date of application must be at or below 70% of the 60% SMI. Reference the current program year's Federal Guidelines for State Median Income by Household Size.

(4) Household with Children Age 5< - One or more children living in household age 5 or younger.

(5) Energy Burden – An Energy Burden must be calculated using only the current month's home energy cost (ex. kWh or Therms). To determine the Energy Burden for electric households, multiply total monthly household income by 20% (.20) = PRODUCT. Because fuel expands, tanks and cylinders are never filled to the maximum size of the tank. Instead, tanks are only filled to about 80 to 85 percent of their capacity. **To determine the Energy Burden for fuel customers, multiply the cost to fill the customer's tank by 80%.** If the current energy bill is higher than the PRODUCT, then an energy burden has been demonstrated. The current home energy cost should exclude all non-utility and unallowable charges.

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THE SOUTH CAROLINA DEPARTMENT of ADMINISTRATION

2025 Benefit Matrix

Low Income Home Energy Assistance Program (LIHEAP) Block Grant

Maximum Income Eligibility based on 60% of the State Median Income:

	60%
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Crisis Assistance Benefits (Electric and Non-electric Vendors)

Maximum:	**Vulnerable Household**	**Non-vulnerable Household**
60% SMI	Up to $1,500.00	Up to $1,500.00

Non-Emergency Benefits (Electric and Non-electric Vendors)

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Maximum:	***Description***	***Vulnerable Household***	***Non-Vulnerable Household***
60% SMI	**Minimum Benefit**	**$200**	**$200**
60% SMI	Child Age 5 or <	$50	-
60% SMI	Energy Burden	$175	$175
60% SMI	Elderly, Age 60+	$75	-
60% SMI	Disabled	$50	-
60% SMI	Income <70% of 60% SMI	$175	-
60% SMI	Fuel	$75	$75
60% SMI	Veteran	$50	$50
		Maximum Non-Emergency Heating Award:	**$850.00**
		Maximum Non-Emergency Cooling Award:	**$775.00**

VULNERABLE HOUSEHOLDS & NONEMERGENCY BENEFIT MATRIX DEFINED

(1) Elderly - Individuals age 60 years or older.

(2) Disabled – Individuals must provide proof of disability. Proof of disability is to be provided from a current year's award letter or SSI report from the Social Security Administration (SSA) verifying disability, a current year's letter from Vocational Rehabilitation or the Veterans Administration, Disability Income Check, or an official handicapped sticker bearing the appropriate photograph. Disability may be either temporary or permanent. This medical documentation must be attached to the application on file.

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(7) Veterans - Individuals must provide proof of veteran status. Documentation must be in the customer's file.

1. Summary

Meeting title	South Carolina: Virtual Public Hearing for 2025 CSBG and LIHEAP State Plans
Attended participants	41
Start time	8/15/25, 9:46:01 AM
End time	8/15/25, 10:26:39 AM
Meeting duration	40m 38s
Average attendance time	14m 7s

2. Participants

Name	First Join	Last Leave	In-Meeting Duration	Email	Participant ID (UPN)	Role
Buckson, Kelly	8/15/25, 9:49:30 AM	8/15/25, 10:15:48 AM	26m 18s	Kelly.Buckson@admin.sc.gov	Kelly.Buckson@admin.sc.gov	Organizer
LaVonya Baker (External)	8/15/25, 9:46:54 AM	8/15/25, 10:15:43 AM	23m 38s	lbaker@sharesc.org	lbaker@sharesc.org	Attendee
Janice Spells Jamison (Unverified)	8/15/25, 9:47:35 AM	8/15/25, 10:01:43 AM	14m 7s			Attendee
Hall, Darlene (External)	8/15/25, 9:47:44 AM	8/15/25, 9:48:45 AM	1m	dhall@gleamnshrc.org	dhall@gleamnshrc.org	Attendee
Latoya Washington (External)	8/15/25, 9:47:46 AM	8/15/25, 10:15:30 AM	27m 44s	lwashington@thebjeoc.org	lwashington@thebjeoc.org	Attendee
Bunnell, Umrella	8/15/25, 9:47:47 AM	8/15/25, 10:15:35 AM	20m 43s	Umrella.Bunnell@admin.sc.gov	Umrella.Bunnell@admin.sc.gov	Attendee
Cosare, Kimberly	8/15/25, 9:48:28 AM	8/15/25, 10:15:42 AM	27m 13s	Kimberly.Cosare@admin.sc.gov	Kimberly.Cosare@admin.sc.gov	Attendee
Dietrich Shuler	8/15/25, 9:48:28 AM	8/15/25, 10:26:39 AM	38m 10s			Attendee
Batchelder, Davis	8/15/25, 9:51:30 AM	8/15/25, 10:15:35 AM	24m 5s	Davis.Batchelder@admin.sc.gov	Davis.Batchelder@admin.sc.gov	Attendee
Figueroa, Sylvia	8/15/25, 9:54:35 AM	8/15/25, 10:15:45 AM	21m 10s	Sylvia.Figueroa@admin.sc.gov	Sylvia.Figueroa@admin.sc.gov	Attendee
Tandy Bannister (External)	8/15/25, 9:55:50 AM	8/15/25, 10:15:34 AM	19m 43s	tbannister@sharesc.org	tbannister@sharesc.org	Attendee
Maxine Sumpter	8/15/25, 9:57:22 AM	8/15/25, 10:15:36 AM	18m 14s			Attendee
Thomas Nix (External)	8/15/25, 9:57:40 AM	8/15/25, 10:15:46 AM	18m 5s	tnix@palmettocap.org	tnix@palmettocap.org	Attendee
Margaret Gibson (External)	8/15/25, 9:58:03 AM	8/15/25, 10:15:30 AM	17m 26s	mgibson@wcai.org	mgibson@wcai.org	Attendee
Miller, James	8/15/25, 9:58:04 AM	8/15/25, 10:15:33 AM	14m 13s	James.Miller@admin.sc.gov	James.Miller@admin.sc.gov	Attendee
Melton, Matthew	8/15/25, 9:59:05 AM	8/15/25, 10:15:49 AM	16m 44s	Matthew.Melton@admin.sc.gov	Matthew.Melton@admin.sc.gov	Attendee
Watson, Franchesca	8/15/25, 9:59:16 AM	8/15/25, 10:15:41 AM	16m 25s	Franchesca.Watson@admin.sc.gov	Franchesca.Watson@admin.sc.gov	Presenter
Ella Michel	8/15/25, 9:59:20 AM	8/15/25, 10:15:34 AM	16m 13s	emichel@opiniondynamics.com	emichel@opiniondynamics.com	Attendee
Alonda Thomas (External)	8/15/25, 9:59:21 AM	8/15/25, 10:15:48 AM	16m 27s	athomas@palmettocap.org	athomas@palmettocap.org	Attendee
Brigance, Akevia	8/15/25, 9:59:26 AM	8/15/25, 10:15:45 AM	16m 19s	Akevia.Brigance@admin.sc.gov	Akevia.Brigance@admin.sc.gov	Presenter
read.ai meeting notes (Unverified)	8/15/25, 9:59:27 AM	8/15/25, 10:16:14 AM	16m 47s			Attendee
Morrison, Tricia	8/15/25, 9:59:27 AM	8/15/25, 10:15:31 AM	16m 3s	Tricia.Morrison@admin.sc.gov	Tricia.Morrison@admin.sc.gov	Attendee
Bujak, Linda	8/15/25, 10:00:03 AM	8/15/25, 10:15:44 AM	15m 41s	Linda.Bujak@admin.sc.gov	Linda.Bujak@admin.sc.gov	Attendee
Pamela Sims (Unverified)	8/15/25, 10:00:09 AM	8/15/25, 10:15:43 AM	15m 33s			Attendee
Rolanda	8/15/25, 10:00:32 AM	8/15/25, 10:15:36 AM	15m 3s	rlewis@cmeoc.org	rlewis@cmeoc.org	Attendee
Kaytee Watson (Services - 6)	8/15/25, 10:00:48 AM	8/15/25, 10:15:35 AM	14m 47s	Kaytee.Watson@dominionenergy.com	Kaytee.Watson@dominionenergy.com	Attendee
Betty Cox (External)	8/15/25, 10:00:50 AM	8/15/25, 10:15:36 AM	14m 45s	bcox@sharesc.org	bcox@sharesc.org	Attendee
Kennedy, Marcella (External)	8/15/25, 10:00:58 AM	8/15/25, 10:15:34 AM	14m 36s	mkennedy@gleamnshrc.org	mkennedy@gleamnshrc.org	Attendee
Doris Pitchford (External)	8/15/25, 10:00:58 AM	8/15/25, 10:15:34 AM	14m 36s	dpitchford@sharesc.org	dpitchford@sharesc.org	Attendee
Pam Stevenson	8/15/25, 10:01:41 AM	8/15/25, 10:15:33 AM	2m 24s			Attendee
Janice Spells Jamison (Unverified)	8/15/25, 10:03:17 AM	8/15/25, 10:15:33 AM	12m 15s			Attendee
18037340317 (Unverified)	8/15/25, 10:03:41 AM	8/15/25, 10:04:11 AM	29s			Attendee
Kendall Saxon	8/15/25, 10:05:45 AM	8/15/25, 10:16:19 AM	10m 34s			Attendee
18037340679 (Unverified)	8/15/25, 10:07:18 AM	8/15/25, 10:15:56 AM	8m 38s			Attendee
Diggs, Mary L (External)	8/15/25, 10:07:24 AM	8/15/25, 10:15:46 AM	8m 21s	Mary.Lynne.Diggs@dss.sc.gov	Mary.Lynne.Diggs@dss.sc.gov	Attendee
Maxine Sumpter (Unverified)	8/15/25, 10:09:37 AM	8/15/25, 10:09:47 AM	9s			Attendee
Jessica McMoore, SCACAP (Unverified)	8/15/25, 10:12:29 AM	8/15/25, 10:15:35 AM	3m 6s			Attendee
Ana Garcia (Unverified)	8/15/25, 10:17:56 AM	8/15/25, 10:18:01 AM	5s			Attendee
Tawana Tolbert (Services - 6)	8/15/25, 10:21:58 AM	8/15/25, 10:22:02 AM	4s	tawana.tolbert@dominionenergy.com	tawana.tolbert@dominionenergy.com	Attendee
Tara Glover (Unverified)	8/15/25, 10:24:45 AM	8/15/25, 10:25:02 AM	16s			Attendee
Casdell Singleton (External)	8/15/25, 10:25:20 AM	8/15/25, 10:26:02 AM	41s	csingleton@palmettocap.org	csingleton@palmettocap.org	Attendee

3. In-Meeting Activities

Name	Join Time	Leave Time	Duration	Email	Role
Buckson, Kelly	8/15/25, 9:49:30 AM	8/15/25, 10:15:48 AM	26m 18s	Kelly.Buckson@admin.sc.gov	Organizer

LaVonya Baker (External)	8/15/25, 9:46:54 AM	8/15/25, 9:47:53 AM	59s	lbaker@sharesc.org	Attendee
LaVonya Baker (External)	8/15/25, 9:49:56 AM	8/15/25, 9:50:17 AM	20s	lbaker@sharesc.org	Attendee
LaVonya Baker (External)	8/15/25, 9:53:24 AM	8/15/25, 10:15:43 AM	22m 19s	lbaker@sharesc.org	Attendee
Janice Spells Jamison (Unverified)	8/15/25, 9:47:35 AM	8/15/25, 10:01:43 AM	14m 7s		Attendee
Hall, Darlene (External)	8/15/25, 9:47:44 AM	8/15/25, 9:48:45 AM	1m	dhall@gleamnshrc.org	Attendee
Latoya Washington (External)	8/15/25, 9:47:46 AM	8/15/25, 10:15:30 AM	27m 44s	lwashington@thebjeoc.org	Attendee
Bunnell, Umrella	8/15/25, 9:47:47 AM	8/15/25, 9:48:09 AM	22s	Umrella.Bunnell@admin.sc.gov	Attendee
Bunnell, Umrella	8/15/25, 9:55:13 AM	8/15/25, 10:15:35 AM	20m 21s	Umrella.Bunnell@admin.sc.gov	Attendee
Cosare, Kimberly	8/15/25, 9:48:28 AM	8/15/25, 10:15:42 AM	27m 13s	Kimberly.Cosare@admin.sc.gov	Attendee
Dietrich Shuler	8/15/25, 9:48:28 AM	8/15/25, 10:26:39 AM	38m 10s		Attendee
Batchelder, Davis	8/15/25, 9:51:30 AM	8/15/25, 10:15:35 AM	24m 5s	Davis.Batchelder@admin.sc.gov	Attendee
Figueroa, Sylvia	8/15/25, 9:54:35 AM	8/15/25, 10:15:45 AM	21m 10s	Sylvia.Figueroa@admin.sc.gov	Attendee
Tandy Bannister (External)	8/15/25, 9:55:50 AM	8/15/25, 10:15:34 AM	19m 43s	tbannister@sharesc.org	Attendee
Maxine Sumpter	8/15/25, 9:57:22 AM	8/15/25, 10:15:36 AM	18m 14s		Attendee
Thomas Nix (External)	8/15/25, 9:57:40 AM	8/15/25, 10:15:46 AM	18m 5s	tnix@palmettocap.org	Attendee
Margaret Gibson (External)	8/15/25, 9:58:03 AM	8/15/25, 10:15:30 AM	17m 26s	mgibson@wcai.org	Attendee
Miller, James	8/15/25, 9:58:04 AM	8/15/25, 10:01:35 AM	3m 30s	James.Miller@admin.sc.gov	Attendee
Miller, James	8/15/25, 10:04:50 AM	8/15/25, 10:15:33 AM	10m 43s	James.Miller@admin.sc.gov	Attendee
Melton, Matthew	8/15/25, 9:59:05 AM	8/15/25, 10:15:49 AM	16m 44s	Matthew.Melton@admin.sc.gov	Attendee
Watson, Franchesca	8/15/25, 9:59:16 AM	8/15/25, 10:15:41 AM	16m 25s	Franchesca.Watson@admin.sc.gov	Presenter
Ella Michel	8/15/25, 9:59:20 AM	8/15/25, 10:15:34 AM	16m 13s	emichel@opiniondynamics.com	Attendee
Alonda Thomas (External)	8/15/25, 9:59:21 AM	8/15/25, 10:15:48 AM	16m 27s	athomas@palmettocap.org	Attendee
Brigance, Akevia	8/15/25, 9:59:26 AM	8/15/25, 10:15:45 AM	16m 19s	Akevia.Brigance@admin.sc.gov	Presenter
read.ai meeting notes (Unverified)	8/15/25, 9:59:27 AM	8/15/25, 10:16:14 AM	16m 47s		Attendee
Morrison, Tricia	8/15/25, 9:59:27 AM	8/15/25, 10:15:31 AM	16m 3s	Tricia.Morrison@admin.sc.gov	Attendee
Bujak, Linda	8/15/25, 10:00:03 AM	8/15/25, 10:15:44 AM	15m 41s	Linda.Bujak@admin.sc.gov	Attendee
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Rolanda	8/15/25, 10:00:32 AM	8/15/25, 10:15:36 AM	15m 3s	rlewis@cmeoc.org	Attendee
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Betty Cox (External)	8/15/25, 10:00:50 AM	8/15/25, 10:15:36 AM	14m 45s	bcox@sharesc.org	Attendee
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Pam Stevenson	8/15/25, 10:01:41 AM	8/15/25, 10:03:03 AM	1m 21s		Attendee
Pam Stevenson	8/15/25, 10:14:30 AM	8/15/25, 10:15:33 AM	1m 3s		Attendee
Janice Spells Jamison (Unverified)	8/15/25, 10:03:17 AM	8/15/25, 10:15:33 AM	12m 15s		Attendee
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Kendall Saxon	8/15/25, 10:05:45 AM	8/15/25, 10:16:19 AM	10m 34s		Attendee
18037340679 (Unverified)	8/15/25, 10:07:18 AM	8/15/25, 10:15:56 AM	8m 38s		Attendee
Diggs, Mary L (External)	8/15/25, 10:07:24 AM	8/15/25, 10:15:46 AM	8m 21s	Mary.Lynne.Diggs@dss.sc.gov	Attendee
Maxine Sumpter (Unverified)	8/15/25, 10:09:37 AM	8/15/25, 10:09:47 AM	9s		Attendee
Jessica McMoore, SCACAP (Unverified)	8/15/25, 10:12:29 AM	8/15/25, 10:15:35 AM	3m 6s		Attendee
Ana Garcia (Unverified)	8/15/25, 10:17:56 AM	8/15/25, 10:18:01 AM	5s		Attendee
Tawana Tolbert (Services - 6)	8/15/25, 10:21:58 AM	8/15/25, 10:22:02 AM	4s	tawana.tolbert@dominionenergy.com	Attendee
Tara Glover (Unverified)	8/15/25, 10:24:45 AM	8/15/25, 10:25:02 AM	16s		Attendee
Casdell Singleton (External)	8/15/25, 10:25:20 AM	8/15/25, 10:26:02 AM	41s	csingleton@palmettocap.org	Attendee

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
803.734.0356 Fax

THE OFFICE OF ECONOMIC OPPORTUNITY ANNOUNCES VIRTUAL PUBLIC HEARING

This notice advises the public that the South Carolina Office of Economic Opportunity (SC OEO) will be conducting a public hearing virtually at 10 a.m., Friday, August 15, 2025, to formally review the proposed 2026 Community Services Block Grant (CSBG) and Low-Income Home Energy Assistance Program (LIHEAP) State Plans.

To attend the virtual hearing, go to the following address on the date and time indicated above: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjRiNjIxNGYtMTRmZC00NjNjLWJmMmEtMTJhNTk2ZWExYWNj%40thread.v2/0?context=%7b%22Tid%22%3a%22e9f8d014-80d8-4f27-b0d6-c3d6c085fcdd%22%2c%22Oid%22%3a%22bb882b44-7784-4544-9909-a4df21abe568%22%7d using Meeting ID: 271 617 292 371 7. If you do not have internet access, you may attend by dialing 1-803-454-9963 using Access Code: 745 609 818#.

Community Services Block Grant

The U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Office of Community Services administers the CSBG Program. Federal governing regulations for CSBG are P.L. 105-285 and the Community Services Block Grant (42 U.S.C. 9901 et seq.), as amended.

The CSBG State Plan identifies the state's intent to fund local community initiatives and statewide programs designed to reduce poverty, increase self-sufficiency, and revitalize low-income communities. The plan provides eligibility requirements, benefit levels, and the projected program allocation.

The proposed CSBG 2026 State Plan is available and may be reviewed at https://oeo.sc.gov/managedsites/prd/oeo/index.html. A copy of the plan may be requested from the local Community Action agency in your area.

Low-Income Home Energy Assistance Program

The U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Office of Community Services, Division of Energy Assistance administers LIHEAP. Federal governing regulations for LIHEAP are P.L. 109-58, which reauthorized LIHEAP through FY 2007. The LIHEAP statute is codified in the United States Code at 42 U.S.C. § 8621-8630 (2008). Reauthorization of LIHEAP is currently pending.

LIHEAP provides federally funded assistance to reduce the costs associated with home energy bills, energy crises, weatherization, and minor energy-related home repairs. The LIHEAP State Plan outlines eligibility requirements, household benefit levels, and the projected funds for LIHEAP assistance.

The proposed LIHEAP 2026 State Plan is available and may be reviewed at https://oeo.sc.gov/managedsites/prd/oeo/index.html. A copy of the plan may be requested from the local Community Action agency in your area.

Before the virtual hearing, participants requesting to make a public comment during the virtual meeting must call (803-734-0662) and leave their name and telephone number no later than 3 p.m., August 14, 2025. Each speaker will be allowed up to three minutes for comments. Written comments regarding the 2026 proposed CSBG or LIHEAP State Plans may be mailed to the Office of Economic Opportunity at 1205 Pendleton Street, Suite 364, Columbia, SC 29201, or emailed to oeo@admin.sc.gov. All timely written comments submitted by mail or email will be included as part of the official record for this hearing and considered by SC OEO.

For more information, contact the South Carolina Office of Economic Opportunity (803-734-0662).

###

PLEASE MUTE YOUR DEVICE



2026 CSBG/LIHEAP State Plan Review

FRIDAY, JUNE 20, 2025

MICROSOFT TEAMS



SOUTH CAROLINA OFFICE *of*
ECONOMIC OPPORTUNITY

Kelly Buckson
Senior Manager *for*
CSBG & LIHEAP

Franchesca Watson
Grants Administrator *for*
CSBG & LIHEAP

Akevia Brigance
Grants Administrator *for*
CSBG & LIHEAP

Matthew Melton
Senior Manager *for*
Weatherization

Lisa Crosby
Fiscal Service Manager *for* CSBG,
LIHEAP, Weatherization



STATE PLAN: Statutory Requirements

“Community Services Block Grant”

Overview for comments, edits and suggestions

“Low-Income Home Energy Assistance Plan”

Overview for comments, edits and suggestions

“LIHEAP Weatherization”

Matthew Melton, OEO Weatherization Manager

“OEO Fiscal Guidance”

Lisa Crosby, Fiscal Service Manager

State Plan Timeline:

- ✓ ***May 14 – August 2025:*** Dissemination of draft plans and open comment
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- ❑ ***September 1, 2025:*** OEO Submits Final State Plans to HHS

Additional Comments to oeo@admin.sc.gov



“Community Services Block Grant”

Overview for comments, edits and suggestions

DRAFT: 2026 CSBG State Plan

Cover Page
(completed by OEO)

Section 1: CSBG Lead Agency, Authorized Official, Point of Contact and Official State Designation Letter (completed by OEO)

Section 2: State Legislation and Regulation
(completed by OEO)

Section 3:

State Plan Development & Statewide Goals

3.1: CSBG Lead Agency Mission and Responsibilities

3.2: State Plan Goals

3.3: State Plan Development

3.4: Eligible Entity Involvement *(will be updated to reflect this year's efforts to involve eligible entities and partners develop the 2026 plan)*

3.5: Eligible Entity Overall Satisfaction: 65

Section 4:

CSBG Hearing Requirements

4.1: Public Inspection (how the state made plans available for comment)

4.2: Public Notice Hearing (will be issued once hearing date is finalized)

4.3: Public Hearing (August 2025 (TBD))

4.4: Supporting documentation of public hearing (to be included once finalized)

Section 5:

CSBG Eligible Entities

5.1: CSBG Eligible entities listed

5.2: Total number of CSBG eligible entities – 14

5.3: Changes to eligible entities – None

Section 6: Organizational Standards

6.1: Choice of Standards – COE's 58 Organizational Standards

6.2: No changes will be made to the established standards

6.3: Standards established by IM 138 Federal regulations, State Plan policy, contracts with CAA's.

6.5: The state will not make exceptions to Org. Stand. Described in IM 138

6.6: State Projects 71% achievement (6 of 14 agencies met 100% standards in 2024)

Section 7: State Use of Funds

7.1: Funds are allocated to eligible entities based on a formula that considers poor population by county (Census data)

7.1a: 90% of funds are allocated to eligible entities

7.2: Will outline projected allocation by agency based on actual 2025 funding

7.3: Distribution process outlined

7.4: "No." SC operates on a calendar year. Funds will be distributed in December, rather than the FY. South Carolina has not encountered an interruption in services due to calendar year operations.

Section 8: State T/TA

8.1: Chart of training and technical assistance provided

8.1a: Planned budget for T/TA (indicated in 7.9) – $50k

8.2: TAPs are issued to entities with unmet Organizational Standards

8.3: OEO provides T/TA in partnership with the State Association for CAA's, national providers and consultants (ROMA/ROMA Next Generation, Organizational Standards, NASCSP, US HHS, DBA, etc.)

8.4: OEO's plan for increased training and technical assistance

Section 9: State Linkages & Communication

9.1: State office coordinates with LIHEAP, WAP and ESG

9.2: Local entities will develop linkages to fill identified gaps in service through referrals and coordinate public and private resources.

9.3a: The state will ensure linkages through monitoring, Community Action Plans and State forms (ex. OEO form 507 – outlines all agency funding sources)

9.3b: Eligible entities will develop linkages through referrals outlined in logic models to fill identified gaps. Private resources can also be utilized to support innovative projects.

Section 10: Monitoring, Corrective Action & Fiscal Controls

10.1: Tentative 2026 monitoring schedule based on the 2025 schedule

10.2: OEO will attach monitoring procedures

10.3: OEO must disseminate an initial monitoring report to CAA's within 25 days of the exit conference.

10.4: State procedures address documenting deficiencies and findings

10.5: "0" eligible entities are on QIPs

10.6: OEO will follow IM 116 to report entities on QIPs to OCS

10.7: OEO will follow IM 116 to reduce or terminate funding

10.8, 9, 10: Does State law provide for the Designation, De-designation and Re-Designation. "No".

Section 11: Eligible Entity Tripartite Board

11.1: Measures taken to ensure Tripartite Board compliance

11.2: The State requires updates annually, as vacancies occur and as meeting minutes are approved.

11.3: OEO ensures Tripartite representation via Board Roster and Composition forms. Updates should be submitted to OEO by way of the statewide database, within 30 days of change.

11.4: The State does not permit an alternative to eligible entities having a Tripartite Board.

Section 12: Individual & Community Income Eligible Requirements

12.1: Per HHS, SC selected 125% of the Federal Poverty Level (FPL), with the option to use the temporary increase of 200% FPL.

12.1a: SC will increase the income eligibility threshold to 200% as permitted by the federal government under the current continuing resolution.

12.2: Self-certification of income will be permitted using the "Declaration of Zero Income" form

12.3: Eligible entitles are required to utilize low-income participation (reported on the Annual Report, Organizational Standards, also reflected in Board Minutes (low-income sector representatives))

Section 13: ROMA System

13.1: A Results Oriented Management Accountability system is utilized

13.1a: Track ROMA efforts in DBA (monthly reporting, community action plans uploaded to DBA to include logic models, board compliance, Org. Standards, etc.)

13.2: Outcome measures reflected using NPI's (national performance indicators)

13.3: OEO funds the statewide database (DBA); encourages CAA's to fully utilize the database; fund ROMA certification.

Section 14: CSBG Programmatic Assurance & Informative Narrative

14.1a: Local initiative projects will address the anti-poverty goals set forth in Section 672 of the CSBG Act (assured in approved logic models & during monitoring)

14.3: Discretionary funds will be used to fund the State's Youth Leadership Program. Additional monies will fund innovative programs, community and neighborhood initiatives.

14.3 d: CAA's will create local initiative projects set forth in Section 672 of the CSBG Act (employment, education, income management, etc.)

CSBG State Plan QUESTIONS

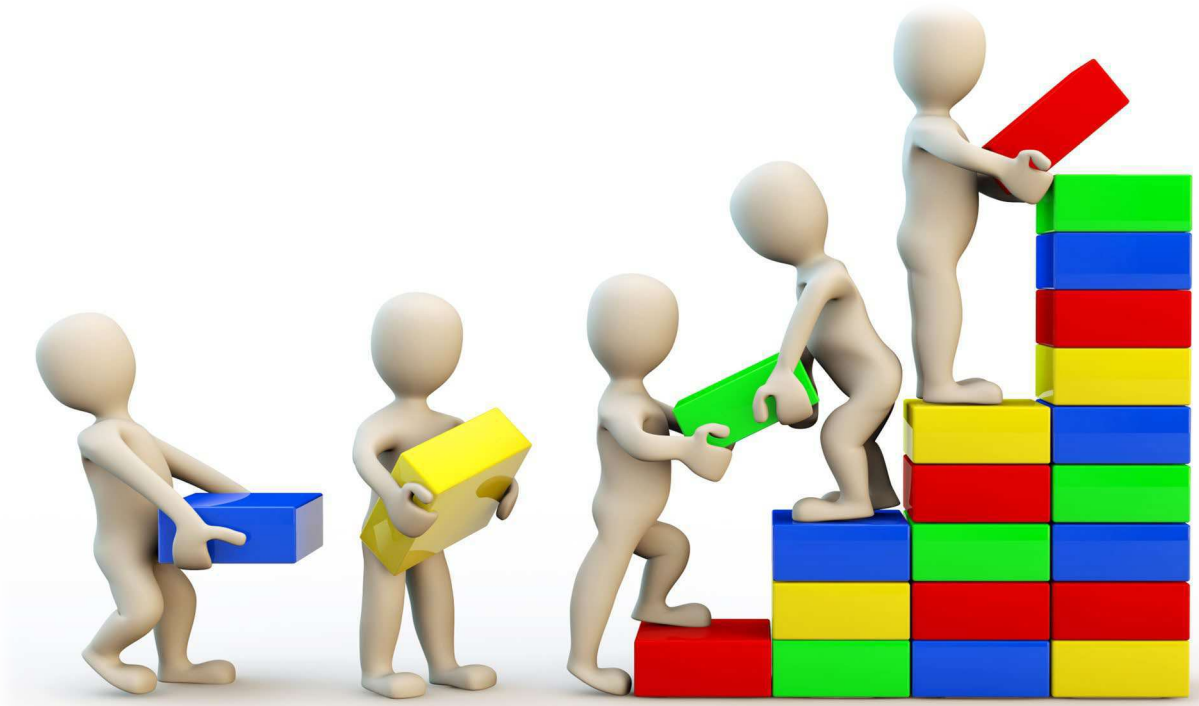




PY 2024
Statewide Performance

Akevia Brigance, *Grants Administrator*

SC 2024 CSBG Performance



6,560

Households/Individuals received CSBG Assistance during PY24.



Who <u>was</u> the CSBG Customer?

- ✓ Female (age 25-44)
- ✓ High School Diploma
- ✓ Employed ($ 22,057/Yr)
- ✓ Renter





2024 CSBG:

Who is the CSBG customer?

- ✓ Single Elderly Woman (age 60+)



2024 CSBG:

Who is the CSBG customer?

- ✓ Single Elderly Woman (age 60+)
- ✓ High School Diploma



2024 CSBG:

Who is the CSBG customer?

- ✓ Single Elderly Woman (age 60+)
- ✓ High School Diploma
- ✓ Social Security/Contributions to the Household ($21,248/Yr)
- ✓ Living at 76% -100% of the federal poverty level.

Top Requests for CSBG Assistance from all customers:

- ❑ Emergency Housing Assistance (GEAP)
- ❑ Assistance with purchasing food.

CSBG CAA Initiatives



- What initiatives could a CAA create to better assist this customer? How can we improve service delivery to the aging population?
- CAAs provide services based on the agency's local needs assessment.
- CAAs determine the dollar amount for assistance and how often a customer can be served.

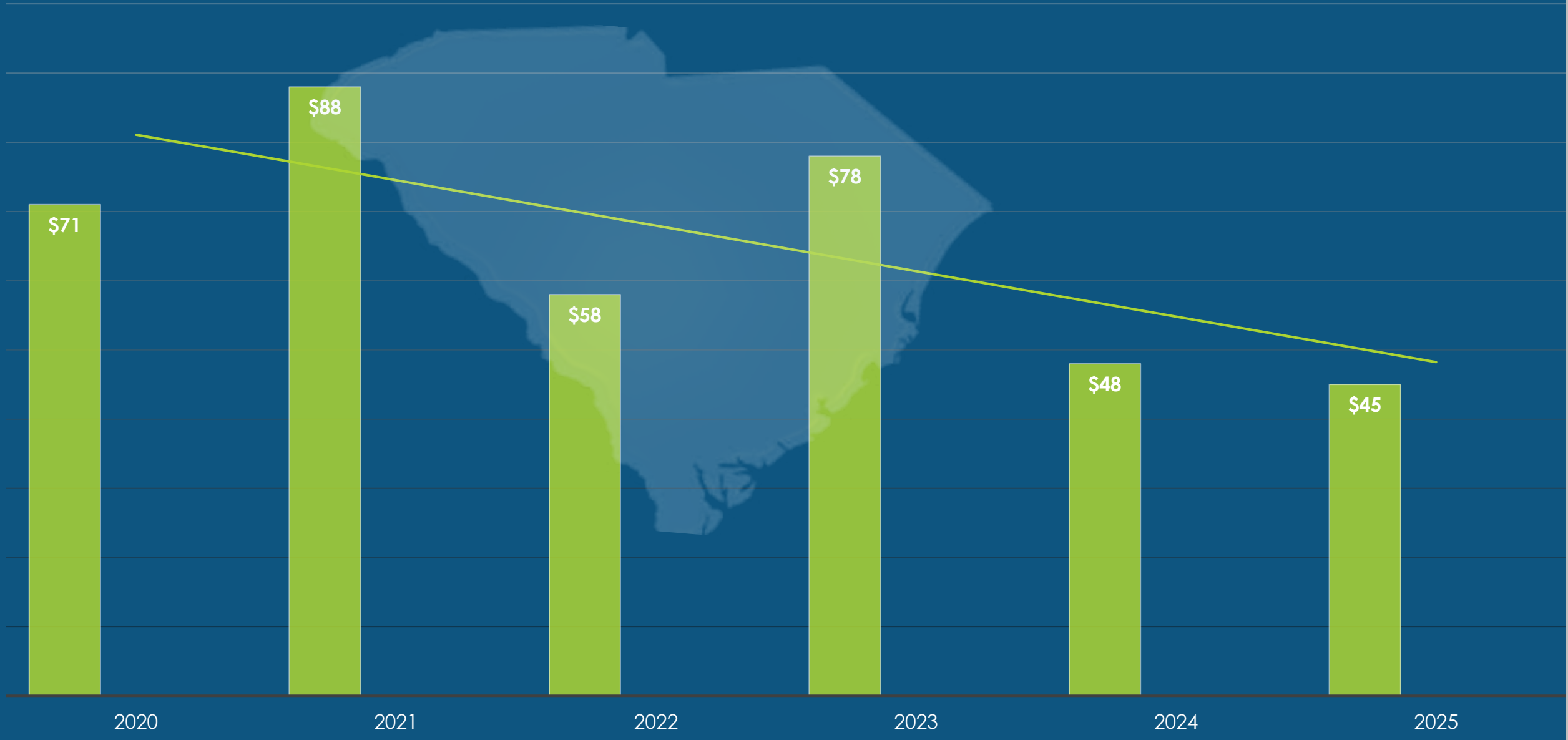
CSBG Performance QUESTIONS

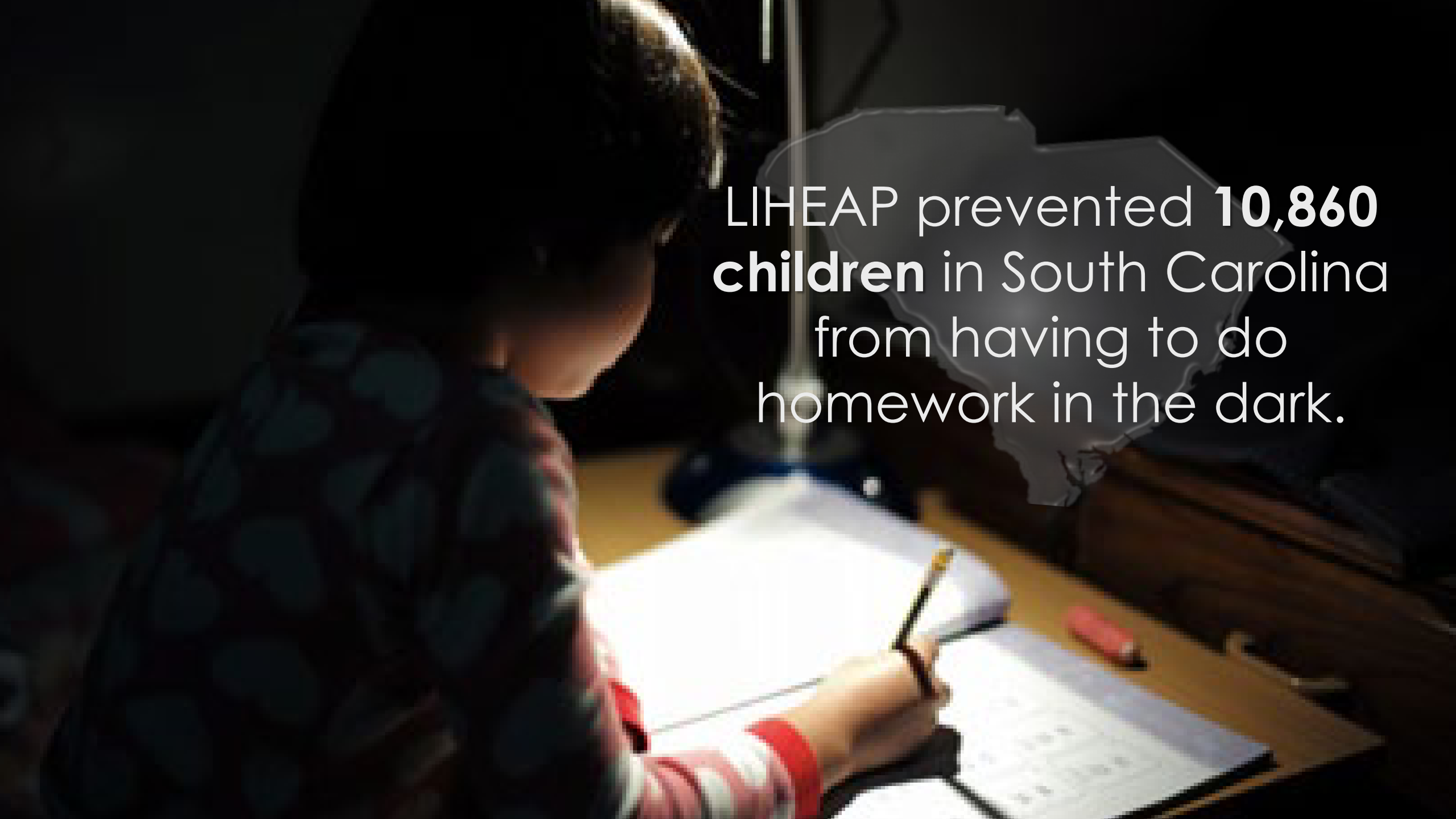


“Low-Income Home Energy Assistance Plan”

Overview for comments, edits and suggestions

South Carolina: Annual LIHEAP Funds, 2020-2025
($ Millions)

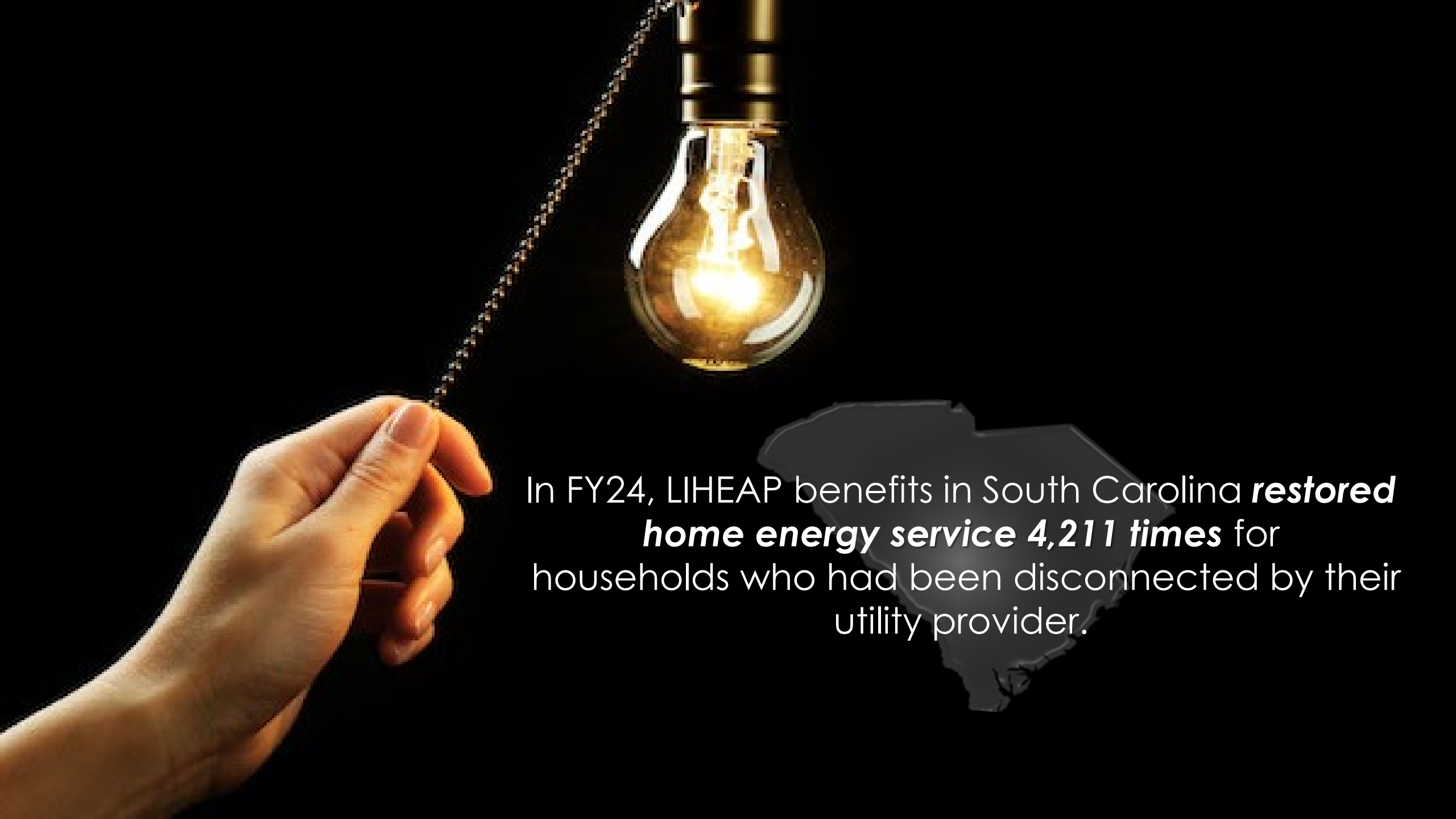



LIHEAP prevented **10,860 children** in South Carolina from having to do homework in the dark.


LIHEAP prevented 20,247 elderly individuals from heating with an unsafe energy source.



In FY24, LIHEAP benefits in South Carolina ***prevented the loss of service 14,251 times***, by stopping threatened utility service disconnections and by delivering fuel to homes that were at risk of running out.



In FY24, LIHEAP benefits in South Carolina ***restored home energy service 4,211 times*** for households who had been disconnected by their utility provider.

South Carolina: LIHEAP Income-Eligible Population vs. LIHEAP Households Served

- 521,255 LIHEAP Income-Eligible Households.
- 49,407 LIHEAP Households Served.
- LIHEAP services went to 10% of the state's total eligible population.
- 8,037 new households were served in PY 2024.



“Low-Income Home Energy Assistance Plan”

Overview for comments, edits and suggestions

LIHEAP: Income Eligibility

Section 2605(b)(2)(B) of the LIHEAP statute at 42 USC 8624(b)(2)(B), sets the maximum allowed in determining income eligibility for LIHEAP at 60 percent of SMI or 150 percent of the Federal Poverty Guidelines (FPG), whichever is greater.

60% of SMI

- States have the flexibility to use their State's median income (SMI) to determine eligibility for LIHEAP.
- HHS provides State Median Income guidelines annually.
- Households may not exceed 60% of their State's Median Income to be considered eligible.

LIHEAP: FPL vs. SMI

Household Size	150% FPL	60% SMI
1	$23,475	$30,629
2	$31,725	$40,054
3	$39,975	$49,478
4	$48,225	$58,903
5	$56,475	$68,327
6	$64,725	$77,751
7	$72,975	$79,519
8	$81,225	$81,286

Home Energy Assistance Program Overview

LIHEAP is a federally-funded grant that helps eligible households pay their home heating and cooling costs.

SC currently operates on a calendar year (January 1 – December 31) and provides benefits during the following season.





Year-Round Energy Crisis Assistance

- Offer year-round crisis energy assistance, only.
- Maximum for emergency energy assistance up to $1,000 per service, not to exceed two services in one program year.
- Income-eligible vulnerable households (elderly (age 60+), disabled, children aged 5 and younger) with a bill due will qualify for emergency energy assistance.
- Allow for nonemergency heating and cooling assistance if funding is available.

LIHEAP Nonemergency Benefit Matrix

MINIMUM DIRECT ASSISTANCE BENEFIT	**$200**
Fuel (heating season, only)	$ 75
Energy burden	$ 175
Elderly aged 60 +	$ 75
Income = or < 100% FPL	$ 175
Disabled	$ 50
Child age 5 and under	$ 50
Veterans	$ 50
Maximum Allowable (Heating)	**$ 850**
Maximum Allowable (Cooling)	**$775**

$275
Nonemergency LIHEAP Benefit

Section 4: Crisis Assistance

Section 2604(c)(1)(2) of the LIHEAP Statute requires an energy crisis be resolved not later than 18-48 hrs.

Definition of 48-Hour Energy Crisis

- An energy crisis is when a low-income household is facing imminent disconnection and/or needs restoration of their home heating/cooling source. An energy crisis may also be the result of weather or energy-related emergencies. Must be resolved within 48-hours following eligibility determination.

Definition of 18-Hour Life-Threatening Crisis

- A life-threatening crisis is an emergency requiring immediate action to prevent the loss or impairment of life/health due to a medical condition if the household's energy service is interrupted. Must be resolved within 18-hours following eligibility determination.

“LIHEAP Weatherization„

Matthew Melton, OEO Weatherization Manager

Section 5
WEATHERIZATION ASSISTANCE

LIHEAP WEATHERIZATION 2025

- 15% - Weatherization Assistance
- 200% Income Eligibility Threshold
- April 1, 2025, through March 31, 2026

LIHEAP Weatherization is mostly under DOE Weatherization rules

Where
LIHEAP Weatherization and
DOE Weatherization Rules Differ

LIHEAP Weatherization not subject to DOE Weatherization maximum statewide average per dwelling unit

-- LIHEAP Weatherization - $10,526 average cost per dwelling

-- DOE Weatherization - $8,547 statewide average cost per unit

LIHEAP Weatherization measures are not subject to DOE Weatherization Savings to Investment Ratio (SIR) standards

LWAP ELIGIBILITY

Elderly

60 years of age and older

Disabled

Children

Households with minors under age 18

High Energy Burden

At least 20 percent of the household income is utilized to pay for energy usage.

High Energy User

LIHEAP eligible household

Renters must have permission from the home owner and rent must not increase for at least one year once weatherization services are completed.

LIHEAP WEATHERIZATION MEASURES

Weatherization needs Assessments/Audits	Caulking and Insulation	Storm Windows	HVAC Assessments	Furnace/Heating System Modifications/ Repairs
Furnace Replacement	Cooling System Modifications/ Repairs	Cooling System Replacement	Water Conservation Measures	LED Bulbs
Energy Related Roof Repair	Major Appliance Repairs / Replacement	Windows/Sliding Glass Doors	Doors	Water Heater

Weatherization Comments for Consideration

Section 6: Outreach

- 6.1: Outreach activities to make eligible households aware of LIHEAP assistance selected.
  - ✓ Inserts in energy vendor billing
  - ✓ Customers informed during application intake

According to the LIHEAP statute, Assurance 3, Outreach should be: *"designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available" under the program.*

Section 7: Coordination

- LIHEAP programs coordinated through:
  - Referrals
  - One-stop Intake Centers (WIOA, SC Works)
  - DSS, SSA, HUD, etc.

Section 8: Agency Designation

- 8.1: The primary responsibility of the State agency is the Administration Agency
- 8.2, 8.3, 8.4: Skip
- 8.5: CAA's determine eligibility, processes benefit payments, and perform installation of WAP measures
- 8.6: Agencies were created by the Legislature or Governor with input from OEO
- 8.7: 13 Agencies administer LIHEAP
- 8.8: No local administering agencies have changed in the last year.

Section 9: Energy Suppliers

- 9.1: The State does not make payment to vendors
- 9.2: Eligible entities notify customers of their benefit during the intake process (verified through vouchers and check copies)
- 9.3: The current bill is required during intake to determine the amount
- 9.4: The State prohibits any difference in treatment to households. This is outlined in the agency Integrity Plan and Vendor Agreement
- 9.5: Payments are not made to vendors who take measures to alleviate the energy burden without agency approval.

Section 10: Program, Fiscal Monitoring & Audit

- 10.1: The State ensures good fiscal accounting and tracking of LIHEAP funds by maintaining internal controls and a financial management system necessary to accurately account for LIHEAP expenditures.
- 10.2: The LIHEAP program is audited annually under the Single Audit and A-133.
- 10.6: Tentative Monitoring schedule will be attached (based on 2025 schedule)
- 10.7: Monitoring reviews conducted via site visits and desk reviews
- 10.8: Agency's are monitored at least once every three years

Section 11: Timely & Meaningful Public Participation

- 11.1: Pending
- 11.2: Pending
- 11.3: Pending
- 11.4: Pending
- 11.5: Pending
- 11.6: Pending

Section 12: Fair Hearings

- 12.1: "0" Fair Hearing in the prior FFY
- 12.2: "0" Fair Hearing resulted in the initial decision being reversed
- 12.3: No policy and/or procedural changes were made in the last FFY.
- 12.4: Fair hearing procedures outlined (will also be attached)
- 12.5: An approved Fair Hearings notice must be posted in the lobbies at each intake site. Applications also reflect the notice.
- 12.6: Fair hearing procedures for households whose applications are not acted on in a timely manner can appeal to the agency and the State office.
- 12.7: The appeal and fair hearing process is posted at each site.

Section 13: Reduction of Home Energy Needs (Assurance 16)

- SC will not conduct Assurance 16 activities in 2026.

Section 14: Leveraging Incentive Program

- 14.1: OEO will not submit application to enter the leveraging program

Note: The State leverages resources form private agency funding

(Dominion's Energy Share, Duke Energy's Share the Light/Warmth and other Project Share dollars.)

Section 15: Training

- 15.1 a, b, c: Training of OEO, Local Agencies and Vendors outlined

- 15.2: Training programs address fraud reporting (documents pertaining to abuse and fraud are collected from local agencies through Organizational Standards, agency policies, LIHEAP Integrity Plan, etc.)

Section 16: Performance Goals & Measures

- 16.1: OEO's data collection goal is to engage new utility vendors to complete LIHEAP performance measures.



Section 17: Program Integrity

- 17.1a: Fraud Reporting Mechanisms (selected)
- 17.1b: Program Integrity Strategies addressed on LIHEAP application and State website.
- 17.2: Identification documentation requirements are outlined below
- 17.3: Identification verification methods (selected)
- 17.4: Citizenship/Legal Residency Verification (selected)
- 17.5: Income Verification (selected)

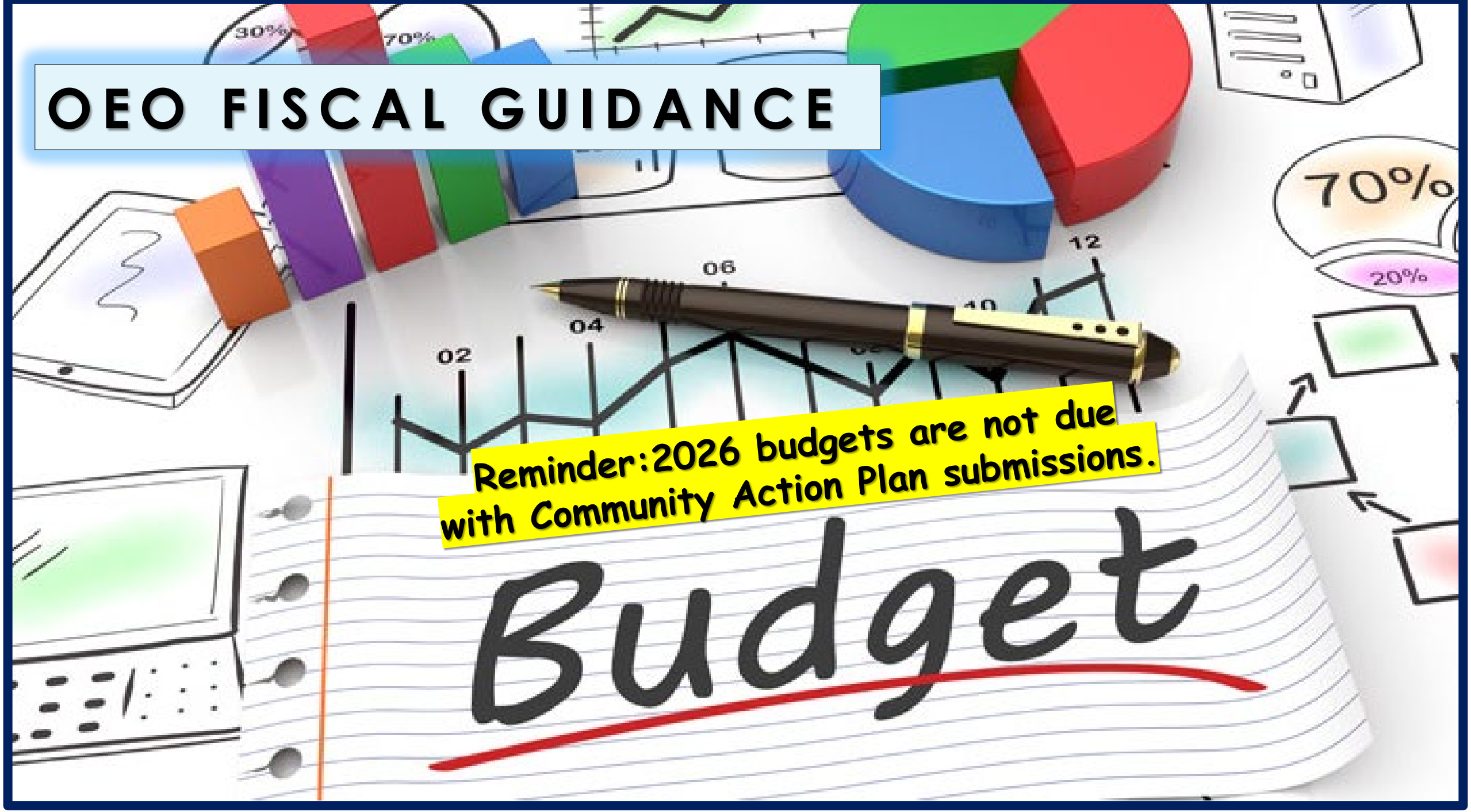
LIHEAP State Plan QUESTIONS



“OEO Fiscal Guidance ”

Lisa Crosby, Fiscal Service Manager

OEO FISCAL GUIDANCE



2026 Fiscal Update

	LIHEAP 25		CSBG 25	
	Amount	% of Allocation	Amount	% of Allocation
Total Allocation	$49,061,704.00	100%	$11,060,497.00	100%

2025 Fiscal Guidance

FRIENDLY REMINDER, IT IS NOT ALLOWABLE TO CHARGE GRANTS INCORRECTLY FOR ANY REASON. EACH AWARD & EXPENDITURES MUST BE TRACKED SEPARATELY.

Upcoming deadlines:

- 2024 CSBG and LIHEAP carry-forward must be obligated & obligated by **9/30/2025.**
- 2024 LIHEAP Supplemental grant funds must be obligated & obligated by **9/30/2025.**
- 2024 OEO Hurricane Helene CSBG funds must be obligated & obligated by **9/30/2025.**
- As of June, LIHEAP 25 funds have been allocated and CSBG's 25 actual award is being processed. CSBG allocations are forthcoming.

2026 Fiscal Guidance

- When planning for 2026, use your agency's 2025 allocations as an estimate for what your 2026 award will be.
- OEO will announce the 2026 CSBG and LIHEAP grant awards when we receive the award notifications from HHS.
- Awards from HHS are issued in late fall. OEO will allow sufficient time to submit and review budgets before 1/1/2026.
- As a reminder, OEO has no control over when the state receives HHS funding for the new program year. Please plan accordingly.

Fiscal Questions?



State Plan Timeline:

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Additional Comments to oeo@admin.sc.gov



1. Summary

Meeting title	SC OEO: 2026 CSBG & LIHEAP State Plan Review
Attended participants	49
Start time	6/20/25, 9:46:53 AM
End time	6/20/25, 10:53:28 AM
Meeting duration	1h 6m 34s
Average attendance time	43m 49s

2. Participants

Name	First Join	Last Leave	In-Meeting Duration	Email	Participant ID (UPN)	Role
Buckson, Kelly	6/20/25, 9:49:48 AM	6/20/25, 10:45:48 AM	55m 59s	Kelly.Buckson@admin.sc.gov	Kelly.Buckson@admin.sc.gov	Organizer
Latoya Washington (External)	6/20/25, 9:47:45 AM	6/20/25, 10:46:26 AM	58m 40s	lwashington@thebjeoc.org	lwashington@thebjeoc.org	Presenter
Bishop, Valarie	6/20/25, 9:47:45 AM	6/20/25, 10:40:16 AM	52m 30s	Valarie.Bishop@admin.sc.gov	Valarie.Bishop@admin.sc.gov	Presenter
Vanessa Davis (Unverified)	6/20/25, 9:47:51 AM	6/20/25, 10:46:38 AM	58m 47s			Attendee
Annette Tucker (External)	6/20/25, 9:47:55 AM	6/20/25, 10:31:44 AM	43m 48s	atucker@wcai.org	atucker@wcai.org	Presenter
Batchelder, Davis	6/20/25, 9:48:18 AM	6/20/25, 10:45:52 AM	57m 33s	Davis.Batchelder@admin.sc.gov	Davis.Batchelder@admin.sc.gov	Presenter
Bunnell, Umrella	6/20/25, 9:49:30 AM	6/20/25, 10:45:45 AM	54m 3s	Umrella.Bunnell@admin.sc.gov	Umrella.Bunnell@admin.sc.gov	Presenter
Sheila West (External)	6/20/25, 9:51:46 AM	6/20/25, 10:45:49 AM	54m 2s	swest@palmettocap.org	swest@palmettocap.org	Presenter
Bujak, Linda	6/20/25, 9:53:39 AM	6/20/25, 10:45:50 AM	52m 10s	Linda.Bujak@admin.sc.gov	Linda.Bujak@admin.sc.gov	Presenter
Melton, Matthew	6/20/25, 9:54:31 AM	6/20/25, 10:46:01 AM	51m 30s	Matthew.Melton@admin.sc.gov	Matthew.Melton@admin.sc.gov	Presenter
Cosare, Kimberly	6/20/25, 9:54:38 AM	6/20/25, 10:46:09 AM	51m 31s	Kimberly.Cosare@admin.sc.gov	Kimberly.Cosare@admin.sc.gov	Presenter
Andray Holmes, BJEOC (Unverified)	6/20/25, 9:54:42 AM	6/20/25, 10:45:42 AM	50m 59s			Presenter
Thomas Nix (External)	6/20/25, 9:55:05 AM	6/20/25, 10:46:14 AM	51m 8s	tnix@palmettocap.org	tnix@palmettocap.org	Presenter
Watson, Franchesca	6/20/25, 9:55:49 AM	6/20/25, 10:45:53 AM	50m 4s	Franchesca.Watson@admin.sc.gov	Franchesca.Watson@admin.sc.gov	Presenter
Brigance, Akevia	6/20/25, 9:55:49 AM	6/20/25, 10:52:49 AM	57m	Akevia.Brigance@admin.sc.gov	Akevia.Brigance@admin.sc.gov	Presenter
Crosby, Lisa	6/20/25, 9:56:07 AM	6/20/25, 10:45:40 AM	49m 33s	Lisa.Crosby@admin.sc.gov	Lisa.Crosby@admin.sc.gov	Presenter
Rosa McLeod	6/20/25, 9:56:07 AM	6/20/25, 10:45:43 AM	49m 36s			Presenter
Davis, Rebecca	6/20/25, 9:56:33 AM	6/20/25, 10:45:41 AM	49m 8s	RLDavis@ors.sc.gov	rldavis@ors.sc.gov	Presenter
Tawana Tolbert (Services - 6)	6/20/25, 9:57:00 AM	6/20/25, 10:45:40 AM	48m 40s	tawana.tolbert@dominionenergy.com	tawana.tolbert@dominionenergy.com	Attendee
Tandy Bannister (External)	6/20/25, 9:57:00 AM	6/20/25, 10:45:49 AM	48m 49s	tbannister@sharesc.org	tbannister@sharesc.org	Presenter
Ronald Dixon (External)	6/20/25, 9:57:03 AM	6/20/25, 10:45:38 AM	48m 34s	rdixon@palmettocap.org	rdixon@palmettocap.org	Presenter
Barone, Olivia (External)	6/20/25, 9:58:14 AM	6/20/25, 10:45:56 AM	47m 41s	obarone@emd.sc.gov	Obarone@emd.sc.gov	Presenter
mary Reid (Unverified)	6/20/25, 9:58:21 AM	6/20/25, 10:53:23 AM	53m 1s			Presenter
Emily (Unverified)	6/20/25, 9:58:31 AM	6/20/25, 10:45:52 AM	47m 20s			Attendee
Ella Michel	6/20/25, 9:59:08 AM	6/20/25, 10:45:39 AM	46m 30s	emichel@opiniondynamics.com	emichel@opiniondynamics.com	Attendee
Waller, Takisha	6/20/25, 9:59:48 AM	6/20/25, 10:45:38 AM	45m 50s	twaller@ors.sc.gov	twaller@ors.sc.gov	Presenter
Morrison, Tricia	6/20/25, 9:59:50 AM	6/20/25, 10:45:47 AM	45m 57s	Tricia.Morrison@admin.sc.gov	Tricia.Morrison@admin.sc.gov	Presenter
Walker, Tennia	6/20/25, 10:00:17 AM	6/20/25, 10:53:28 AM	48m 9s	Tennia.Walker@admin.sc.gov	Tennia.Walker@admin.sc.gov	Presenter
Antje Flanders	6/20/25, 10:00:18 AM	6/20/25, 10:45:48 AM	45m 29s	aflanders@opiniondynamics.com	aflanders@opiniondynamics.com	Presenter
Daily, Lauren E	6/20/25, 10:00:39 AM	6/20/25, 10:45:36 AM	43m 44s	Lauren.Daily@duke-energy.com	Lauren.Daily@duke-energy.com	Attendee
Ciampa, Lauren McBee	6/20/25, 10:01:13 AM	6/20/25, 10:45:42 AM	44m 28s	Lauren.Ciampa@duke-energy.com	Lauren.Ciampa@duke-energy.com	Attendee
Karen Brackett Browning (Unverified)	6/20/25, 10:01:15 AM	6/20/25, 10:46:15 AM	45m			Presenter
Tamika Shiggs (External)	6/20/25, 10:01:28 AM	6/20/25, 10:45:40 AM	44m 11s	TamikaShiggs@LowcountryCAA1605.onmicrosof	TamikaShiggs@LowcountryCAA1605.onmicrosoft.com	Presenter
Edwards, Desmond (External)	6/20/25, 10:01:44 AM	6/20/25, 10:46:04 AM	44m 19s	dedwards@gleamnshrc.org	dedwards@gleamnshrc.org	Presenter
Davis, Willanna N.	6/20/25, 10:02:32 AM	6/20/25, 10:46:04 AM	43m 32s	Willanna.Davis@duke-energy.com	willanna.davis@duke-energy.com	Presenter
Stephanie McMillon (Services - 6)	6/20/25, 10:03:50 AM	6/20/25, 10:45:39 AM	41m 49s	stephanie.mcmillon@dominionenergy.com	stephanie.mcmillon@dominionenergy.com	Attendee
Tinika Cantey (External)	6/20/25, 10:04:01 AM	6/20/25, 10:45:47 AM	41m 45s	tcantey@wcai.org	tcantey@wcai.org	Presenter
Alonda Thomas (External)	6/20/25, 10:04:45 AM	6/20/25, 10:46:26 AM	41m 40s	athomas@palmettocap.org	athomas@palmettocap.org	Presenter
Stephanie Finn (External)	6/20/25, 10:04:51 AM	6/20/25, 10:45:41 AM	40m 50s	Stephanie.Finn@tcl.edu	Stephanie.Finn@tcl.edu	Presenter
Gibbs (Unverified)	6/20/25, 10:05:19 AM	6/20/25, 10:45:43 AM	40m 23s			Attendee
Bethany Holloway	6/20/25, 10:07:22 AM	6/20/25, 10:51:51 AM	41m 39s	bethany.holloway@abccaa.org	bethany.holloway@abccaa.org	Presenter
Lathon, Harold (External)	6/20/25, 10:12:31 AM	6/20/25, 10:53:18 AM	40m 46s	Harold.Lathon@fema.dhs.gov	0501944203@FEMA.DHS.GOV	Presenter
18037340679 (Unverified)	6/20/25, 10:13:51 AM	6/20/25, 10:45:50 AM	31m 59s			Attendee
James Pasley (Unverified)	6/20/25, 10:20:00 AM	6/20/25, 10:45:43 AM	25m 43s			Presenter
Casdell Singleton (External)	6/20/25, 10:26:03 AM	6/20/25, 10:45:50 AM	19m 47s	csingleton@palmettocap.org	csingleton@palmettocap.org	Presenter
Cogdill, Victoria (External)	6/20/25, 10:29:09 AM	6/20/25, 10:45:52 AM	16m 42s	vernest@gleamnshrc.org	vcogdill@gleamnshrc.org	Presenter
Jessica McMoore, SCACAP (Unverified)	6/20/25, 10:30:38 AM	6/20/25, 10:45:38 AM	14m 59s			Presenter
18642163343 (Unverified)	6/20/25, 10:30:49 AM	6/20/25, 10:31:13 AM	24s			Attendee
Jillian Zell	6/20/25, 10:36:14 AM	6/20/25, 10:45:41 AM	9m 27s	jzell@opiniondynamics.com	jzell@opiniondynamics.com	Presenter

3. In-Meeting Activities

Name	Join Time	Leave Time	Duration	Email	Role
Buckson, Kelly	6/20/25, 9:49:48 AM	6/20/25, 10:45:48 AM	55m 59s	Kelly.Buckson@admin.sc.gov	Organizer

Latoya Washington (External)	6/20/25, 9:47:45 AM	6/20/25, 10:46:26 AM	58m 40s	lwashington@thebjeoc.org	Presenter
Bishop, Valarie	6/20/25, 9:47:45 AM	6/20/25, 10:40:16 AM	52m 30s	Valarie.Bishop@admin.sc.gov	Presenter
Vanessa Davis (Unverified)	6/20/25, 9:47:51 AM	6/20/25, 10:46:38 AM	58m 47s		Attendee
Annette Tucker (External)	6/20/25, 9:47:55 AM	6/20/25, 10:31:44 AM	43m 48s	atucker@wcai.org	Presenter
Batchelder, Davis	6/20/25, 9:48:18 AM	6/20/25, 10:45:52 AM	57m 33s	Davis.Batchelder@admin.sc.gov	Presenter
Bunnell, Umrella	6/20/25, 9:49:30 AM	6/20/25, 9:50:30 AM	59s	Umrella.Bunnell@admin.sc.gov	Presenter
Bunnell, Umrella	6/20/25, 9:52:40 AM	6/20/25, 10:45:45 AM	53m 4s	Umrella.Bunnell@admin.sc.gov	Presenter
Sheila West (External)	6/20/25, 9:51:46 AM	6/20/25, 10:45:49 AM	54m 2s	swest@palmettocap.org	Presenter
Bujak, Linda	6/20/25, 9:53:39 AM	6/20/25, 10:45:50 AM	52m 10s	Linda.Bujak@admin.sc.gov	Presenter
Melton, Matthew	6/20/25, 9:54:31 AM	6/20/25, 10:46:01 AM	51m 30s	Matthew.Melton@admin.sc.gov	Presenter
Cosare, Kimberly	6/20/25, 9:54:38 AM	6/20/25, 10:46:09 AM	51m 31s	Kimberly.Cosare@admin.sc.gov	Presenter
Andray Holmes, BJEOC (Unverified)	6/20/25, 9:54:42 AM	6/20/25, 10:45:42 AM	50m 59s		Presenter
Thomas Nix (External)	6/20/25, 9:55:05 AM	6/20/25, 10:46:14 AM	51m 8s	tnix@palmettocap.org	Presenter
Watson, Franchesca	6/20/25, 9:55:49 AM	6/20/25, 10:45:53 AM	50m 4s	Franchesca.Watson@admin.sc.gov	Presenter
Brigance, Akevia	6/20/25, 9:55:49 AM	6/20/25, 10:52:49 AM	57m	Akevia.Brigance@admin.sc.gov	Presenter
Crosby, Lisa	6/20/25, 9:56:07 AM	6/20/25, 10:45:40 AM	49m 33s	Lisa.Crosby@admin.sc.gov	Presenter
Rosa McLeod	6/20/25, 9:56:07 AM	6/20/25, 10:45:43 AM	49m 36s		Presenter
Davis, Rebecca	6/20/25, 9:56:33 AM	6/20/25, 10:45:41 AM	49m 8s	RLDavis@ors.sc.gov	Presenter
Tawana Tolbert (Services - 6)	6/20/25, 9:57:00 AM	6/20/25, 10:45:40 AM	48m 40s	tawana.tolbert@dominionenergy.com	Attendee
Tandy Bannister (External)	6/20/25, 9:57:00 AM	6/20/25, 10:45:49 AM	48m 49s	tbannister@sharesc.org	Presenter
Ronald Dixon (External)	6/20/25, 9:57:03 AM	6/20/25, 10:45:38 AM	48m 34s	rdixon@palmettocap.org	Presenter
Barone, Olivia (External)	6/20/25, 9:58:14 AM	6/20/25, 10:45:56 AM	47m 41s	obarone@emd.sc.gov	Presenter
mary Reid (Unverified)	6/20/25, 9:58:21 AM	6/20/25, 10:01:50 AM	3m 28s		Presenter
mary Reid (Unverified)	6/20/25, 10:03:50 AM	6/20/25, 10:53:23 AM	49m 33s		Presenter
Emily (Unverified)	6/20/25, 9:58:31 AM	6/20/25, 10:45:52 AM	47m 20s		Attendee
Ella Michel	6/20/25, 9:59:08 AM	6/20/25, 10:45:39 AM	46m 30s	emichel@opiniondynamics.com	Attendee
Waller, Takisha	6/20/25, 9:59:48 AM	6/20/25, 10:45:38 AM	45m 50s	twaller@ors.sc.gov	Presenter
Morrison, Tricia	6/20/25, 9:59:50 AM	6/20/25, 10:45:47 AM	45m 57s	Tricia.Morrison@admin.sc.gov	Presenter
Walker, Tennia	6/20/25, 10:00:17 AM	6/20/25, 10:48:05 AM	47m 47s	Tennia.Walker@admin.sc.gov	Presenter
Walker, Tennia	6/20/25, 10:53:05 AM	6/20/25, 10:53:28 AM	22s	Tennia.Walker@admin.sc.gov	Presenter
Antje Flanders	6/20/25, 10:00:18 AM	6/20/25, 10:45:48 AM	45m 29s	aflanders@opiniondynamics.com	Presenter
Daily, Lauren E	6/20/25, 10:00:39 AM	6/20/25, 10:01:39 AM	59s	Lauren.Daily@duke-energy.com	Attendee
Daily, Lauren E	6/20/25, 10:02:51 AM	6/20/25, 10:45:36 AM	42m 45s	Lauren.Daily@duke-energy.com	Attendee
Ciampa, Lauren McBee	6/20/25, 10:01:13 AM	6/20/25, 10:45:42 AM	44m 28s	Lauren.Ciampa@duke-energy.com	Attendee
Karen Brackett Browning (Unverified)	6/20/25, 10:01:15 AM	6/20/25, 10:46:15 AM	45m		Presenter
Tamika Shiggs (External)	6/20/25, 10:01:28 AM	6/20/25, 10:45:40 AM	44m 11s	TamikaShiggs@LowcountryCAA1605.onmicrosof	Presenter
Edwards, Desmond (External)	6/20/25, 10:01:44 AM	6/20/25, 10:46:04 AM	44m 19s	dedwards@gleamnshrc.org	Presenter
Davis, Willanna N.	6/20/25, 10:02:32 AM	6/20/25, 10:46:04 AM	43m 32s	Willanna.Davis@duke-energy.com	Presenter
Stephanie McMillon (Services - 6)	6/20/25, 10:03:50 AM	6/20/25, 10:45:39 AM	41m 49s	stephanie.mcmillon@dominionenergy.com	Attendee
Tinika Cantey (External)	6/20/25, 10:04:01 AM	6/20/25, 10:45:47 AM	41m 45s	tcantey@wcai.org	Presenter
Alonda Thomas (External)	6/20/25, 10:04:45 AM	6/20/25, 10:46:26 AM	41m 40s	athomas@palmettocap.org	Presenter
Stephanie Finn (External)	6/20/25, 10:04:51 AM	6/20/25, 10:45:41 AM	40m 50s	Stephanie.Finn@tcl.edu	Presenter
Gibbs (Unverified)	6/20/25, 10:05:19 AM	6/20/25, 10:45:43 AM	40m 23s		Attendee
Bethany Holloway	6/20/25, 10:07:22 AM	6/20/25, 10:38:26 AM	31m 4s	bethany.holloway@abccaa.org	Presenter
Bethany Holloway	6/20/25, 10:41:16 AM	6/20/25, 10:51:51 AM	10m 35s	bethany.holloway@abccaa.org	Presenter
Lathon, Harold (External)	6/20/25, 10:12:31 AM	6/20/25, 10:53:18 AM	40m 46s	Harold.Lathon@fema.dhs.gov	Presenter
18037340679 (Unverified)	6/20/25, 10:13:51 AM	6/20/25, 10:45:50 AM	31m 59s		Attendee
James Pasley (Unverified)	6/20/25, 10:20:00 AM	6/20/25, 10:45:43 AM	25m 43s		Presenter
Casdell Singleton (External)	6/20/25, 10:26:03 AM	6/20/25, 10:45:50 AM	19m 47s	csingleton@palmettocap.org	Presenter
Cogdill, Victoria (External)	6/20/25, 10:29:09 AM	6/20/25, 10:45:52 AM	16m 42s	vernest@gleamnshrc.org	Presenter
Jessica McMoore, SCACAP (Unverified)	6/20/25, 10:30:38 AM	6/20/25, 10:45:38 AM	14m 59s		Presenter
18642163343 (Unverified)	6/20/25, 10:30:49 AM	6/20/25, 10:31:13 AM	24s		Attendee
Jillian Zell	6/20/25, 10:36:14 AM	6/20/25, 10:45:41 AM	9m 27s	jzell@opiniondynamics.com	Presenter

1. Summary

Meeting title	SC OEO: 2025 LIHEAP Public Hearing
Attended participants	41
Start time	8/15/24, 9:45:43 AM
End time	8/15/24, 10:20:59 AM
Meeting duration	35m 16s
Average attendance time	8m 39s

2. Participants

Name	First Join
Buckson, Kelly	8/15/24, 9:46:21 AM
Al Moore (External)	8/15/24, 9:45:45 AM
Margaret Gibson (External)	8/15/24, 9:46:20 AM
Artimisha Foster (Unverified)	8/15/24, 9:46:52 AM
Queen McCall (External)	8/15/24, 9:53:11 AM
Felecia Davis (External)	8/15/24, 9:53:44 AM
Kithome, Faith (External)	8/15/24, 9:54:16 AM
Davis, Johnnie	8/15/24, 9:55:24 AM
Cosare, Kimberly	8/15/24, 9:55:44 AM
Rolanda	8/15/24, 9:56:04 AM
Morrison, Tricia	8/15/24, 9:56:08 AM
Haynes, Jamel Henderson	8/15/24, 9:56:42 AM
Rosa McLeod (External)	8/15/24, 9:57:04 AM
Bujak, Linda	8/15/24, 9:57:35 AM
Webb, Viva	8/15/24, 9:57:42 AM
Sadler, Amy	8/15/24, 9:57:43 AM
Sharpe, Scott	8/15/24, 9:57:55 AM
read.ai meeting notes (Unverified)	8/15/24, 9:58:03 AM
Felicia Davis (Unverified)	8/15/24, 9:58:27 AM
Jessica McMoore (External)	8/15/24, 9:58:56 AM
Flucker, Zsaquez (External)	8/15/24, 9:58:57 AM
Edwards, Desmond (External)	8/15/24, 9:59:13 AM
Bunnell, Umrella	8/15/24, 9:59:36 AM
Anderson, Eric	8/15/24, 10:00:14 AM
Kaytee Watson (Services - 6)	8/15/24, 10:00:15 AM
Brock, Savannah	8/15/24, 10:00:25 AM
BJEOC (Unverified)	8/15/24, 10:00:32 AM
Artimisha Foster (Unverified)	8/15/24, 10:00:52 AM
Kennedy, Marcella (External)	8/15/24, 10:00:56 AM
Hartley, Hunter	8/15/24, 10:01:36 AM
Sandra E (Unverified)	8/15/24, 10:02:24 AM
Annette Tucker (External)	8/15/24, 10:04:26 AM
Josey Middleton (Unverified)	8/15/24, 10:04:31 AM
Pam Stevenson	8/15/24, 10:04:42 AM
Andray Holmes (External)	8/15/24, 10:05:10 AM
Casdell Singleton (External)	8/15/24, 10:07:04 AM
Puryear, Leigh A	8/15/24, 10:07:28 AM

Patrice Jones (External)	8/15/24, 10:08:15 AM
Bertie McKie (External)	8/15/24, 10:10:38 AM
Patrice Simmons (External)	8/15/24, 10:12:23 AM
Tandy Bannister (External)	8/15/24, 10:13:23 AM

3. In-Meeting Activities

Name	Join Time
Buckson, Kelly	8/15/24, 9:46:21 AM
Al Moore (External)	8/15/24, 9:45:45 AM
Margaret Gibson (External)	8/15/24, 9:46:20 AM
Artimisha Foster (Unverified)	8/15/24, 9:46:52 AM
Queen McCall (External)	8/15/24, 9:53:11 AM
Felecia Davis (External)	8/15/24, 9:53:44 AM
Kithome, Faith (External)	8/15/24, 9:54:16 AM
Davis, Johnnie	8/15/24, 9:55:24 AM
Cosare, Kimberly	8/15/24, 9:55:44 AM
Rolanda	8/15/24, 9:56:04 AM
Morrison, Tricia	8/15/24, 9:56:08 AM
Haynes, Jamel Henderson	8/15/24, 9:56:42 AM
Rosa McLeod (External)	8/15/24, 9:57:04 AM
Bujak, Linda	8/15/24, 9:57:35 AM
Webb, Viva	8/15/24, 9:57:42 AM
Sadler, Amy	8/15/24, 9:57:43 AM
Sharpe, Scott	8/15/24, 9:57:55 AM
read.ai meeting notes (Unverified)	8/15/24, 9:58:03 AM
Felicia Davis (Unverified)	8/15/24, 9:58:27 AM
Jessica McMoore (External)	8/15/24, 9:58:56 AM
Flucker, Zsaquez (External)	8/15/24, 9:58:57 AM
Edwards, Desmond (External)	8/15/24, 9:59:13 AM
Bunnell, Umrella	8/15/24, 9:59:36 AM
Anderson, Eric	8/15/24, 10:00:14 AM
Kaytee Watson (Services - 6)	8/15/24, 10:00:15 AM
Brock, Savannah	8/15/24, 10:00:25 AM
BJEOC (Unverified)	8/15/24, 10:00:32 AM
Artimisha Foster (Unverified)	8/15/24, 10:00:52 AM
Kennedy, Marcella (External)	8/15/24, 10:00:56 AM
Hartley, Hunter	8/15/24, 10:01:36 AM
Sandra E (Unverified)	8/15/24, 10:02:24 AM
Annette Tucker (External)	8/15/24, 10:04:26 AM
Josey Middleton (Unverified)	8/15/24, 10:04:31 AM
Pam Stevenson	8/15/24, 10:04:42 AM
Andray Holmes (External)	8/15/24, 10:05:10 AM
Casdell Singleton (External)	8/15/24, 10:07:04 AM
Puryear, Leigh A	8/15/24, 10:07:28 AM
Patrice Jones (External)	8/15/24, 10:08:15 AM
Bertie McKie (External)	8/15/24, 10:10:38 AM
Patrice Simmons (External)	8/15/24, 10:12:23 AM

Last Leave	In-Meeting Duration	Email
8/15/24, 10:08:09 AM	21m 47s	Kelly.Buckson@admin.sc.gov
8/15/24, 10:08:12 AM	22m 27s	amoore@peedeecap.org
8/15/24, 9:47:20 AM	59s	mgibson@wcai.org
8/15/24, 10:00:29 AM	13m 36s	
8/15/24, 10:07:44 AM	14m 32s	qmccall@peedeecap.org
8/15/24, 9:58:22 AM	4m 37s	fdavis@peedeecap.org
8/15/24, 10:07:50 AM	13m 34s	FKithome@dew.sc.gov
8/15/24, 10:07:50 AM	12m 26s	Johnnie.Davis@admin.sc.gov
8/15/24, 10:07:43 AM	11m 58s	Kimberly.Cosare@admin.sc.gov
8/15/24, 10:09:05 AM	13m	rlewis@cmeoc.org
8/15/24, 10:07:55 AM	11m 47s	Tricia.Morrison@admin.sc.gov
8/15/24, 10:07:45 AM	11m 2s	Jamel.Haynes@duke-energy.com
8/15/24, 10:07:44 AM	10m 39s	rmcleod@dccaa.net
8/15/24, 10:08:00 AM	10m 24s	Linda.Bujak@admin.sc.gov
8/15/24, 10:07:40 AM	9m 57s	Viva.Webb@duke-energy.com
8/15/24, 10:07:44 AM	10m 1s	Amy.Sadler@duke-energy.com
8/15/24, 10:07:43 AM	9m 47s	Scott.Sharpe@scor.sc.gov
8/15/24, 10:20:59 AM	22m 56s	
8/15/24, 10:09:47 AM	11m 19s	
8/15/24, 10:07:39 AM	8m 43s	jmcmoore@scacap.org
8/15/24, 10:07:39 AM	8m 42s	zflucker@gleamnshrc.org
8/15/24, 10:07:49 AM	8m 35s	dedwards@gleamnshrc.org
8/15/24, 10:07:50 AM	8m 14s	Umrella.Bunnell@admin.sc.gov
8/15/24, 10:07:51 AM	7m 36s	Eric.Anderson@admin.sc.gov
8/15/24, 10:07:44 AM	7m 29s	Kaytee.Watson@dominionenergy.com
8/15/24, 10:07:46 AM	7m 20s	Savannah.Brock@admin.sc.gov
8/15/24, 10:08:12 AM	7m 40s	
8/15/24, 10:07:42 AM	6m 50s	
8/15/24, 10:07:44 AM	6m 48s	mkennedy@gleamnshrc.org
8/15/24, 10:08:45 AM	7m 8s	Hunter.Hartley@admin.sc.gov
8/15/24, 10:08:19 AM	5m 54s	
8/15/24, 10:07:40 AM	3m 13s	atucker@wcai.org
8/15/24, 10:07:48 AM	3m 16s	
8/15/24, 10:08:28 AM	3m 45s	
8/15/24, 10:06:43 AM	1m 32s	aholmes@thebjeoc.org
8/15/24, 10:07:39 AM	34s	csingleton@palmettocap.org
8/15/24, 10:07:46 AM	18s	Leigh.Puryear@duke-energy.com

8/15/24, 10:20:43 AM	12m 28s	patrice.jones@abccaa.org
8/15/24, 10:11:28 AM	49s	Bertie.McKie@abccaa.org
8/15/24, 10:13:16 AM	53s	psimmons@palmettocap.org
8/15/24, 10:13:37 AM	13s	tbannister@sharesc.org

Leave Time	Duration	Email
8/15/24, 10:08:09 AM	21m 47s	Kelly.Buckson@admin.sc.gov
8/15/24, 10:08:12 AM	22m 27s	amoore@peedeecap.org
8/15/24, 9:47:20 AM	59s	mgibson@wcai.org
8/15/24, 10:00:29 AM	13m 36s	
8/15/24, 10:07:44 AM	14m 32s	qmccall@peedeecap.org
8/15/24, 9:58:22 AM	4m 37s	fdavis@peedeecap.org
8/15/24, 10:07:50 AM	13m 34s	FKithome@dew.sc.gov
8/15/24, 10:07:50 AM	12m 26s	Johnnie.Davis@admin.sc.gov
8/15/24, 10:07:43 AM	11m 58s	Kimberly.Cosare@admin.sc.gov
8/15/24, 10:09:05 AM	13m	rlewis@cmeoc.org
8/15/24, 10:07:55 AM	11m 47s	Tricia.Morrison@admin.sc.gov
8/15/24, 10:07:45 AM	11m 2s	Jamel.Haynes@duke-energy.com
8/15/24, 10:07:44 AM	10m 39s	rmcleod@dccaa.net
8/15/24, 10:08:00 AM	10m 24s	Linda.Bujak@admin.sc.gov
8/15/24, 10:07:40 AM	9m 57s	Viva.Webb@duke-energy.com
8/15/24, 10:07:44 AM	10m 1s	Amy.Sadler@duke-energy.com
8/15/24, 10:07:43 AM	9m 47s	Scott.Sharpe@scor.sc.gov
8/15/24, 10:20:59 AM	22m 56s	
8/15/24, 10:09:47 AM	11m 19s	
8/15/24, 10:07:39 AM	8m 43s	jmcmoore@scacap.org
8/15/24, 10:07:39 AM	8m 42s	zflucker@gleamnshrc.org
8/15/24, 10:07:49 AM	8m 35s	dedwards@gleamnshrc.org
8/15/24, 10:07:50 AM	8m 14s	Umrella.Bunnell@admin.sc.gov
8/15/24, 10:07:51 AM	7m 36s	Eric.Anderson@admin.sc.gov
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8/15/24, 10:08:12 AM	7m 40s	
8/15/24, 10:07:42 AM	6m 50s	
8/15/24, 10:07:44 AM	6m 48s	mkennedy@gleamnshrc.org
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8/15/24, 10:08:19 AM	5m 54s	
8/15/24, 10:07:40 AM	3m 13s	atucker@wcai.org
8/15/24, 10:07:48 AM	3m 16s	
8/15/24, 10:08:28 AM	3m 45s	
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THE SOUTH CAROLINA DEPARTMENT of ADMINISTRATION

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FY 2025 Low-Income Home Energy Assistance Program (LIHEAP) Public Hearing Transcript

Good morning and thank you for participating in the public hearing to review the proposed model state plan as it relates to the administration of the Low-Income Home Energy Assistance Program for the 2025 program year. This hearing is required by federal legislation. We ask that all attendees please mute your device until the comment period.

For the record, today is Thursday, August 15, 2024, and the time is 10:00 a.m. This hearing is being conducted virtually by the SC Department of Administration, Office of Economic Opportunity. My name is Kelly Buckson, and I am the senior manager for LIHEAP in the Office of Economic Opportunity.

The South Carolina Office of Economic Opportunity administers funds to Community Action agencies and other nonprofits to eliminate causes of poverty, prevent homelessness, and revitalize communities. In South Carolina, LIHEAP funds will be administered locally by Community Action Agencies, as confirmed in South Carolina's Code of Laws section 58-37-50.

The Low-Income Home Energy Assistance Program assists families to stay warm in the winter and cool in the summer through programs that reduce the risk of health and safety problems that may arise from unsafe heating and cooling situations and practices. South Carolina's goal for LIHEAP during the 2025 program year is to first alleviate energy emergencies; target energy assistance to households that have the lowest incomes and highest energy costs; expand services to previously unserved households; and to utilize other local resources to broaden the reach of the state's LIHEAP funds.

LIHEAP income-eligibility in South Carolina is based on a household's total gross income and must not exceed 60% of the State's Median Income. The state will provide energy crisis assistance and reserves the option to provide nonemergency energy assistance during the heating and cooling seasons should funding be available. LIHEAP may also be used for minor energy-related home repairs, and up to 15% of the state's award may be used for weatherization assistance. LIHEAP in South Carolina will operate on a calendar year from January 1st through December 31st.

Congress established the formula for distributing LIHEAP funds to states based primarily on each state's weather, fuel prices, and low-income population. This federal fiscal year, South Carolina was awarded approximately $53.2 million for LIHEAP. This allocation includes temporary funding provided by the Infrastructure Investments and Jobs Act. The state's total projected award for federal fiscal year 2025 is $52 million which considers only the state's usual LIHEAP allocation and no pandemic-related funds.

Again, in South Carolina the Office of Economic Opportunity serves as the passthrough entity for LIHEAP, and funds are allocated exclusively to Community Action agencies to serve eligible households. LIHEAP

funds awarded to Community Action agencies is based on the number of low-income households in each agency's service area. All of South Carolina's 46 counties will receive LIHEAP funds.

Each State is required to provide crisis assistance utilizing LIHEAP funds to resolve a household's heating and cooling emergencies but has the option to provide nonemergency energy assistance during the heating and cooling seasons. South Carolina will provide eligible households emergency energy assistance up to $1,500 per service, and a household may be served twice in one program year. If funding allows nonemergency LIHEAP benefits may be provided to eligible households up to $850 per service. These limits are subject to change depending on the state's actual allocation and need.

LIHEAP may also be used for minor energy-related home repairs, and up to 15% of the state's award will be used for weatherization assistance. LIHEAP subgrantees will continue to coordinate with and refer customers to the Community Services Block Grant and the Weatherization Assistance Program.

To help supplement LIHEAP, three of our local utilities, Dominion Energy South Carolina, Duke Energy and Piedmont Natural Gas, provide private dollars to offset energy costs for their eligible customers. Private energy funds mirror LIHEAP guidelines and may have additional flexibilities established by the individual vendor.

This completes the overview of South Carolina's proposed plan for LIHEAP during the 2025 program year.

To ensure timely and meaningful participation copies of the LIHEAP State Plan were provided to local Community Action agencies, the state association, local energy vendors and community partners on May 7 for review and feedback. A draft of this plan was also posted on OEO's website for public review and comment. To further develop the plan OEO hosted a virtual webinar on June 21. Sixty-one participants attended. And finally, today's public hearing was communicated to subgrantees, local energy vendors and community partners by electronic mail and was also posted to OEO's website for public notice on July 11.

At this time, we will open the meeting for comments. Each speaker will be allowed a maximum of three minutes. All comments should be addressed to the Office of Economic Opportunity and should pertain only to the 2025 LIHEAP State Plan. For the record, we will ask each speaker to provide their name prior to making remarks. All comments will be part of the official hearing record and will be considered by OEO.

Are there any comments at this time? *(No comments were made by participants.)*

As a reminder, State Plans are due to HHS no later than September 2. Please be aware that these plans are working documents and may be amended anytime during the program year. If this happens, an amendment will be submitted to HHS for review. Once accepted, OEO will disseminate the amended plans accordingly.

This concludes OEO's public hearing for the 2025 LIHEAP State Plan.

Thank you for attending.

The FY 2025 LIHEAP State Plan Public Hearing adjourned at 10:07 a.m.



What is the Office of Economic Opportunity?

Created by the Community Economic Opportunity Act of 1983, the Office of Economic Opportunity (OEO) is the state's administering agency for the Community Services Block Grant, Low-Income Home Energy Assistance Program, Weatherization Assistance Program and Emergency Solutions Grant. OEO works in partnership with community action agencies and other non-profit agencies to administer and distribute funds for local initiatives designed to appreciably impact the causes of poverty.

Looking for help?



Find a Community Action Agency near you. Select your county:

Abbeville

Notice of Virtual Public Hearing for LIHEAP 2025

This notice advises the public that the South Carolina Office of Economic Opportunity (SC OEO) will be conducting a public hearing virtually at 10 a.m., Thursday, August 15, 2024, to formally review the proposed 2025 Low-Income Home Energy Assistance Program (LIHEAP) State Plan. To attend the virtual public hearing for LIHEAP, CLICK HERE at the date and time indicated above . If you do not have internet access, you may attend by dialing 1-803-454-9963 using Access Code: 331 342 706#. View the full public notice here .

FFY 2025 CSBG and LIHEAP Model State Plans for Public Inspection

Persons desiring to submit comments on the proposed 2025 CSBG and LIHEAP Model State Plans may do so in writing no later than August 23, 2024. Comments may be mailed to the Office of Economic Opportunity at 1205 Pendleton Street, Suite 364 Columbia, SC 29201, or emailed to oeo@admin.sc.gov. All timely written comments submitted by mail or email will be included as part of the official record and considered by SC OEO. For more information, contact the South Carolina Office of Economic Opportunity (803-734- 0662).

Click here to view the draft 2025 CSBG Model State Plan.
Click here to view the draft 2025 LIHEAP Model State Plan.

Report fraud, waste, and abuse in state agencies to the Office of the State Inspector General:
1.855.SC.FRAUD | 1.855.723.7283 | OIG@oig.sc.gov | https://oig.sc.gov

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Contact

admin
THE SOUTH CAROLINA
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THE OFFICE OF ECONOMIC OPPORTUNITY ANNOUNCES VIRTUAL PUBLIC HEARING

This notice advises the public that the South Carolina Office of Economic Opportunity (SC OEO) will be conducting a public hearing virtually at 10 a.m., Thursday, August 15, 2024, to formally review the proposed 2025 Low-Income Home Energy Assistance Program (LIHEAP) State Plan.

To attend the virtual legislative hearing, go to the following address at the date and time indicated above: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OWJmMTlkYWMtNjA3Yy00ZWMwLWI2NzItNTFhYTgwMDMzMDVl%40thread.v2/0?context=%7b%22Tid%22%3a%22e9f8d014-80d8-4f27-b0d6-c3d6c085fcdd%22%2c%22Oid%22%3a%22bb882b44-7784-4544-9909-a4df21abe568%22%7d using Meeting ID: 241 113 033 160. If you do not have internet access, you may attend by dialing 1-803-454-9963 using Access Code: 331 342 706#.

The U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Office of Community Services, Division of Energy Assistance administers LIHEAP. Federal governing regulations for LIHEAP are P.L. 109-58 which reauthorized LIHEAP through FY 2007. The LIHEAP statute is codified in the United States Code at 42 U.S.C. § 8621-8630 (2008). Reauthorization of LIHEAP is currently pending.

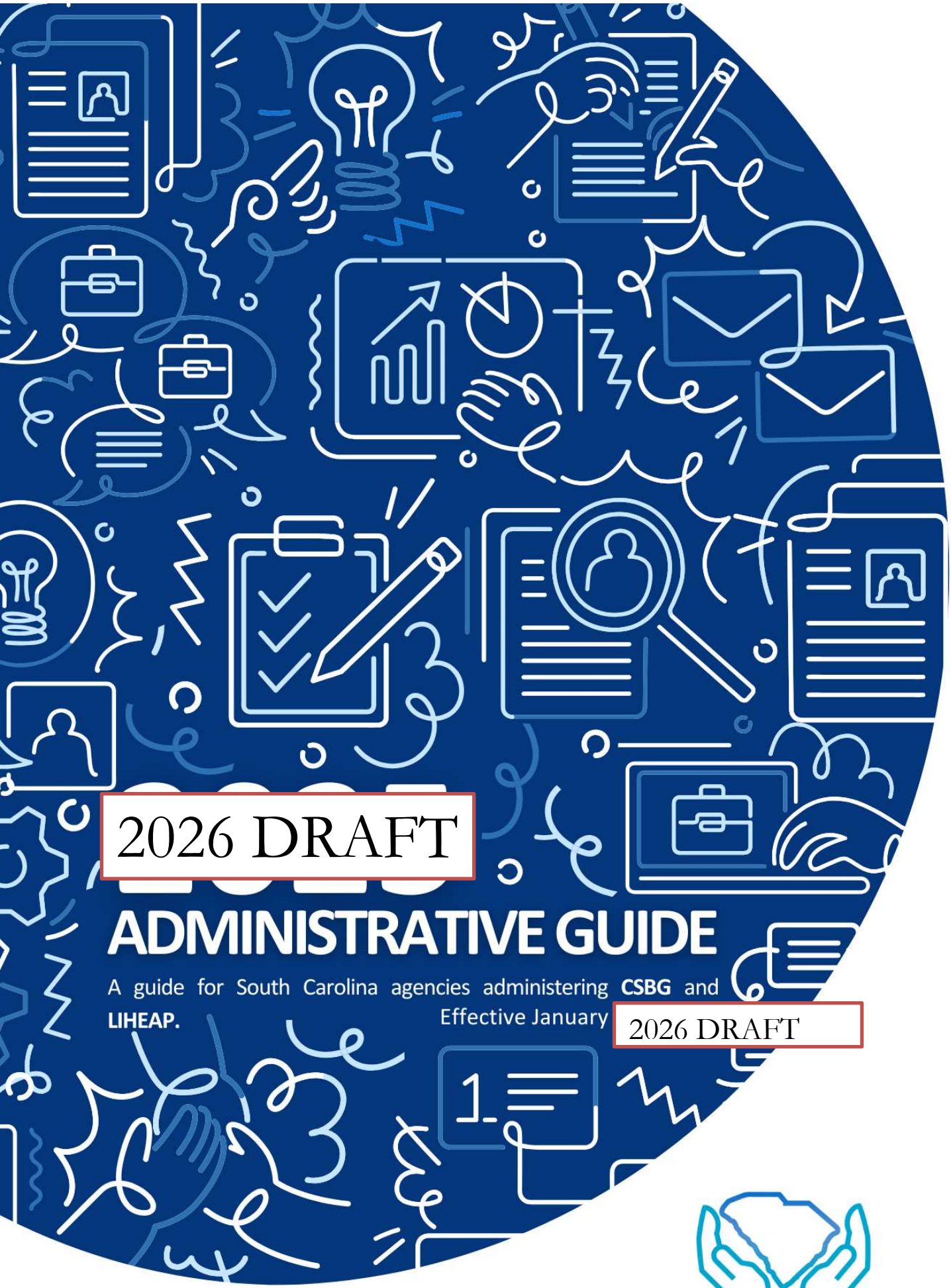
LIHEAP provides federally funded assistance to reduce the costs associated with home energy bills, energy crises, weatherization, and minor energy-related home repairs. The LIHEAP State Plan outlines eligibility requirements, household benefit levels and the projected funds for LIHEAP assistance.

The proposed LIHEAP 2025 State Plan is available and may be reviewed at https://oeo.sc.gov/managedsites/prd/oeo/index.html. A copy of the plan may be requested from the local Community Action agency in your area.

Prior to the virtual hearing, participants requesting to make public comment during the virtual meeting must call (803-734-0662) and leave their name and telephone number no later than 3 p.m., August 14, 2024. Each speaker will be allowed up to three minutes for comments. Written comments regarding the 2025 proposed LIHEAP State Plan may be mailed to the Office of Economic Opportunity at 1205 Pendleton Street, Suite 364 Columbia, SC 29201, or emailed to oeo@admin.sc.gov. All timely written comments submitted by mail or email will be included as part of the official record for this hearing and considered by SC OEO.

For more information, contact the South Carolina Office of Economic Opportunity (803-734-0662).

###



2026 DRAFT

ADMINISTRATIVE GUIDE

A guide for South Carolina agencies administering **CSBG** and **LIHEAP.**

Effective January 2026 DRAFT

SOUTH CAROLINA OFFICE *of*
ECONOMIC OPPORTUNITY

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Section 1

IMPORTANT: Mandatory OEO Policies for CSBG and LIHEAP Block Grants

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Use of the Statewide Application & Database

Each eligible entity shall use the statewide application (customer report) generated by DBA **in its entirety** to determine eligibility for OEO administered grants. The following documents are included as part of the mandatory statewide application:

- Notice of Fair Hearing and Appeals (which shall be provided to all customers)
- DBA Application (customer report) signed by the customer and agency staff
- DBA Customer Voucher (to include the statewide Notice of Fair Hearing and Appeals)
- DBA Vendor Voucher/Internal Transmittal
- Notice of Denial (when a customer is denied assistance)

The OEO prohibits any practice of pre-screening, preapplication and other barriers to service. Failure to use the full OEO application as intended by the State may result in consequences against the eligible entity.

Step 1: Customer Application

Each eligible entity shall use the statewide application generated by (DBA) **in its entirety** to determine eligibility for OEO-administered grants.

Step 2: Eligibility Determination

CAAs should utilize a timestamping method to notate the date the application was received by the CAA. Except for emergencies, all nonemergency applications must be processed within 10 business days from the applicant's date of submission.

Step 3: Customer and Vendor Notification

Based on the information provided, CAAs should either approve the customer's application and confirm receipt of assistance by way of the DBA customer voucher or issue a notice of denial to the applicant.

Income Verification

- Income eligibility may be determined once during the program year using the household's previous 30-day gross income at the time of application. Gross income refers to the total household income received before taxes and other approved deductions.

- If the household meets the income guidelines, the household will be considered eligible for all qualifying grants for the remainder of the program year.

- If the customer returns for additional services at any time during the program year, the household does not have to be reassessed for income eligibility (see exception below for zero income), but **the CAA must complete a new DBA application (customer report) to reflect the service and have the applicant sign the DBA application (customer report)**. Note: Agencies do not have to change the "Income Verification Date" for each new application.

  After initial determination, the income level of a household should be reviewed at each service (ex. *"Have there been any changes in your income or household size since the last time you were assisted?).* Any time the CAA becomes aaware of a significant income changing event or circumstance, the household's income/family size should be updated for the purpose of determining continued program eligibility.

- The appropriate applicant and agency staff signatures must appear on **ALL** required documents for application. **Signature waivers will no longer be allowed. Electronic signatures shall not be recycled for future use by the agency.**

- Applicants may reapply for assistance if the household is determined ineligible.

New!!! Income Verification for Households Reporting Zero Income

- Households reporting zero income (total gross income is $0) must be reassessed for income eligibility at the time of each application for service throughout the program year. This will require current proof of income (to include unemployment printout) for all adults in the household age 18 and older.

Timeframes to Process Applications

From the applicant's submission date, the CAA has 10 business days to process applications to determine eligibility. However, each CAA must have an internal procedure to expedite emergencies.

- CSBG emergencies must be resolved within 72-hours of the household being determined eligible.

- LIHEAP life-threatening emergencies must be resolved within 18 hours of the household being determined eligible.

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- General LIHEAP emergencies must be resolved within 48 hours of the household being determined eligible.

- **All other nonemergency applications must be processed within 10 business days of the household being determined eligible.**

Mandatory Use of the DBA Voucher for Customers and Vendors

CAAs must provide the customer a copy of the customer voucher generated by DBA to include the Notice of Fair Hearing and Appeals. See further details on pages 9 and 35.

The vendor must also be provided a copy of the voucher generated by DBA as notification of the benefit amount being paid on the customer's behalf. **Note: CAAs shall not require vendors to review and return a copy of the customer voucher to the CAA for any purpose.**

Changes to voucher awards must be updated in DBA and provided to the customer and vendor and saved for agency records.

Notice of Denial for Ineligible Applicants

For applicants/households deemed ineligible, CAA intake staff should select the **"Service Not Received"** option in the statewide database to properly account for ineligible and incomplete applications. Applicants missing the required application documents, or who did not receive assistance at the time of application should be considered "not served."

A **Notice of Denial form** is available for print when "Service Not Received" is selected. The agency must notify the applicant of their reason for denial as outlined on the form:

☐ Applicant/household did not meet the program eligibility requirements.

☐ Applicant failed to provide sufficient evidence regarding their application to determine eligibility.

☐ Other

A file with a copy of the customer report (application) and support documentation proving why the applicant/household was denied assistance should be kept by the agency.

Application Retention

OEO eligible entities are required to fully utilize the statewide database (DBA FACSPro) and must enter and account for all customer applications in DBA, whether the household/customer is assisted or not. Not retaining or destroying applications submitted to a local agency violates 45 CFR §75, Retention requirements for records.

IMPORTANT: Undue Hardships & Barriers to Service

- CAAs **shall not** require the applicant to complete additional steps before **any LIHEAP** service or **emergency CSBG** service is rendered.

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For example, the applicant shall not be required to complete a budgeting class to receive assistance.

- CAAs **shall not** require customers to pay fees deemed allowable by federal and state guidelines.

  For example, the applicant shall not be required to contribute to a portion of their bill to prove financial responsibility.

- CAAs **shall not** require the vendor to sign and return customer assistance vouchers as part of the agency's internal procedures.

  For example, CAAs shall not require energy vendors to verify customer account numbers and addresses and sign the voucher before rendering service. This adds to the vendors workload and is considered an undue hardship to the vendor. Billing information should be verified on the customer's bill during intake by agency staff.

- CAAs **shall** provide customers a copy of the assistance voucher, notice of denial and appeals process.

  For example, regardless of how the customer applies, it is the CAAs responsibility to notify the customer in writing of their approved benefit amount or denial, and their right to appeal. Therefore, it is mandatory to use the full statewide DBA application (customer report) as the verbiage and forms included achieve federal and statewide requirements.

Statewide LIHEAP Vendor Agreement

South Carolina's statewide LIHEAP vendor agreement should be executed by the local CAA and the participating energy vendor to provide LIHEAP benefits to low-income households for the purpose of supplying energy to cool, heat, deliver fuel, pay energy deposits or other heating/cooling-related costs.

Before a household can receive LIHEAP assistance and the energy vendor can be paid, the CAA and the energy vendor must execute the current statewide LIHEAP Vendor Agreement agreeing to the terms of the grant.

When executing the LIHEAP vendor agreement with the CAA, the participating LIHEAP vendor agrees to accept the LIHEAP energy voucher in exchange for payment. The terms of the grant do not require the vendor to be knowledgeable of allowable and disallowed LIHEAP costs or have a system in place to separate and apply charges accordingly. This is the responsibility of the CAA.

The CAA is responsible for determining the household's LIHEAP energy benefit based on the state and federal definition of allowable LIHEAP energy-related costs. Reference "LIHEAP Allowable and Unallowable Charges" on page 43.

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OUTREACH for Federal Grants

Outreach is the process of making information about grants available to eligible and potentially eligible households.

Program Costs

Outreach activities should be charged as program costs under a separate line item on the agency's financial status report (FSR) labeled "outreach."

Outreach Maximums

CAAs may not allocate more than $10,000 per grant for the duration of the program year for outreach unless otherwise approved by OEO. Costs should be shared accordingly.

Allowable Activities

Media advertisements, printing of flyers and printed materials, early applications, and neighborhood canvassing, etc. promoting only the grant, not the CAA.

Media Advertisements

Copy of all media advertisements (to include billboard, radio and television commercials) must be submitted to OEO with monthly FSRs to justify costs.

Outreach Plan

CAAs must submit a detailed "outreach plan" explaining targeted outreach efforts, purchases, and a detailed budget. OEO must be notified of all outreach activities efforts.

Disallowed Outreach Activities for Federal Grants

Grant funds shall not be used to purchase promotional items when they are not a necessary expense. Promotional items include but are not limited to: clothing and commemorative items such as pens, mugs/cups, folders/folios, lanyards, conference bags/totes, gifts, prizes, etc.

Justification for any outreach expense deemed necessary must be in writing, explaining why the purchase is necessary and a reasonable expense critical to the mission of the grant. Reference [78 FR 76808, Dec. 26, 2013, as amended at 85 FR 49564, Aug. 13, 2020].

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Section 2

Community Services Block Grant Federal Overview

The Community Services Block Grant (CSBG), administered by states, provides core funding to local agencies to reduce poverty, revitalize low-income communities and to empower low-income families to become self-sufficient. The CSBG is currently authorized under the 1998 CSBG Act.

Eligible entities in the CSBG network are **Community Action Agencies** (CAAs), created through the Economic Opportunity Act, a predecessor of the CSBG. Community representation and accountability are hallmarks of the CSBG network, where agencies are governed by a tri-partite board. This board structure consists of elected public official, representatives of the low-income community, and appointed leaders of the private sector. Allocations for CSBG subgrantees is calculated based on the 10-year United States Census poverty rates of the county(s) served by the sub-grantee.

CSBG is not required to implement verification requirements, therefore, **"Non-citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs"** (CSBG IM No. 30, US Department of HHS for Children and Families Office of Community Services Division of State Assistance).

The federal income eligibility is based on a household's earnings/contributions and must not exceed 200% of the federal poverty level (FPL).

CSBG is a needs-based grant. To be eligible for assistance, individuals/households must be income **and** program eligible. To be program eligible, the applicant must present a need (ex. have a bill due) at the time of service.

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CSBG State Overview



CSBG services shall seek to promote social and economic self-sufficiency through the achievement and development of knowledge, skills and abilities that will enable low-income individuals to effectively respond to and manage those life circumstances that negatively impact their well-being and accomplishment of life goals. Through the strengthening of individual and family competencies, services shall enable low-income persons to mobilize the resources and support necessary to deal with existing problems, needs and future aspirations.

Linkages will be developed with local entities to fill identified gaps in services through the provision of information, referrals, case management and follow-up consultations. Funds made available to eligible entities will be coordinated with other public and private resources and may be used to support innovative community and neighborhood-based initiatives with the goal of strengthening families.

State Community Service Programs include:

- Employment
- Education
- Income Management
- Housing
- Emergency Services
- Nutrition
- Self-Sufficiency
- Health

Community Needs Assessment

OEO will secure from each eligible entity, a **current community-needs assessment** for the areas served (to include each county) which may also be coordinated with community-needs assessments conducted for other programs. OEO requires a comprehensive needs assessment once every three (3) years. The needs assessment should be updated, as needed, during the interim years. The next comprehensive needs assessment is due to OEO in **August 2025 with the submission of the program year (PY) 2026 Community Action Plan.**

Results Oriented Management and Accountability (ROMA) System

Eligible entities will participate in and comply with the ROMA System, which the Secretary facilitated development of pursuant to Section 678E, utilizing SCROMA and provide a description of specific measures to be used to substantiate the outcomes of each funded program and eligible entity (CAA) performance in promoting self-sufficiency, family stability, and community revitalization.

Grant Award Disbursements

Agencies will receive the grant award(s) based upon OEO's receipt of the federal notice of award(s), the timely completion, receipt and final OEO approval of the agency's CSBG Community Action Plan and application budget.

CSBG Fund Limitations

Section 678F(a)(1) of the CSBG Act (Limitations on use of funds) does not allow the State or any other person with which the State decides, to use CSBG funds for the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or facility. The use of CSBG funds to secure rental properties for programs requires Logic Model approval to demonstrate community benefit.

Mandatory use of the Statewide Database

Subgrantees must fully utilize the DBA FACSPro database system to include the DBA application

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(customer report) for customer intake as arranged by the South Carolina OEO.

Each eligible entity shall use the statewide application generated by (DBA) **in its entirety** to determine eligibility for OEO administered grants. The following documents are included as part of the mandatory statewide application:

- Notice of Fair Hearing and Appeals (which shall be provided to all customers)
- DBA Application (customer report) signed by the customer and agency staff.
- DBA Customer Voucher (to include the statewide Notice of Fair Hearing and Appeals)
- DBA Vendor Voucher
- Notice of Denial (for households deemed ineligible)

The OEO prohibits any practice of pre-screening or preapplication. Failure to use the full OEO application as intended by the State may result in consequences against the eligible entity.

Timeframes to Process Customer Applications

With the exception of emergencies, OEO requires eligible entities to process all nonemergency customer applications, regardless of the method of intake, within **10 business days** from the date of submission, and to notify each applicant of their approval, denial or when additional information is required to determine eligibility.

When does the application process begin?
Each agency should have a process in place to timestamp applications submitted to the agency. If not, OEO will consider the date on the customer's original application to determine compliance with the 10 business days allowed to process applications.

Notice of Denial for Ineligible Applicants
Within 10 business days from the date of submission, CAAs must notify each applicant of their denial. For applicants/households deemed ineligible, CAA intake staff should select the "Service Not Received" option in the statewide database to properly account for ineligible and incomplete applications.

A **Notice of Denial form** will automatically print when "Service Not Received" is selected. The agency must notify the applicant of their reason for denial as outlined on the form:

☐ Applicant/household did not meet the program eligibility requirements.

☐ Applicant failed to provide sufficient evidence regarding their application to determine eligibility.

☐ Other

A file with a copy of the customer report (application) and support documentation proving why the applicant/household was denied assistance should be retained by the agency.

Application Retention
OEO eligible entities are required to fully utilize the statewide database (DBA FACSPro) and must enter and account for all customer applications in DBA, whether the household/customer is assisted or not. Not retaining or destroying applications submitted to a local agency violates 45 CFR §75, Retention requirements for records.

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CSBG Federal Income Guidelines

FAMILY SIZE	200% Monthly Poverty Guideline	200% Annual Poverty Guideline
1	$2,510.00	$30,120.00
2	$3,406.67	$40,880.00
3	$4,3033.33	$51,640.00
4	$5,200.00	$62,400.00
5	$6,096.67	$73,160.00
6	$6,993.33	$83,920.00
7	$7,890.00	$94,680.00
8	$8,786.67	$105,440.00
For each additional person, add	$896.67	$10,760.00

FIGURE 1.1 Federal Poverty Income Guidelines are in effect as of January 24, 2024. The 2025 HHS poverty guidelines will be updated once published in the Federal Register and can be referenced at http://aspe.hhs.gov/poverty-guidelines.

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Income Eligibility



Applicants must apply in their designated service area based on the county in which they live. The Federal Poverty Guidelines must be used as the primary criterion in determining income eligibility. To receive assistance under any CSBG project involving direct services an applicant's total household income must not exceed the federal poverty level. Household is defined by the Bureau of Census as consisting of all persons who occupy a housing unit (i.e., house or apartment), whether they are related to each other or not. Total household income is based on the gross income of adult household members (age 18 and older) at the time of application.

Income Verification

The purpose of the income determination is to establish the household's eligibility for service in accordance with the statutory definition of poverty level. The goal is to implement program services that will enhance and promote self-sufficiency, and not to penalize low-income persons as they move from poverty to self-sufficiency.

Income eligibility will be determined once during a program year using the household's 30-day income at the time of the approved application. If the household meets the income guidelines, the household will be considered eligible for all qualifying grants for the remainder of the program year (see exception below for zero income). Agencies do not have to change the Income Verification Date for each new application.

If the individual/household seeks additional assistance during the same program year, the CAA must complete a new DBA application (customer report) for each additional service and have the applicant sign the application for every service. The applicant and agency staff signatures must appear on ALL required documents for application. The applicant will

only be required to present a current bill and supporting documentation. Households may be reassessed if the household was deemed ineligible for assistance. **Note:** Agencies may choose to reassess households more frequently.

After initial determination, the income level of a household should be reviewed at the time of each service (ex. CAAs should ask, *"Have there been any changes in your household income or household size since the last time you were assisted* Any time the CAA becomes aware of a change in income or circumstance, the the household's income/family size should be updated for the purpose of determining continued program eligibility.

New! *Households Reporting Zero Income*

Households reporting zero income (total gross income is $0) must be reassessed for income eligibility at the time of each application for service throughout the program year. This will require current proof of income (to include unemployment printout) for all adults in the household age 18 and older.

How to Calculate Income

When calculating total household income, include all income (use actual amount; do not round) for **the last 30 days** (include the date of application). Calculate the **"gross"** income to determine eligibility. Gross income refers to the total income an individual receives before taxes and other approved deductions.

Income & Contribution Frequencies

Income/contributions should be entered in the statewide database (DBA) based on the frequency of pay using gross amounts: when an applicant or household member is paid weekly throughout the 30-day period, enter the income as "weekly"; if paid bi-weekly (every two weeks or 14 days) enter income as "bi-weekly; if paid semi-monthly (twice per month) enter as semi-monthly; if monthly (paid once each month) enter as monthly.

To determine the accurate 30-day income to be entered into DBA, the calculations are as follows:

- **Weekly:** (((amount 1 + amount 2 + amount 3 + amount 4) /4) * 4.33)
- **Bi-Weekly:** ((amount 1 +amount 2) /2)*2.165
- **Semi-Monthly** (amount 1 + amount 2)
- **Monthly** (monthly income)

▸ Individuals with Wages

When an applicant or member of the household has earned only one paycheck in the 30-day period, enter it based on the frequency of payroll period, also. SC ROMA (DBA FACSPRO) will provide the calculations to determine eligibility.



▸ Self-Employed Individuals/Tax Filings

When an individual is self-employed and operating a business outside of the home, use the "net" profit. An individual must provide a current signed and **accepted** Federal Tax Form in its entirety pertaining to the business (e.g. 1040 Schedule C of Profit or Loss or 1040 Schedule C-EZ). For Form 1040 schedule C, use total from line 31(Net Profit), divide it by 12 = monthly income amount.

If using form 1040 schedule C-EZ, line #3 should be used. Other IRS forms include Form 1065

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Partnership Return of Income (request Tax Schedule K-1 Form 1065 Partner's Share of Income, Deductions, Credits), Form 1120S (request Tax Schedule K-1, Form 1120S). When an individual is self-employed, operating an in-home business, such as childcare, use the "gross" income.

If a loss is reflected on the customer's tax document, income should be considered zero.

When only recently self-employed, an individual must provide quarterly, or monthly tax statements provided by the South Carolina Department of Revenue. If the self-employed individual does not file his/her taxes quarterly and does not have a business license, complete a Declaration of Zero Income form.

Tax form 1065 Partnership Return of Income

The schedule K-1 is a tax document used to report the income/losses of a business partners in a shared company. Use the income recorded on line 14A. Self-employment earnings (loss).

How to calculate quarterly taxes: Divide the most recent quarterly tax amount by 3 = average monthly income amount. Appointment books should not be used to verify income. When an individual's business has been terminated, verification of termination is required (e.g. state certification verifying termination).

- **Gig Economy Jobs**

When determining the income of contracted employment such as **Uber, Lyft, Grub Hub, etc.**, collect all wages (including tips) received within 30 days of the date of application and calculate income using the **gross** monthly frequency.

Gig workers' income may be evaluated for eligibility in the following ways:

- **Monthly Wages**
  The customer's employment documentation must clearly display the business name (Ex: Uber), their first and last name, gross earnings for the entire month and indicate the month the wages were earned. Note: Gross amounts may include fees.

- **Day Laborers**
  When determining the income of **day laborers**, collect all wages received within 30 days of the date of application and calculate income using the monthly pay frequency.

- **Declaration of Zero Income Form with Unemployment Printout**

The Declaration of Zero Income form should be used as a last resort, when all efforts have been exhausted to provide sufficient documentation.

Persons reporting no earned income or having no source of a monthly benefit (such as Social Security) must complete the Declaration of Zero Income form **accompanied by an employment/unemployment printout from the Department of Employment and Workforce (DEW) to prove the individual's unemployment status.** Note: Agencies cannot require customers to file an unemployment claim.

Persons who are in the process of seeking disability benefits who report no income must provide a letter from the Social Security Administration verifying that they have an open case that is dated within the last 30days instead of an unemployment printout.

Unemployment printouts will not be required for 18-year-old students still enrolled in high school (proof required).

If an adult member of the household is receiving funds from an outside source to contribute toward household bills, determine the monetary amounts toward food, shelter, and utilities, and enter the average monthly income total in DBA as "contributions" or "miscellaneous income". Items that may be

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captured on the Declaration of Zero Income form include: child support (contributions in care of a child that is not court-ordered), utility check or other monetary assistance provided to the household that is not employment. **Be sure not to enter the same income twice.**

If a youth (under age 18) provides finances to the adult household member for food, shelter or utility expenses, the amount must be included as income to the adult under miscellaneous/cash contributions on the Declaration of Zero Income form.

New! *Households Reporting Zero Income*

Households reporting zero income (total gross income is $0) must be reassessed for income eligibility at the time of each application for service throughout the program year. This will require current proof of income (to include unemployment printout) for all adults in the household age 18 and older.

- **Award Letters** (Social Security, Supplemental Security Income, VA Benefits, Pensions, etc.)

The Social Security Administration (SSA) announced that benefits will increase 2.5% in 2025.

Source: https://www.ssa.gov/cola/

A current year's award letter (only the pages that reflect gross income) may be used to verify income, using the gross amount. Gross income refers to the total income an individual receives before taxes and other approved deductions.

Proof of disability is to be provided from a current or prior year's award letter from the Social Security Administration (SSA), a current year's letter from Vocational Rehabilitation or the Veterans Administration, disability income check, or an official handicapped sticker bearing the appropriate photograph. Disability may be temporary or permanent.

"Disabled" describes an individual who has a physical or mental impairment that prohibits one from working at any substantial employment that otherwise s/he would reasonably be able to perform and that will probably continue for an indefinite period of at least 12 months or who has been certified as permanently and totally disabled by a state or federal agency qualified to render that decision. Short-term disability and workman's compensation are also recognized as a form of disability.

A spouse or child receiving Social Security benefits is not necessarily disabled. There are four main types of social security benefits: (1) retirement payments as early as age 62, (2) survivor payments made at any age, (3) disability insurance payments made to disabled persons that stops or limits a person's ability to work, and (4) monthly payments made to people with disabilities and older adults (age 65+) who have little or no income or resources. The medical standards for disability are the same for Social Security (SS) as for Supplemental Security Income (SSI) for individuals age 18 or older. There is a separate definition of disability for SSI children under age 18.

SSI payments are made in three categories: (1) to aged individuals – 65 or older, (2) to disabled persons under 65 who have an impairment so severe the person cannot do any substantial work, and the impairment will last 12 months or result in death, and 3) to blind individuals under age 65 and legally blind. Children may receive SSI payments if blind or disabled, based upon the parent(s) resources and income.

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If you have questions, contact your local Social Security office or call 1-800-772-1213. Note: The SSA has asked that CAAs contact them at the number above or your local SSA office if documents are required to service customers, rather than sending customers to their office for documents. "Understanding SSI" is available online at www.socialsecurity.gov/ and https://www.ssa.gov/ssi/text-understanding-ssi.htm.

- **Child Support**

When calculating child support to determine applicant eligibility, add all payments made within 30 days, to include the date of application, and enter the total "gross" amount into DBA using the monthly pay frequency. Include amount on Declaration of Zero Income Form if no other record is attainable.

- **Families with Foster Children**

A foster child is a child placed with a foster parent(s) by judgment, court order, or an authorized placement agency (state or local government organization).

When serving households with state-placed foster children, the foster child should **not** be included as a member of the household. These children are considered wards of the state. A DSS placement letter is required in the file. Monthly allowances made to foster parent(s) as reimbursement for the cost of caring for the child should not be counted as income. However, separate wages paid to the parent should be included as income, as these funds are considered payment to the temporary caretaker.

- **Utility Checks**

When determining income, **utility checks made payable to and issued directly to the customer should be calculated as income** since the customer is not required to remit/forward this payment to the utility vendor as payment for service.

Utility checks issued directly to vendors monthly on behalf of applicants who reside in subsidized housing are benefits to subsidize the already very low-income status of those households. In these instances, benefits **are not to be counted as income** on the application.

Contributions/Income to Exclude

The following categories of contributions and income should not be counted when determining eligibility.

- **Temporary Assistance for Needy Families (TANF)**

TANF should not be counted as income.

- **Contributions from Nonprofits**

Contributions/donations from non-profits should not be included as income unless the funds are given directly to the customer. Funds paid directly to the vendor on behalf of the customer should not be counted as income.

- **Income Tax Refunds**

Tax Refunds should not be included as income (refer to US HHS IM 119 or LIHEAP Memorandum No. L08-05 for additional information).

- **Income from Minors**

Income is not calculated for persons under age 18 (to determine income eligibility); however, if the youth provides finances to the adult household member for household expenses, the amount must be included as income to the adult under miscellaneous/cash contributions. If household members under 18 receive Social Security or Disability income, the gross amount

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must be included as income under the payee or custodial adult's name living in the household.

Please note**: <u>The current DSS printout may not be used to verify members of the household, or earned income</u>**; however, it may be used to verify utility check and child support amounts if listed on the printout.

- **Student loans**

Student loan refunds should be included as income <u>if</u> funds are used to help sustain the household.

- **Disaster Assistance**

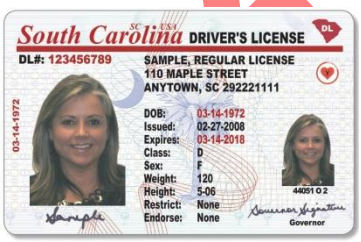
Income from disaster relief assistance, such as FEMA, should not be included as income.

PROGRAM ELIGIBILITY

Once an applicant has been determined to be income eligible, program eligibility must be established in accordance with the Office of Economic Opportunity's approved CSBG State Plan, the CAA's approved CSBG Community Action Plan and/or federal and state laws, policies and procedures.

South Carolina Identification

Applicants are required to submit proof of permanent primary physical residency. All customer documents must be current and accurate at the time of application to determine program eligibility.



The applicant must provide a copy of his/her current official (state-issued) pictured identification such as a South Carolina identification card or driver's license. Eligible residents may obtain a SC identification card from the SC Department of Motor Vehicles (SCDMV).

The SCDMV requires persons with a valid driver's license or <u>identification card</u> from another state who permanently move to South Carolina to apply for a SC license or ID <u>within 45 days of moving to the state</u>.

<u>All information provided for income and program eligibility must be consistent.</u> If a client's address listed on the application or bill does not match the address listed on their driver's license/ID, their address may be changed and printed online (https://www.scdmvonline.com/Driver-Services/Drivers-License/Address-or-Name-Change.) If the online process cannot be accomplished, the customer is responsible for providing the current driver's license/ID.

Serving Homebound Applicants with Expired South Carolina Identification

A homebound person is defined as one who is unable to leave his/her home due to:
(1) advanced age (75+);
(2) disability; or
(3) illness
AND requires the help of another person or medical equipment to leave the home, or a doctor believes that a person's health or illness could get worse if he/she leaves the home.

A homebound individual who has an expired ID may be assisted with a clarifying statement of his/her homebound status.

CAAs must defer to their agency's internal procedures to serve homebound individuals. Homebound assistance will allow staff to verify the applicant's identity and billing address.

South Carolina Identification for Immigrants

The SC Department of Motor Vehicles requires eligible residents to present originals or government-issued copies to prove (1) South Carolina residency, (2) identity, date and place

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of birth, authorized length of stay in US and (3) legal documents supporting name change(s).

If an immigrant is denied a South Carolina ID, the CAA should contact OEO for further guidance.

Serving Undocumented Immigrants
CSBG does not require proof of citizenship (ex. Social Security card) to be eligible for assistance, therefore, "non-citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs" (CSBG IM No. 30, US Department of HHS for Children and Families Office of Community Services Division of State Assistance). Therefore, agencies should not require Social Security cards to determine eligibility.

Serving Agency-Related Parties
There is no rule against an eligible entity providing CSBG-funded services/benefits to members of its tripartite board, its staff or members of their families who apply for services/benefits, provided that:

(1) The applicant meets all applicable eligibility criteria for the services/benefits;
(2) The applicant does not receive preferential treatment in receiving the services/benefits due to his or her connection with the eligible entity; and
(3) The services/ benefits are provided on terms similar to those provided to individuals who are not so connected to the entity.

Neither the applicant nor a member of his/her family should make the determination of whether the applicant is eligible for the CSBG-funded services/benefits. Furthermore, **The Executive Director must approve all agency employee, board member and employees of other CAAs applications for assistance by signing and dating the application BEFORE payment is rendered.**

Visit CAPLAW for more information.

Frequency of CSBG Services
The frequency of CSBG services is determined by the eligible entity (CAA) and submitted to OEO through the agency's logic model.

Maximum Allowance of Services
The maximum amount of CSBG funds allocated per household is determined by the eligible entity (CAA) and submitted to OEO through the agency's logic model.

Local Initiative Projects

The specific projects for a given service area shall be determined by the local community action agency through a community needs assessment process. Therefore, anti-poverty strategies shall be based on locally defined needs and must involve services which are based on a community's own analysis of the poverty related problems.

Local initiative projects shall include those services and activities which address the anti-poverty goals as set forth in Section 676 of the CSBG Act and may include projects in the areas of employment, education, income management, housing, nutrition, or other areas in which there may be obstacles which hinder the achievement of social and economic self-sufficiency by low-income persons.

CAAs may require households to prove sustainability to receive assistance. For example, individuals must be working or the household must have sufficient income to pay bills moving forward.

The purchase and distribution of gift cards by local CAAs is disallowed, unless otherwise approved by OEO.

Frequency of Service
The frequency of service for local initiative projects is determined by the eligible entity (CAA) and approved by OEO through the agency's annual Community Action Plan.

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Maximum Allowance
The maximum amount of CSBG funds allocated per household for various local initiative projects is determined by the eligible entity (CAA) and submitted to OEO through the agency's logic model.



G E A P (General Emergency Assistance Program)

The Office of Economic Opportunity requires each eligible entity to provide an emergency assistance program referred to in the State of South Carolina as the General Emergency Assistance Program (GEAP). **GEAP should only be utilized to alleviate immediate crises, and not used as a program to implement general services.**

An emergency is defined as a sudden, urgent, unexpected occurrence or occasion requiring immediate action; a state, especially of need for help or relief, created by some unexpected event; an unforeseen combination of circumstances or the resulting state that calls for immediate action; or an unexpected situation that poses an immediate risk that requires urgent intervention. **An emergency is never planned.**

Timeframes for Emergency Response
The purpose of this project is to assist low-income persons in meeting the emergency needs confronting them within 72 hours or sooner (42 U.S.C. § 9908(b)(1)(A)(vi); PY 2025 CSBG State Plan). The timeframe required to address emergency services begins once the agency collects all documents necessary to determine the household's eligibility.

The U.S. Department of Health and Human Services has stated that agencies are to have mechanisms in place to resolve emergencies over weekends and holidays. This may include a 24-hour contact name and number or may provide for staff to work weekend hours in case of fires, life threatening temperatures and/or acts of God. Carefully document files in these situations.

GEAP Customer Assistance
The applicant must reside at the address stated on the lease/bill; however, when the lease/bill is in the name of a household member other than the applicant, the applicant must provide proof s/he resides at that address, relationship to applicant (if applicable) and approval to access that account. Husband and wife living in the same household do not need approval to access the account.

A lease/bill will no longer be accepted if the person whose name appeared on the lease/bill has been deceased longer than 12 months (proof needed), lease/bill is in a minor child's name, or lease/bill is in non-household adult's name.

When the bill is in the name of the landlord, the landlord must provide a statement indicating that the applicant is permitted to access that account, to include making payment on the account. The file must include this documentation. Customer must provide a current Lease Agreement indicating the account is in the landlord's name, but the bill is the responsibility of the tenant.

GEAP funds should not be used to pay utility bills in 2025 unless the total allocations for **LIHEAP and Project Share** funds have been exhausted for the program year, by county, or the household includes an undocumented

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immigrant facing a home heating/cooling emergency. **This must be proven during monitoring.**

IMPORTANT: CAAs shall not require the applicant to complete additional steps before emergency CSBG service is rendered (Ex. budgeting class).

Updated! EXAMPLES OF GEAP EMERGENCIES

NOTE: This list is not inclusive of all allowable emergencies

- Current **Eviction** or **Threat of Eviction**
- Temporary housing or relocation resulting from an **act of God** (Burnout, tornado, hurricane, earthquakes, ice storm or flood) resulting in the need for temporary housing/shelter or relocation.
- Job Loss (within 90 days), proven medical emergency that caused proven financial hardship, proven reduction in income (more than 40%) or death of primary income provider/wage earner.
- **Medical emergencies**
- **Food assistance**
- Undocumented immigrant(s) in need of heating/cooling assistance may be served with GEAP funds.

GEAP Allowable and Unallowable Charges

GEAP funds **may** be used to pay:

- Emergency rent (to include deposits)
- Eviction/court costs
- Late Fees
- Emergency Mortgage Assistance
- Lot Rent
- Water
- Sewer
- Mandatory and/or regulated fees required for service
- Other emergencies approved by OEO

GEAP funds **may not** be used to pay:

- Security systems, HOA fees, returned check fees, meter tampering charges or any other illegal charges.

NOTE

All unallowable charges MUST be paid prior to service or deducted from the maximum award benefit. A letter from the vendor will suffice as proof that the merchant will work with the customer on the outstanding amount of unallowable charges.

GEAP assistance should only be provided when the agency can alleviate the household emergency for at least 30 days forward. Therefore, the agency should include proof of a fully satisfied payment made on behalf of the CAA; a payment arrangement; or a receipt for the balance paid PRIOR to the agency's assistance.

Past Due Customer Charges

It is OEO's intent to offer customers the greatest benefit to eliminate their immediate emergency. Therefore, **there are no restrictions on how far back an agency can pay towards the customer's expenses, regardless of when the debt was accrued, if expenses are allowable and in accordance with the grant/approved program.**

Example: When serving a customer with a 2025 bill, allowable charges accrued at any time in 2024 or prior, may be paid up to the maximum dollar amount.

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- The applicant or household member's name must be listed on all bills.
- Information in the file must correspond (Ex. Physical addresses and/or names).
- The agency may not exceed the approved maximum benefit per household, as approved by OEO.

GEAP Customer Checklist

Each customer file must contain current, accurate and legible documents to include:

- ☐ Completed, signed application reflecting the FPL and all household members
- ☐ Proof of income for all household members age 18 and older
- ☐ Photo identification of the applicant
- ☐ Lease or bill
- ☐ Agency input sources (DBA Action Plan, income screen(s), unallowable cost calculations)
- ☐ Proof of agency's commitment (voucher, detailed check copy, check number)
- ☐ Other pertinent information/documents

Referrals: Evidence of referrals, as outlined in the approved Community Action Plan, must be documented in client files, when applicable.

CSBG Housing Assistance



CAAs have the flexibility to create local initiative programs based on their assessment of poverty related problems, outlined in their community needs assessment, that do not duplicate the current efforts of another local organization. Assistance may be provided to eligible households to address issues related to housing.

A clearly defined policy for service delivery must be included in the agency's Community Action Plan submitted to OEO. The frequency of service delivery and maximum benefit per household is determined by the agency and approved by OEO.

How to Serve Households Relocating

When providing a service to a household relocating outside of the CAA's service territory, **it is the responsibility of the CAA where the household currently lives to provide the service**.

Example: The CAA may provide rental assistance to an eligible household to move to a location outside of the agency's service area.

If a customer has a newly executed lease with an updated ID, the agency serving the area associated with the customer's new address may provide rental assistance to the eligible household.

Note: Some agencies may have a policy to not pay rental deposits. This should be notated in the local agency's accepted logic models.

For applicant's moving to South Carolina, the SCDMV requires persons with a valid driver's license or identification card from another state who permanently move to South Carolina to apply for a SC license or ID within 45 days of moving to the state.

Mortgage Assistance

CSBG funds may be utilized to provide mortgage payment assistance including taxes, insurance, and interest (Federal CSBG-IM-2022-163, Mortgage Payment Assistance). Homeowners seeking mortgage assistance must be living in the home as a primary resident and prove income eligibility and program eligibility (have a bill due or meet other criteria set forth by the CAA to receive assistance). Each eligible entity will determine the maximum amount allowed per household for mortgage assistance, in accordance with the cost of housing in their service area(s) and the frequency of assistance for the program year.

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Proof of emergency and proper documentation is required. The applicant must be the primary residence at the address stated on the mortgage bill/title/deed; however, when the mortgage bill/title/deed is in the name of a household member other than the applicant, the applicant must provide proof s/he resides at that address, relationship to applicant (if applicable) and approval to access that account. Spouses living in the same household do not need approval to access the account.

Note: Security systems, HOA fees, returned check fees, meter tampering charges or any other illegal charges.

New! Providing Rental Assistance to Mixed Status Households with Undocumented Adults and Minor Citizens

A **mixed status household** is described as eligible household members residing in households with at least one member who is not eligible because they are not a U.S. citizen or qualified immigrant. While CSBG does not require proof of citizenship, OEO requires that applicants present a current South Carolina ID at the time of application.

If an undocumented immigrant applies for assistance but cannot obtain a South Carolina ID, OEO will accept proof of lawful permanent resident status (green card – most recent version has expiration date, alien registration card or consular ID) with a copy of a current South Carolina lease.

The Bureau of Immigration and Naturalization and/or the Social Security Administration may be used to validate documentation.

CSBG Nutrition Assistance

In correspondence with the top needs identified with the CAA's community needs assessment, initiatives that address barriers to obtain sufficient and healthy food for low-income families may be provided.



A clearly defined policy for service delivery should be outlined in the agency's Community Action Plan submitted to OEO to include program qualifications and the dollar amount provided to a household based on household size.

Agencies should establish a memorandum of understanding (MOU) when partnering with local grocers. Purchases shall not include alcohol or tobacco. Receipt of purchase must be in the customer file.

Tips: provide information on how to budget and plan for healthy meals.

All services and/or value of service must be entered in DBA and tracked by way of a customer voucher award. Any changes to the voucher award amounts must be updated in DBA and provided to the customer and vendor. Notes to reflect each service should be included in the customer report.

CSBG Employment and Education

To address barriers to employment and help increase an individual's wages, CAAs may choose to partner with local employers or educational institutions.

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- Agencies should establish a memorandum of understanding (MOU) when partnering with organizations that outlines an agreement between parties and mutual expectations.
- CAAs may purchase necessary items for participant success to include books, uniforms, and other supplies.
- **IMPORTANT: Agencies should only pay for expenses not already covered by the student's financial aid.**
- At a minimum, consistent case management and follow-up should be conducted monthly through the completion of the program. Tip: As a best practice, follow-up with participants beyond program enrollment to track success.
- Consider providing additional supports to ensure the participant is successful (assistance with childcare, transportation, or other household bills as an incentive to complete the program).

The frequency of service delivery and maximum benefit per individual is determined by the agency and approved by OEO.

All services and/or value of service must be entered in DBA and tracked by way of a customer voucher award. Any changes to the voucher award amounts must be updated in DBA and provided to the customer and vendor. Notes to reflect each service should be included in the customer report.



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Youth Leadership Program (YLP)

In accordance with section 676(b)(1)(B), the statewide youth leadership program will provide income-eligible **elementary, middle** and **high school students** educational opportunities targeting individual improvements in academic, behavioral and social achievement, resulting in increased self-sufficiency.



Youth Leadership Activities

Youth leadership activities should encourage youth development in a way that prepares young people to navigate adolescence and realize their potential as an adult. An important aspect of youth development is leadership programming.

Youth leadership programs should focus on youth developing the following:

- The ability to analyze strengths and weaknesses
- Set personal and educational/career goals, and have the self-esteem, confidence, motivation, and abilities to carry them out (including the ability to establish support networks in order to

fully participate in community life and effect positive social change).

While **youth development programs** meet basic physical, developmental, and social needs, **leadership programs** seek to position youth as leaders in their community, to take positions of leadership in companies, organizations and professional associations. Through youth leadership programs, young people gain the skills and knowledge to lead civic engagement, education reform, and community organizing activities. Youth leadership is both an internal and an external process (National Collaborative on Workforce and Disability for Youth, 2005).

Youth Leadership Enrollment

- ☐ Each parent/student must complete a DBA application each program year (January 1 – December 31) for enrollment to determine/verify eligibility.
- ☐ The CAA should provide a master list of eligible recipients entering the YLP, include date enrolled, date completed or date and reason the student discontinued the program.
- ☐ Document that each eligible student qualifies by verifying the student's household is within the CSBG income guidelines.
- ☐ A pre- and post-assessment must be documented in each student's file. The pre-assessment is to be completed upon a student's acceptance/enrollment to YLP. Document each student's post-assessment with actual outcomes (i.e. personal and academic achievements, improvements in life skills).
- ☐ Document each student's attendance with attendance logs, including the student's signature, date and time in attendance, with the coordinator's signatures and date.
- ☐ Document each scheduled workshop with coordinator's activity report, include in the report, the date, time and place of each workshop, activities performed, and coordinator's signature and date.
- ☐ Document field trips with signed parental permission, Disclosure Authorization and Release Form, field trip permission slip, approval attendance logs, costs, and activity report signed and dated by the coordinator. **Note: All students enrolled in the YLP, regardless of age, must have parental consent.**
- ☐ Document supplies or other materials distributed with student's signature, date and purpose of activity.
- ☐ **All services and/or value of service must be entered in DBA and tracked by way of a customer award.**

Enrolling Foster Children

Because foster children are not included as members of the household when determining eligibility, the CAA should complete a DBA application with the child listed as the only member in the household. The child's guardian must sign the application. Proof of income is not required for children under the age of 18. A student ID may be included in the file.

CAAs shall notify OEO if the agency's YLP becomes inactive for further guidance on potential use of funds. **OEO Discretionary funds shall not be used for any other purpose without FIRST receiving OEO approval. Failure to receive up-to-date approval may result in disallowed costs.**

Youth Leadership Internships

The following information must be submitted to OEO for approval if internships are being charged to CSBG:

1. Must be outlined in agency's policies and procedures manual (copy required with Community Action Plan);
2. Identify eligibility criteria;
3. Define who's eligible;

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4. Explain how you arrived at the hourly rate;
5. Memorandum of Understanding is required between agency and employer and must include termination policy (termination should occur as soon as possible if internship is not working appropriately); and
6. 1099 Forms must be provided to each student receiving more than a total of $600 per year for income tax purposes and tax regulations must be adhered to.

Important: Youth leadership interns should only be compensated for jobsite work-related activities. Interns should not be paid when they are absent from work, regardless of if the absence is related to him/her attending field trips or other statewide youth leadership activities.

Youth Leadership Stipends

OMB Omni Circular states, "Participant support costs are direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with meetings, conferences, symposia, or training projects. These costs are allowable with the prior approval of the awarding agency."

All proposed stipends for CSBG programs must be included in the agency's logic model clearly justifying the stipends relative to the programs' success. OEO will send a written notification of approval for the stipend. Each participant's file must provide adequate documentation to support these expenditures.

The following information must be submitted to OEO for approval if stipends are charged to CSBG:

1. Identify eligibility criteria;
2. Define who's eligible;
3. Explain how you arrived at the stipend figure; and
4. Explain why the stipend is being offered (stipends are allowed for childcare, transportation, or time lost from a job to attend sessions and must be justified with receipts)

Youth Leadership Inventory Purchases

The agency must provide an itemized listing of merchandise/products purchased, the unit price, total costs, and a list of students in receipt of the inventory. Proper documentation, to include procurement and receipts must be in the agency's master youth leadership file.

If there is any remaining inventory at the end of the program year, once spending is authorized for the following year, the agency should use current year YLP funds to purchase the inventory from the prior program year and ensure the inventory is recorded in the current program period. The previous year's inventory must be cleared out prior to submission of the final FSR.

Laptops may only be purchased for graduating Youth Leadership participants accepted into a postsecondary institution. OEO will no longer allow the purchase of laptops for all youth leadership participants.

Laptops may only be purchased for graduating youth enrolled in the CAAs youth leadership program who have been accepted and plan to attend college, technical or vocational school.

Proper documentation to include procurement and receipts for all technology purchases must be in the student's file. The purchase of laptops must be included in the CAAs logic model and Youth Leadership/CSBG budget accepted by OEO.

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Youth Leadership Staff training
The OMB Omni Circular (§200.472) emphasizes that staff training, and education costs are allowable expenditures. To be approved, OEO requires the agency to demonstrate that staff training and education costs are directly related to the program requirements and are designed to increase the employee's effectiveness within the youth leadership program.

To reduce staffing costs, CAAs may hire youth leadership staff (excluding full-time agency staff) on a contractual basis. **Staff should not be paid from discretionary Youth Leadership funds if the agency's YLP is not active. Note:** Agency must refer to the OEO Fiscal Guidance and Procedural Manual prior to contracting for professional consultant services.

Subgrantees must expend all YLP grant funds during the period January 1 – December 31. All unexpended YLP funds and State CAP Association funds must be remitted to OEO at the close out of the grant period (by February 15th along with the final FSR).

CSBG Program Inventory

Items purchased to be distributed as part of a service should be accounted for and tracked in DBA by way of award. For example: Food boxes, health kits, laptops, etc. If there is remaining inventory at the end of the program year, the CAA should purchase the inventory with new grant year funds and ensure the inventory is recorded in the current program year period.

Community Initiatives

Community-level initiatives are projects that have a clearly defined purpose or goal to create measurable community-level change in a specific area. The goal of a community-level initiative is to change the conditions and/or environment for a targeted low-income population chosen by the eligible entity (CAA). These initiatives are to be guided by the Community Needs Assessment.

As an option, South Carolina will allow CAAs to target income-eligible communities based on evidence and/or research that proves the targeted population qualifies for CSBG programs. Agencies should establish a memorandum of understanding (MOU) with partners outlining the agreement between parties and mutual expectations.

Maximum Allowance
The maximum amount of CSBG funds allocated for community-level projects is determined by the agency and approved by OEO.

Reporting
CAAs should complete the **Community Initiative Status Form** for the agency's initiatives intended to achieve community level outcomes. This form should be utilized to report the status and progress of a single community initiative that started, continued, or ended during the current reporting period.

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CSBG Program Reporting



Logic Model Targeting & Projections

A logic model (also known as a logical framework, theory of change, or program matrix) is a tool used by funders, managers, and evaluators of programs to evaluate the effectiveness of a program. They can also be used during planning and implementation.

The GPRA legislation (Government Performance and Results Act of 1993/ Modernization Act of 2010) refers to "performance plans" and "performance goals," which both relate to the concept of planning for specific results. This references two kinds of targets: the number of people who are expected to be served and the number of people (of those served) who are expected to achieve an outcome. These targets are identified in planning, so they can be assessed in the evaluation phase.

To improve program targeting, OEO allows agencies the flexibility to adjust program projections as the state receives updated notices of funding. Subgrantees will have a maximum of ten (10) business days following South Carolina's notice of CSBG Awards to update services and/or projections on the ROMA logic model. **Logic model targeting should not be altered after the state's final award has been received for the program year.** Instead, targeting variances should be explained in the annual report when prompted (Ex. Anticipated funding was reduced; therefore, participant enrollment was limited).

Final logic models reporting the achievement of results (column 5, Actual Results) are due to OEO no later than January 15, 2025.

CSBG ROMA Outcome Measures Report

The CSBG ROMA Outcome Measures Report is due to OEO quarterly on the 15th day following each quarter, for the first through third quarters. Each agency's Annual Report submission (due to OEO no later than February 15th) will serve as the agency's 4th quarter report.

All reports must be submitted in a timely manner; timeliness will be reported on risk assessments.

Certified ROMA Trainer/Implementer Tracking Report

Each Nationally Certified ROMA Trainer (NCRT) is required to conduct at least one full Introduction to ROMA training each year (this applies to every year that you are an active NCRT), and provide a report of your training activities to the national office (via http://www.roma-nptp.org/training_info.html).

To assure on-going competence as a ROMA Professional, National Peer to Peer Training (NPTP) requires NCRTs attend the In-service Continuing Education Program (ICEP) at least once in each recertification period. Due to the pandemic, all participating NCRTs must complete a minimum of 5 hours of web-based training each year.

If you have been certified as a ROMA Implementer during this period (making you dually certified), or if you became a Master Trainer during this period, you can use this certification in place of either of these two afore-mentioned items. Make a note in the appropriate text box.

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ROMA Recertification Measurement Tools
Each of the items listed above has specific "tool" to demonstrate that the requirement has been met.

- **Trainers:** To document provision of training, go to http://www.roma-nptp.org/training_info.html and enter details of upcoming training. Enter follow up after training.
- **Implementers:** To document agency ROMA implementation, update ROMA Audit and the Impact Pathways Plan each year using the recertification application. All NCRPs will be asked to produce correctly developed logic models and demonstrate other competencies in the recertification application.

NOTE: Without recertification, NCRTs will become inactive.

To comply with the requirements to maintain one's ROMA certification, OEO will monitor each ROMA Trainer/Implementer to ensure the accomplishment of applied training hours. **The tracking report will be due to OEO quarterly on the 15th day following each quarter.**

IMPORTANT: Tripartite Board Compliance
To assure board compliance (as outlined in South Carolina's 2025 CSBG State Plan), eligible entities shall:

- **Provide the OEO, through DBA's Board Pro, a current board of director's roster and completed and signed board composition forms with the necessary attachments.**

- **Changes in composition are to be reported to the OEO within thirty (30) days of the change.** Additionally, Subgrantees shall upload executed minutes to Board Pro for each board meeting no later than thirty (30) days following the approval of the minutes in DBA.

Organizational Standards
Information memorandum (IM) #138 provides guidance and describes State and Federal roles and responsibilities for the establishment of organizational standards as a component of a larger performance management and accountability system for CSBG.

OCS required States, no later than FY 2016, to establish and report on their organizational standards for CSBG eligible entities.

The requirement of organizational standards for South Carolina's eligible entities became effective January 1, 2016. All 58 standards were to be achieved no later than December 31, 2016, and maintained according to the Calendar of Required Actions.

To ensure the consistent achievement of the 58 Organizational Standards as required by OCS, OEO requires each CSBG eligible entity to upload and maintain all standards in DBA for approval.

Organizational Standards must be accomplished according to the Calendar of Required Actions, no later than December 31st each program year. Each state's achievement of standards is reported to HHS on an annual basis.

In 2025, standards listed in the following categories of the Calendar of Required Actions are due: maintained, more frequent than annual/as needed, annually, every two years, and every five years.

To view the Calendar of Required Actions visit CSBG Organizational Standards: Calendar of Required Actions | National CAP (communityactionpartnership.com)

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Appendix A

GEAP Checklist

DBA APPLICATION (Customer Report)	YES	NO
ACTION PLAN COMPLETED	YES	NO
CURRENT LEASE AGREEMENT/MORTGAGE NOTE	YES	NO
FOLLOW-UP COMPLETED (If Applicable)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Semi-monthly/Monthly)	YES	NO
LEGIBLE SOUTH CAROLINA PICTURE ID	YES	NO
CURRENT PROOF OF EMERGENCY LIST: _____ (EX: EVICTION NOTICE/ FIRE REPORT/ PRESCRIPTIONS)	YES	NO
PROOF OF COLLABORATIVE EFFORTS (if balance was not paid in full) EX: CUSTOMER CONTRIBUTION, REFERALS, PARTNERSHIPS, ETC.	YES	NO
RENTAL AFFIDAVIT/MORTGAGE STATEMENT	YES	NO
MANDATORY DBA VOUCHER/DETAILED CHECK COPY/CHECK NUMBER	YES	NO
REFERRAL FORM (If Applicable)	YES	NO

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COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE:_____

Appendix B

Local Initiative Project Checklist

DBA APPLICATION (Customer Report)	YES	NO
ACTION PLAN COMPLETED	YES	NO
FOLLOW-UP COMPLETED (If Applicable)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Semi-Monthly/Monthly)	YES	NO
LEGIBLE SOUTH CAROLINA PICTURE ID	YES	NO
DETAILED BILL/INVOICE	YES	NO
MANDATORY DBA VOUCHER/DETAILED CHECK COPY/CHECK NUMBER	YES	NO
REFERRAL FORM (If Applicable)	YES	NO
INVENTORY PROVIDED (If Applicable)	YES	NO

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COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Appendix C

Youth Leadership Checklist

DBA APPLICATION (Customer Report)	YES	NO
ACTION PLAN COMPLETED	YES	NO
FOLLOW-UP COMPLETED (IF APPLICABLE)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Monthly)	YES	NO
LEGIBLE SOUTH CAROLINA PICTURE ID'S (PARENT & STUDENT)	YES	NO
LESSONS IN CHARACTER	YES	NO
SIGN-IN SHEETS	YES	NO
PRE-ASSESSMENT / POST-ASSESSMENT	YES	NO
PROGRAM EVALUATION (END OF PROGRAM YEAR)	YES	NO
MANDATORY DBA VOUCHER/DETAILED CHECK COPY/CHECK NUMBER	YES	NO
YOUTH LEADERSHIP INVENTORY PROVIDED (IF APPLICABLE)	YES	NO
TIMESHEETS (IF APPLICABLE)	YES	NO
GRADES (IF APPLICABLE)	YES	NO

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COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Appendix D

Quarterly CSBG ROMA Outcome Measures Report

CSBG ROMA OUTCOME MEASURES REPORT

Circle the Quarterly Reporting Period		
1	2	3

Agency reporting: _____

Instructions: Report year-to-date achievements toward annual projections by program.

*National Goal 1: **Individuals** and **families** with low incomes are stable and achieve economic security.*
*National Goal 2: **Communities** where people with low incomes live are healthy and offer economic opportunity.*
*National Goal 3: People with low incomes are engaged and active in building opportunities in **communities**.*

Program Name *(GEAP, YLP, ECIP, DA, etc.)*	National Performance Indicator (NPI)	Service Domain	Initiative Level *(Individual, Family, Community)*	Annual Target (#) *(Target enrollment for the PY, Reference approved logic model.)*	Projected Achievement (#) *(Expected results for the PY, Reference approved logic model.)*	Achieved (#) *(Number achieved.)*	Enrolled (#) *(Number enrolled, but still progressing toward outcome.)*
Employment	*FNPI 1b. The number of adults who obtained employment (up to a living wage).*	*Employment*	*Individual*	*5*	*3*	*1*	*2*

Appendix E

MORTGAGE ASSISTANCE AFFIDAVIT

Let it be known that I, _____, am the mortgage holder for (Mortgagee), _____

_____ residing at _____.

I have not received a payment since _____ causing the homeowner to be _____ month(s) delinquent. I consider the homeowner's delinquency serious and require immediate attention.

Total Monthly Mortgage Payment $ _____ Total Amount due to-date $_____

Mortgage Payment Insurance Amount Due $ _____
Mortgage Payment Taxes Amount Due $ _____
Mortgage Payment Other Amount Due $ _____ Specify_____
Total Mortgage Payment Due $ _____
Total Due: **$** _____

Total Amount Paid by Agency toward delinquency $ _____

Total Amount Paid by Customer toward delinquency $ _____

I understand that any misrepresentation of information on this form will result in an investigation and possibly prosecution of the parties involved.

_____ _____
Mortgage Holder Representative Date

_____ _____ _____
Mortgage Holder Address City, State, Zip Code Telephone Number

_____ _____
Attest Date

_____ _____
Homeowner's Signature Date

_____ _____
Agency Representative Date

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Appendix F

How to Use the ROMA Logic Model

Program Connections Using a Logic Model Framework Indicators and Outcomes

Need Statement (family level)	**Outcome Statement** (family level)
Parents are not involved in their children's school activities	**Parents increase their involvement with children's school activities**
Service	**Projected Indicators**
50 parents will participate in parent support group meetings during the school year.	50 out of 50 or 100% of parents will report helping with homework by the end of the school year.
	30 out of 50 or 60% of parents will report that they communicated with the teacher within the school year
	45 out of 50 or 90% of parents will report that they participated in school functions and meetings by the end of the school year.

Targets Identify the Scope of the Expected Results

Example of Results (Outcomes):

- Program participants pass the GED test and secure high school diploma
- Parents demonstrate increased knowledge of good parenting skills
- Customers obtain the necessary skills for jobs.

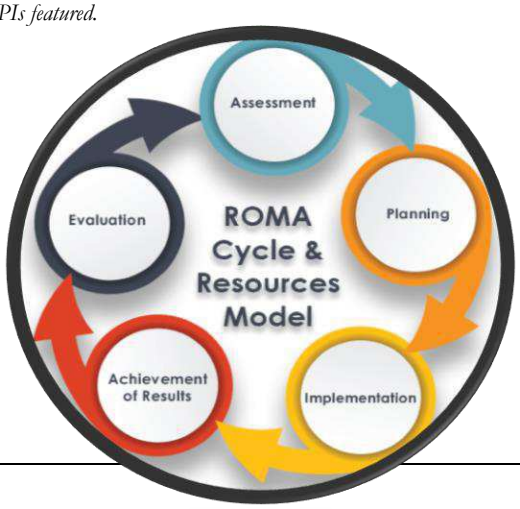
Example of Targets (Projected indicators):

- 30 of 50 participants (60%) will achieve a passing score on the GED exam within the program year to secure a diploma
- 25 out of 50 parents (50%) will achieve a passing score on a post test of knowledge related to parenting 30 days after the completion of the training program.
- 50 out of 100 customers (or 50%) in training classes will obtain skills within one year

How Do You Know?

Organization/Program: Adult Education			Level: _X_ family __ agency __ community		
Need	Service or Activity *Include who will be served, how many people/units of service and time frame.*	Outcome	Indicator *Of those who will be served, how many will achieve the outcome in the time frame.*	Evidence The tool that will be used to measure and document success.	Data collection processes and personnel
Individuals in the community have no HS diploma or GED.	50 students will enroll in a year long GED test preparation class.	Program participants pass the GED test and secure a high school diploma	30 of 50 (60%) will achieve a passing score on the GED exam within the program year.	Output Measure: Attendance log from class. Outcome Measure: GED test scores , copy of diploma	Program attendance is logged during every class. GED test scores are logged by staff.
Mission Statement:					

Note: This is a planning logic model and does not have an Actual Column Included or NPIs featured.



What actually happened?

Projected Indicators	Actual Indictors
30 of 50 participants (60%) will achieve a passing score on the GED exam within the program year	28 of 50 participants (56%) actually achieved a passing score on the GED exam within the program year
25 out of 50 parents (50%) will achieve a passing score on a post test of knowledge related to parenting 30 days after the completion of the training program.	26 out of 50 parents (52%) actually achieved a passing score on a post test of knowledge related to parenting 30 days after the completion of the training program.
50 out of 100 customers (or 50%) in training classes will obtain skills within one year	55 out of 100 customers (or 55%) in training classes actually obtained skills within one year

Agency Ability to Target

Targeting Success Calculation
GED follow up: 28 achieved / 30 were projected to achieve = a 93% accuracy rate for our targets.
Parenting Knowledge follow up: 26 achieved / 25 were projected to achieve = a 104% accuracy rate for our targets.
Job Skills follow up: 55 achieved / 50 were projected to achieve = a 110% accuracy rate for our targets.

Section 3

Low-Income Home Energy Assistance Program Federal Overview

***The Low-Income Home Energy Assistance Program**, administered by the states, assists low-income households, particularly those with the lowest incomes that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs.*

Congress established the formula for distributing funds based primarily on each State's weather, fuel prices, and low-income population. Allocations for subgrantees is calculated based on the 10-year United States Census poverty rates of the county(s) served by the sub-grantee. Home energy is defined as a source of heating or cooling in residential dwellings. Grantees (states) can use funds for heating and/or cooling costs as well as up to 15% of their funding for weatherization assistance.

LIHEAP defines eligible household members as any individual who is a U.S. citizen or "qualified alien". A "qualified alien is defined at 8 U.S.C. § 1641(b). Members of the household must meet the eligibility requirements specified in Section 2605(b)(2) of the Low-Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)). According to the LIHEAP Act of 1981, the term **"household" means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent.**

The Federal income eligibility range is based on a household's size and income and must not exceed 60 % of the State's Median Income (SMI). Grantees (states) must provide crisis assistance. States have the option to provide home heating/cooling, weatherization and/or energy-related minor home repairs.

LIHEAP is a needs-based grant used to help pay residential heating and cooling energy costs. To be eligible for assistance, individuals/households must be income **and** program eligible. To be program eligible, the applicant must present a need (ex. have a bill due) at the time of service.

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Home Energy Assistance Program State Overview

In its 1994 reauthorization of the LIHEAP program (Public Law 103-252, signed May 18, 1994), Congress put additional emphasis on awarding benefits to those who needed them most by defining the purpose of LIHEAP as, in part, to "**provide assistance to low-income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy.**"

Further, Section 2605(b)(5) was changed and now requires States to "provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size."

South Carolina's Home Energy Assistance Program is designed to help the state's income eligible households pay the price of home energy, defined as residential heating and cooling, and to increase energy self-sufficiency; thereby reducing the vulnerability resulting from energy needs. The program is also designed to intervene in energy-related crisis situations (42 U.S.C. 8623(c) and 8624(b)(1)) and to conduct outreach (42 U.S.C. 8624(b)(1)). The program also provides services to encourage and enable households to reduce home energy needs and consequently eliminating the need for energy assistance including needs assessments, energy and income counseling and assistance with energy vendors (42 U.S.C. 8624(b)(16)). Payments are made directly to vendors and credited to the applicant's bill.

South Carolina's LIHEAP Program Goals

The goals for LIHEAP are:

1) Expand outreach to previously unserved households;
2) Target energy assistance to eligible households with the highest energy needs and lowest incomes;
3) Increase efficiency of energy usage by applicant households; and
4) Identify resources to broaden the reach of LIHEAP funds.

Grant Award Disbursements

Agencies will receive the grant award(s) based upon OEO's receipt of the federal notice of award(s), the timely completion, receipt and final OEO approval of the agency's Community Action Plan and application budget.

LIHEAP Fund Limitations

Section 2609 of the LIHEAP Statute (Limitations on Use of Grants for Construction) state Grants made under this title may not be used by the State, or by any other person with which the State makes arrangements to carry out the purposes of this title, for the purchase or improvement of land, or the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility.

South Carolina's LIHEAP Operations

South Carolina's LIHEAP operates on a calendar year (January 1 – December 31), and provides eligible households benefits in the following categories:



Heating: January 1 – April 30
Cooling: May 1 – September 30
Heating: October 1 – December 31
Crisis: January 1 – December 31

Heating and cooling assistance must only be provided during the appropriate season.

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Mandatory use of the Statewide Database

Subgrantees must fully utilize the DBA FACSPro database system to include the DBA application (customer report) for customer intake as arranged by the South Carolina OEO.

Each eligible entity shall use the statewide application generated by (DBA) **in its entirety** to determine eligibility for OEO administered grants. The following documents are included as part of the mandatory statewide application:

- Notice of Fair Hearing and Appeals (which shall be provided to all customers)
- DBA Application (customer report) signed by the customer and agency staff.
- DBA Customer Voucher (to include the statewide Notice of Fair Hearing and Appeals)
- DBA Vendor Voucher
- Notice of Denial (when applicable)

The OEO prohibits any practice of pre-screening or preapplication. Failure to use the full OEO application as intended by the State may result in consequences against the eligible entity.

Customer Applications

Timeframes to Process Customer Applications

Except for emergencies, OEO requires eligible entities to process all nonemergency customer applications, regardless of the method of intake, within 10 business days of receipt and to notify each applicant of their approval, denial or when additional information is required to determine eligibility.

When does the application process begin?

Each agency should have a process in place to timestamp applications submitted to the agency. If not, OEO will consider the date on the customer's original application to determine compliance with the 10 business days allowed to process applications.

Notice of Denial for Ineligible Applicants

Within 10 business days from the date of submission, CAAs must notify each applicant of their denial. For applicants/households deemed ineligible, CAA intake staff should select the "Service Not Received" option in the statewide database to properly account for ineligible and incomplete applications.

A **Notice of Denial form** will automatically print when "Service Not Received" is selected. The agency must notify the applicant of their reason for denial as outlined on the form:

- ☐ Applicant/household did not meet the program eligibility requirements.
- ☐ Applicant failed to provide sufficient evidence regarding their application to determine eligibility.
- ☐ Other
- ☐ A file with a copy of the customer report (application) and support proving why the applicant/household was denied assistance should be retained by the agency.

Application Retention

OEO eligible entities are required to fully utilize the statewide database (DBA FACSPro) and must enter and account for all customer applications in DBA, whether the household/customer is assisted or not. Not retaining or destroying applications submitted to a local agency violates 45 CFR §75, Retention requirements for records.

New! **How to Serve Households Relocating**

When providing a service to a household relocating outside of the CAA's service territory, **it is the responsibility of the CAA where the household currently lives to provide the service**.

Example: A customer with a newly executed lease who has yet to move to the new location but is seeking assistance with an energy deposit would be served by the agency where the household currently resides.

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In summary, the CAA where the household currently resides will pay the energy deposit for energy to be established at the new location

LIHEAP Federal Income Guidelines

South Carolina will determine LIHEAP eligibility based on 60 percent of the State's Median Income (SMI).

2024 INCOME GUIDELINES

FAMILY SIZE	60% SMI MONTHLY HOUSEHOLD	60% SMI ANNUAL HOUSEHOLD	Maximum Gross Income for Households with the Lowest Incomes (used to determine HH energy burden)
1	$2,332.83	$27,994.00	$19,595.80
2	$3,050.58	$36,607.00	$25,624.90
3	$3,768.42	$45,221.00	$31,654.70
4	$4,486.25	$53,835.00	$37,684.50
5	$5,204.00	$62,448.00	$43,713.60
6	$5,921.83	$71,062.00	$49,743.40
7	$6,056.42	$72,677.00	$50,873.90
8	$6,191.00	$74,292.00	$52,004.40
9	$6,325.58	$75,907.00	$53,134.90
10	$6,460.17	$77,522.00	$54,265.40
11	$6,594.75	$79,137.00	$55,395.90
12	$6,729.33	$80,752.00	$56,526.40
13	$6,864.00	$82,368.00	$57,657.60
14	$6,998.58	$83,983.00	$58,788.10
15	$7,133.17	$85,598.00	$59,918.60

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FIGURE 1.1 State Median Income are in effect as of January 17, 2024. In accordance with 45 CFR 96.85, 60 percent of each State's estimated median income for a 4-person family is multiplied by the following percentages to adjust for household size for LIHEAP:

South Carolina's median income for a 4-Person family is $53,835. To calculate for one person multiple $83,778 by 52 percent. Multiply 68 percent for two persons, 84 percent for three persons, 100 percent for four persons, 116 percent for five persons, and 132 percent for six persons. For each additional household member above six persons, add three percentage points to the percentage for a six-person household (132 percent), and multiply the new percentage by 60 percent of the State's estimated median income for a four-person household ($53,835).

Income Eligibility

Applicants must apply in their designated service area based on the county in which they live. The 60% of the state's median income will be used as the primary criterion in determining income eligibility. To receive assistance under LIHEAP, an applicant's total household income must not exceed 60% of the state's median income (SMI).

The term "household" is defined by the LIHEAP Act of 1981 as any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent". Total household income is based on income at the time of application.

Income Verification

Income eligibility will be determined once during a program year using the household's 30-day income at the time of the approved application. If the household meets the income guidelines, the household will be considered eligible for all qualifying grants for the remainder of the program year (see exception below for zero income). Agencies do not have to change the Income Verification Date for each new application.

If the individual/household seeks additional assistance during the same program year, the CAA must complete a new DBA application (customer report) for each additional service and have the applicant sign the application for every service. The applicant and agency staff signatures must appear on ALL required documents for application.

The applicant will only be required to present a current bill(s) and supporting documentation. Households may be reassessed if the household was deemed ineligible for assistance. Note: Agencies may determine how often to reassess ineligible households.

After initial determination, the income level of a household should be reviewed at the time of each service (ex. CAAs should ask, *"Have there been any changes in your household income or household size since the last time you were assisted?)* Any time the CAA becomes aware of a change in income or circumstance, the household's income/family size should be updated for the purpose of determining continued program eligibility.

New! *Households Reporting Zero Income*

Households reporting zero income (total gross income is $0) must be reassessed for income eligibility at the time of each application for service throughout the program year. This will require current proof of income (to include unemployment printout) for all adults in the household age 18 and older.



How to Calculate Income

When calculating total household income, include all income (use actual amount; do not round) for **the last 30 days** (include the date of application). Calculate the **"gross"** income to determine eligibility. Gross income refers to the total income an individual receives before taxes and other approved deductions.

Once minimum income eligibility criteria is established, priority is then given to vulnerable households; particularly those with the lowest incomes that pay a higher proportion of household income for home energy, primarily in meeting immediate home energy needs.



Income & Contribution Frequencies

Income/contributions should be entered in the statewide database (DBA) based on the frequency of pay using gross amounts: when an applicant or household member is paid weekly throughout the 30-day period, enter the income as "weekly"; if paid bi-weekly (every two weeks or 14 days) enter income as "bi-weekly; if paid semi-monthly (twice per month) enter as semi-monthly; if monthly (paid once each month) enter as monthly.

To determine the accurate 30-day income to be entered into DBA, the calculations are as follows:

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- **Weekly:** (((amount 1 + amount 2 + amount 3 + amount 4) /4) * 4.33)
- **Bi-Weekly:** (((amount 1 +amount 2) /2) * 2.165
- **Semi-Monthly** (amount 1 + amount 2)
- **Monthly** (monthly income x 12)

Individuals with Wages

When an applicant or member of the household has earned only one paycheck in the 30-day period, enter it based on the frequency of payroll period, also. SC ROMA (DBA FACSPRO) will provide the calculations to determine eligibility.

- **Self-Employed Individuals/Tax Filings**

When an individual is self-employed and operating a business outside of the home, use the "net" profit. An individual must provide a current signed and **accepted** Federal Tax Form in its entirety pertaining to the business (e.g. 1040 Schedule C of Profit or Loss or 1040 Schedule C-EZ). For Form 1040 schedule C, use total from line 31(Net Profit), divide it by 12 = monthly income amount.

If using form 1040 schedule C-EZ, line #3 should be used. Other IRS forms include Form 1065 Partnership Return of Income (request Tax Schedule K-1 Form 1065 Partner's Share of Income, Deductions, Credits), Form 1120S (request Tax Schedule K-1, Form 1120S). When an individual is self-employed, operating an in-home business, such as childcare, use the "gross" income.

If a loss is reflected on the customer's tax document, income should be considered zero.

When only recently self-employed, an individual must provide quarterly, or monthly tax statements provided by the South Carolina Department of Revenue. If the self-employed individual does not file his/her taxes quarterly, provide a copy of the business license and Declaration of Zero Income form. If the self-employed individual does not file his/her taxes quarterly and does not have a business license, complete a Declaration of Zero Income form.

Tax form 1065 Partnership Return of Income

The schedule K-1 is a tax document used to report the income/losses of a business partners in a shared company. Use the income recorded on line 14A. Self-employment earnings (loss).

How to calculate quarterly taxes: Divide the most recent quarterly tax amount by 3 = average monthly income amount. Appointment books should not be used to verify income. When an individual's business has been terminated, verification of termination is required (e.g. state certification verifying termination).

- **Gig Economy Jobs**

When determining the income of contracted employment such as **Uber, Lyft, Grub Hub, etc.**, collect all wages (to include tips) received within 30 days of the date of application and calculate income using the **gross** monthly frequency.

Gig workers' income may be evaluated for eligibility in the following ways:

- **Monthly Wages**

  The customer's employment documentation must clearly display the business name (Ex: Uber), their first and last name, gross earnings for the entire month and indicate the month the wages were earned. Note: Gross amounts may include fees.

- **Day Laborers**

  When determining the income of **day laborers**, collect all wages received within 30 days of the date of application and calculate income using the monthly pay frequency.

- **Declaration of Zero Income Form with Unemployment Printout**

The Declaration of Zero Income form should be used as a last resort, when all efforts have been exhausted to provide sufficient documentation.

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Persons reporting no earned income or having no source of a monthly benefit (such as Social Security) must complete the Declaration of Zero Income form **accompanied by an employment/unemployment printout from the Department of Employment and Workforce (DEW) to prove the individual's unemployment status.** Note: Agencies cannot require customers to file an unemployment claim.

Persons who are in the process of seeking disability benefits who report no income must provide a letter from the Social Security Administration verifying that they have an open case that is dated within the last 30days instead of an unemployment printout.

Unemployment printouts will not be required for 18-year-old students still enrolled in high school (proof required).

If an adult member of the household is receiving funds from an outside source to contribute toward household bills, determine the monetary amounts toward food, shelter and utilities, and enter the average monthly income total in DBA as "contributions" or "miscellaneous income". Items that may be captured on the Declaration of Zero Income form include: child support (contributions in care of a child that is not court-ordered), utility check or other monetary assistance provided to the household that is not employment. **Be sure not to enter the same income twice.**

If a youth (under age 18) provides finances to the adult household member for food, shelter or utility expenses, the amount must be included as income to the adult under miscellaneous/cash contributions on the Declaration of Zero Income form.

New! *Households Reporting Zero Income*

Households reporting zero income (total gross income is $0) must be reassessed for income eligibility at the time of each application for service throughout the program year. This will require current proof of income (to include unemployment printout) for all adults in the household age 18 and older.

- **Award Letters** (Social Security, Supplemental Security Income, VA Benefits, Pensions, etc.)

The Social Security Administration (SSA) announced that benefits will increase 2.5% in 2025.

Source: https://www.ssa.gov/cola/

A current year's award letter (only the pages that reflect gross income) may be used to verify income, using the gross amount. Gross income refers to the total income an individual receives before taxes and other approved deductions.

Proof of disability is to be provided from a current or prior year's award letter from the Social Security Administration (SSA), a current year's letter from Vocational Rehabilitation or the Veterans Administration, disability more income check, or an official handicapped sticker bearing the appropriate photograph. Disability may be temporary or permanent.

"Disabled" describes an individual who has a physical or mental impairment that prohibits one from working at any substantial employment that otherwise s/he would reasonably be able to perform and that will probably continue for an indefinite period of at least 12 months or who has been certified as permanently and totally disabled by a state or federal agency qualified to render that decision. Short-term disability and workman's compensation are also recognized as a form of disability.

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A spouse or child receiving Social Security benefits is not necessarily disabled. There are four main types of social security benefits: (1) retirement payments as early as age 62, (2) survivor payments made at any age, (3) disability insurance payments made to disabled persons that stops or limits a person's ability to work, and (4) monthly payments made to people with disabilities and older adults (age 65+) who have little or no income or resources. The medical standards for disability are the same for Social Security (SS) as for Supplemental Security Income (SSI) for individuals age 18 or older. There is a separate definition of disability for SSI children under age 18.

SSI payments are made in three categories: (1) to aged individuals – 65 or older, (2) to disabled persons under 65 who have an impairment so severe the person cannot do any substantial work, and the impairment will last 12 months or result in death, and 3) to blind individuals under age 65 and legally blind. Children may receive SSI payments if blind or disabled, based upon the parent(s) resources and income.

If you have questions, contact your local Social Security office or call 1-800-772-1213. **Note: The SSA has asked that CAAs contact them at the number above or your local SSA office if documents are required to service customers, rather than sending customers to their office for documents.** "Understanding SSI" is available online at www.socialsecurity.gov/.

- **Child Support**

When calculating child support to determine applicant eligibility, add all payments made within 30 days, to include the date of application, and enter the total "gross" amount into DBA using the monthly pay frequency.

- **Families with Foster Children**

A foster child is a child placed with a foster parent(s) by judgment, court order, or an authorized placement agency (state or local government organization).
When serving households with state-placed foster children, the foster child should **not** be included as a member of the household. These children are considered wards of the state. A DSS placement letter is required in the file.

Monthly allowances made to foster parent(s) as reimbursement for the cost of caring for the child should not be counted as income. However, separate wages paid to the parent should be included as income, as these funds are considered payment to the temporary caretaker.

- **Utility Checks**

When determining income, **utility checks made payable to and issued directly to the customer should be calculated as income** since the customer is not required to remit/forward this payment to the utility vendor as payment for service.

Utility checks issued directly to vendors monthly on behalf of applicants who reside in subsidized housing are benefits to subsidize the already very low-income status of those households. In these instances, benefits **are not to be counted as income** on the application.

Contributions/Income to Exclude

The following categories of contributions and income should not be counted when determining eligibility.

- **Temporary Assistance for Needy Families (TANF)**

TANF should not be counted as income.

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- **Contributions from Nonprofit Organizations**

Contributions/donations from non-profits should not be included as income unless the funds are given directly to the customer. Funds paid directly to the vendor on behalf of the customer should not be counted as income.



- **Income Tax Refunds**

Tax Refunds should not be included as income (refer to US HHS IM 119 or LIHEAP Memorandum No. L08-05 for additional information).

- **Income from Minors**

Income is not calculated for persons under age 18 (to determine income eligibility); however, if the youth provide finances to the adult household member for household expenses, the amount must be included as income to the adult under miscellaneous/cash contributions. If household members under 18 receive Social Security or Disability income, the gross amount must be included as income under the payee or custodial adult's name living in the household.

Please note**: <u>The current DSS printout may not be used to verify members of the household, or earned income</u>**; however, it may be used to verify utility check and child support amounts if listed on the printout.

- **Student loans**

Student loan refunds should be included as income <u>if</u> funds are used to help sustain the household.

- **Disaster Assistance**

Income from disaster relief assistance, such as FEMA, should not be included as income.

PROGRAM ELIGIBILITY

Once an applicant has been determined to be income eligible, program eligibility must be established in accordance with the Office of Economic Opportunity's approved LIHEAP State Plan, the CAA's accepted Community Action Plan and/or federal and state laws, policies and procedures.

South Carolina Identification

Applicants are required to submit proof of permanent primary physical residency.
All customer documents must be current and accurate at the time of application to determine program eligibility.

The applicant must provide a copy of his/her current official (state-issued) pictured identification such as a South Carolina identification card or driver's license. Eligible residents may obtain a SC identification card from the SC Department of Motor Vehicles.

The SCDMV requires persons with a valid driver's license or <u>identification card</u> from another state who permanently move to South Carolina to apply for a SC license or ID <u>within 45 days of moving to the state</u>.

<u>All information provided for income and program eligibility must be consistent.</u> If a client's address listed on the application or bill does not match the address listed on their driver's license/ID, their address may be changed and printed online (https://www.scdmvonline.com/dmvpublic/trans/AddrChange.aspx). If the online process cannot be accomplished, the customer is responsible for providing the current driver's license/ID.

NEW! Serving Homebound Applicants with Expired South Carolina Identification

A homebound person is defined as one who is unable to leave his/her home due to:
(1) advanced age (75+);
(2) disability; or
(3) illness
AND requires the help of another person or medical equipment to leave the home, or a doctor believes that a person's health or illness could get worse if he/she leaves the home.

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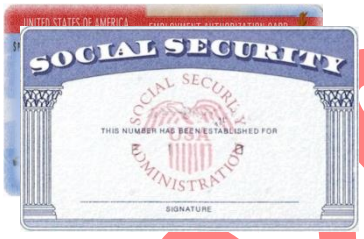
A homebound individual who has an expired ID may be assisted with a clarifying statement of his/her homebound status.

CAAs must defer to their agency's internal procedures to serve homebound individuals. Homebound assistance will allow staff to verify the applicant's identity and billing address.

South Carolina Identification for Immigrants
The SC Department of Motor Vehicles requires eligible residents to present originals or government-issued copies to prove (1) South Carolina residency, (2) identity, date and place of birth, authorized length of stay in US and (3) legal documents supporting name change(s).

If an immigrant is denied a South Carolina ID, the CAA should contact OEO for further guidance.

Proof of U.S. Citizenship/ Legal Residency



LIHEAP defines eligible household members as any individual who is a U.S. citizen or "qualified alien". A "qualified alien is defined at 8 U.S.C. § 1641(b). Members of the household must meet the eligibility requirements specified in Section 2605(b)(2) of the Low-Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)). Therefore, **LIHEAP household members who benefit from assistance must be U.S. citizens or provide proof of legal residency.**

By law, states are to ensure that federal provisions related to providing services to qualified individuals are in full compliance. Therefore, a household including eligible members cannot be denied service.

If the only legal household member is a child, the legal household member(s) is still considered eligible. Continue to list the applicant as an "Undocumented Immigrant" when applicable, and serve the household based on the Prorated benefit (refer to DA and ECIP).

Documents to verify qualified alien status include such as the I-94s for refugees, asylum determination letter, lawful permanent resident status (green card – most recent version has expiration date), Consular ID, alien registration card, and social security card. The Bureau of Immigration and Naturalization and/or the Social Security Administration may be used to validate documentation.

NEW! Social Security Numbers for Newborns
A grace period is allowable for families to obtain a Social Security card for newborns up to 6 months of age.

Updated! LIHEAP Customer Checklist
Each customer file must contain current, accurate and legible documents to include:

- ☐ A completed, signed application reflecting income eligibility and all household members, income proof for all household members 18+ years old
- ☐ Applicant's official (state-issued) pictured identification such as State (SC) Identification Card, SC Driver's License
- ☐ Social Security card for each household member (or government issued document).
- ☐ Proof of military/veteran status, when applicable.
- ☐ Proof of disability status, when applicable
- ☐ Energy bill(s)/Billing & Payment History
- ☐ Income support documents (income screens, unallowable cost calculations, vouchers, check numbers)
- ☐ Benefit calculations, when applicable
- ☐ Proof of emergency

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Frequency of LIHEAP Services *

Eligible households may receive **a maximum of two LIHEAP services for the duration of the program year**. To stretch resources, an agency may restrict the frequency of LIHEAP services during the program year.

Serving Agency-Related Parties

There is no prohibition against an eligible entity providing LIHEAP-funded services/benefits to members of its tripartite board, its staff or members of their families who apply for services/benefits, provided that:

(1) The applicant meets all applicable eligibility criteria for the services/benefits;
(2) The applicant does not receive preferential treatment in receiving the services/benefits due to his or her connection with the eligible entity; and
(3) The services/ benefits are provided on terms similar to those provided to individuals who are not so connected to the entity.

Neither the applicant nor a member of his/her family should make the determination of whether the applicant is eligible for the LIHEAP-funded services/benefits. Furthermore, **The Executive Director must approve all agency employee, board member and employees of other CAAs applications for assistance by signing and dating the application BEFORE payment is rendered.**

LIHEAP Client Assistance Payments

Applicant must reside at the address stated on the utility bill; however, when the bill is in the name of a household member other than the applicant, the applicant must provide proof s/he resides at that address, relationship to applicant (if applicable) and approval to access that account. Husband and wife living in the same household do not need approval to access the account.

Bills will no longer be accepted if the person whose name appeared on the bill has been deceased longer than 12 months (proof needed), bill is in a minor child's name, or bill is in non-household adult's name.

When the bill is in the name of the landlord, the landlord must provide a statement indicating that the applicant is permitted to access that account, to include making payment on the account. The file must include this documentation. Customer must provide a current Lease Agreement indicating the account is in the landlord's name, but the bill is the responsibility of the tenant.

If the customer has either a zero balance (the total amount due is $0) or a credit of $10 or more on a prepay account, assistance **should not** be provided.

GEAP funds should not be used to pay energy charges unless the total allocations for **LIHEAP and Project Share** funds have been exhausted for the program year, by county. This must be proven during monitoring or funds will have to be reimbursed.

Each check and/or voucher must be made payable only to the vendor from whom the applicant proposes to obtain services.

The voucher/check used for direct client (monetary) assistance shall be documented as follows:

- CAA's (Subgrantee) name as payer;
- Vendor's name as payee; and
- Eligible applicant's name as recipient.

Payment should indicate "Credit only to home energy expense." Agencies should not contract with vendors that cannot meet this requirement. Any changes to the voucher award amounts must be updated in DBA and provided to the customer and vendor.

Dual Home Energy Sources

The USDHHS Division of Energy Assistance allows agencies to pay energy bills when there are two sources of energy required to heat and cool a home.

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Example: A home heated with natural gas requires electricity to heat the home.

Both energy bills may be paid as one allowable LIHEAP service (even if each service is provided by different vendors). The different energy sources should be notated in DBA as primary and secondary.

The energy burden should be calculated using the combined current energy amounts of each bill, excluding all unallowable and non-energy charges.

IMPORTANT:
Statewide LIHEAP Vendor Agreement

South Carolina's statewide LIHEAP vendor agreement should be executed by the local CAA and the participating energy vendor to provide LIHEAP benefits to low-income households for the purpose of supplying energy to cool, heat, deliver fuel, pay energy deposits or other heating/cooling-related costs.

Before a household can receive LIHEAP assistance and the energy vendor can be paid, the CAA and the energy vendor must execute the current statewide LIHEAP Vendor Agreement agreeing to the terms of the grant.

When executing the LIHEAP vendor agreement with the CAA, the participating LIHEAP vendors agrees to accept the LIHEAP energy voucher in exchange for payment. The terms of the grant do not require the vendor to be knowledgeable of allowable and disallowed LIHEAP costs or have a system in place to separate and apply charges accordingly. This is the responsibility of the CAA.

The CAA is responsible for determining the household's LIHEAP energy benefit based on the state and federal definition of allowable LIHEAP energy-related costs. Reference "LIHEAP Allowable and Unallowable Charges" (P. 44).

If a vendor would like to participate but **does not have a system to track LIHEAP** deposits, an addendum to the LIHEAP vendor agreement must accommodate the statewide vendor agreement that clearly states the vendors capabilities.

Ex. *If the vendor cannot track LIHEAP deposits to ensure grant funds are returned to the CAA and not the customer, the agency cannot pay energy deposits for that vendor's customers.*

LIHEAP eligible entities must have current executed statewide LIHEAP vendor agreements on file for each of its energy vendors (to include Duke and Dominion Energy). Note: OEO's agreement with vendors do not apply to the local CAA.

- Each vendor must complete a Vendor Agreement and a W-9 to be certified by the Subgrantee. Once completed and on file, the Vendor will only need to complete a new Agreement and a new W-9 if the proprietor's name, address or FEIN changes.

- The vendor is to credit the customer's account in a timely manner and return the energy voucher(s)/transmittal/invoice to the Subgrantee for payment. Vendor Agreements should contain language that prohibits the paying of water, sewer, products and services, meter tampering charges, security systems and returned check fees.

- Within 30 days of the date of the receipt of the energy voucher(s)/transmittal/invoice, payment of the exact dollar amount will be made to the vendor. Any changes to the voucher award amounts must be updated in DBA and provided to the customer and vendor. During program monitoring, OEO will review proof of timely payments.

- Payments are not to be rounded. When a vendor has not received payment within thirty (30) days following the date of receipt of the bill submission, the vendor should immediately contact the Subgrantee and report the delay in

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payment.

- Subgrantees should submit a 1099 IRS Form to record vendor payments more than $600* to non-incorporated vendors.

- Vendors are to accept payments on behalf of eligible households for:

  (1) Electricity and/or natural gas;

  (2) Firewood and for ancillary charges for delivery, stacking and splitting of wood during delivery;

  (3) Propane, fuel oil, coal or other approved fuels and for ancillary charges for delivery, including cost of parts and labor incurred in attaching the fuel tank to the household's residence;

  (4) and deposits to establish energy to the primary residence (if the vendor has the systems in place for tracking).

Vendors **shall not** exchange a customer's LIHEAP energy voucher for cash, nor will any cash equivalent be given for excess credit.

LIHEAP Vendor Agreements must be available for review upon request during each monitoring visit.

LIHEAP Allowable and Unallowable Charges

LIHEAP funds ***may be*** used to pay:

- Electric/Fuel deposits
- Fuel Tank Installations
- Late fees
- Mandatory Roundup fees
- Regulated Renewable Energy Charge
- HAZMAT fees
- Delivery charges/expedited delivery charges
- Franchise fees
- Storm Recovery fee (Duke Energy)
- Natural gas/Propane (**heating season only**)
- Mandatory and/or regulated fees required for service
- Line Check Fees for Fuel
- Emergencies approved by OEO

LIHEAP funds ***may not*** be used to pay:

- Sewer and sanitation products and services
- Outside light/pole fees
- Unregulated/voluntary fees
- Outdoor and subdivision lights (light/wood poles)
- City/county fines for late garbage bin pickup
- Meter tampering charges, maintenance fees, security systems and returned check fees.

Important: LIHEAP funds may not be used to pay any vendor unwilling to credit LIHEAP funds to cooling and heating costs, only.

Energy Bill Descriptions

Utility bill round-up fees

The U.S. Department of Health and Human Services (USDHHS) stated (November 21, 2006) that LIHEAP funds may not be used to pay customer contributions that are voluntarily donated for round-up programs; those fees must be deducted from the client's utility bill and excluded from the LIHEAP service amount (Refer to LIHEAP Program Assistance Memorandum L 17-06). **However, when a utility company charges a mandatory round-up fee on all customer utility bills, USDHHS has stated that the charge has become a part of the household's utility bill and has to be paid in order for the household to maintain service. Therefore, in these instances' agencies can pay round-up fees.**

If LIHEAP funds are used by vendors in ways that are different than what is described in the LIHEAP Statute and State Plan, this may constitute an improper use of funds. (Reference LIHEAP IM 2010-13 Use of LIHEAP Funds Coordinated with Vendor Assistance Programs).

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Deferred Payment Plan (DPP)
A Deferred Payment Plan (DPP) is a formal arrangement with the utility vendor and the customer, allowing the customer to pay an outstanding bill in installments. While outstanding debt is paid in installments, the customer will still accrue current utility charges. Therefore, the customer is responsible for paying old and current debt until the outstanding debt is eliminated.

To assist a LIHEAP customer with an emergency (ECIP) DPP, the agency must have detailed itemized bills for each month to determine that all charges included in the DPP are allowable. Without detailed bills the agency can only pay current allowable energy charges, and the customer will be responsible for the remainder of the bill or show proof that the vendor has agreed to work with the customer to satisfy the balance (proof required). The customer must satisfy their portion of the bill prior to the agency's commitment.

To assist a LIHEAP customer with a nonemergency (DA) DPP, carryout the necessary application award process for a DA benefit. Note: The agency must have detailed itemized bills totaling the balance of the payment plan.

Equalized Payment Plan (EPP)
The EPP allows customers to pay their household energy usage in 11 equal payments and settle in the 12th month. To calculate customer's monthly payment, the energy vendor calculates the customer's total energy charges from the previous year and divides that by 11 to give the customer a more predictable bill.



At the end of the 12-month period, the total amount of energy used and paid for is assessed. Any over- or under-charge is included in the customer's 12th month bill and a new monthly payment is calculated. If the customer paid more electricity than they used over the first 11 months, the vendor will credit the customer's account for the difference in the 12th settle-up month. If more electricity was used than paid for, the customer will be billed for the difference.

Eligible customers may qualify for either nonemergency (DA) or emergency (ECIP) LIHEAP service. **IF the vendor provides the customer a cash reimbursement for overpayment in the 12th month instead of crediting the customer's account, the agency may only provide the customer an ECIP service, paying only the actual energy used each month and other allowable fees.**

To assist a LIHEAP customer with an emergency EPP, the agency must have detailed itemized bills for each month. The customer must satisfy their portion of unallowables on the bill prior to the agency's commitment.

To assist a LIHEAP customer with a Nonemergency EPP, carryout the necessary application award process for a DA benefit.

Automatic Draft Bank Accounts
Customers who have elected to have their utility charges automatically drafted from their personal account will not be reimbursed.

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Section 3A

Direct Assistance (DA) Nonemergency Benefit

The Direct Assistance Program is designed to provide financial assistance to help avert, prevent, deter and avoid utility crisis. DA funds are reserved for the provision of financial utility services that are provided before the initial onset of an emergency.

To be eligible for the LIHEAP nonemergency DA benefit, the applicant/household must not exceed 60% of the state median income and prove it has an obligation or responsibility to pay its home energy bill.

A Direct Assistance benefit matrix is used to determine the amount a qualifying household may receive and is based on the unique characteristics of each household. South Carolina's benefit matrix is designed to target energy assistance toward the most vulnerable and underserved households that include:

- Households with an energy burden
- Households with a total income at 30 percent of the SMI or lower
- Households that heat with fuel
- Households that include at least one elderly member (age 60 and older)
- Households that include at least one person with a proven disability
- Households that include at least one child (age 5 and younger)
- Households that include at least one U.S. military veteran

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THIS SECTION EFFECTIVE BY OEO MEMORANDUM ONLY

Frequency of LIHEAP Services

With a presented need, income-eligible households may receive LIHEAP assistance a maximum of two times during the program year. However, to stretch resources, an agency may limit the frequency of LIHEAP assistance to a household each year. Modifications to an agency's frequency of LIHEAP services should be included in the agency's logic model and submitted to OEO.

Maximum Direct Assistance Benefit

At a minimum, each qualifying household will receive a base Direct Assistance benefit of $200. Additional amounts may be added to the household's total benefit based on the characteristics of its members.

The maximum Direct Assistance benefit a household may receive during the **heating season** is $850.
The maximum Direct Assistance benefit a household may receive during the **cooling season** is $775.

Direct Assistance Program Eligibility

Direct Assistance may be provided if the customer is not in crisis. Note: Arrearages may go beyond the current month and one month past due.

Direct Assistance Payments

The Direct Assistance nonemergency benefit may be used to pay home heating and/or cooling costs (**excluding** water, sewer, sanitation, products and services, outdoor and subdivision lights, light/wood poles, city/county fines for late garbage bin pickup, voluntary round-up fees, meter tampering charges, security systems and **returned check fees**).

Because Direct Assistance is not an emergency program, **a balance is not required to be satisfied on the customer's account, however, all unallowable charges must be paid prior to service or deducted from the maximum award benefit.** A letter from the vendor will suffice as proof that the merchant will work with the customer on the outstanding amount of unallowable charges.

If the customer has either a zero balance (the total amount due is $0) or a credit of $10 or more on a prepay account, assistance **cannot** be provided.

Greatest Benefit Exception for Households with Elderly and/or Disabled Persons

Direct Assistance funds may be used to pay for emergency services **for elderly and/or disabled households, only**, if the DA benefit will provide a larger financial award when compared to the allowable ECIP benefit.

Providing Nonemergency Energy Assistance to Mixed Status Households with Undocumented Immigrants

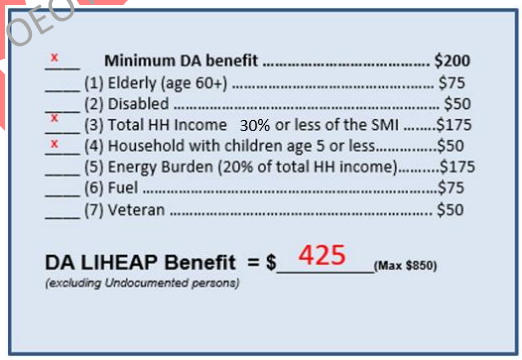
Complete the application listing the undocumented immigrant as a member of the household (capture any income if applicable on the Declaration of Zero Income form). When determining the itemized household benefits (i.e. – Child age 5 or under, Energy Burden, Elderly, Disabled, Income at or less than 30 of 60 percent of the SMI), only consider eligible household members (exclude undocumented immigrants). After the household's benefit has been determined, apply the Direct Assistance Prorated Calculation to determine the benefit per person. Only apply the prorated benefit amount to each eligible household member.

Total DA Benefit ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

Example:

Household Description:
- *One Adult – age 40*
- *One Undocumented Immigrant – Elderly, Disabled*
- *Two children – ages 12 and 5*
- *SMI - $34,000*

Step One: Determine the household's nonemergency benefits, based only on eligible members of the household (do not include undocumented persons.)



Step Two: After the benefit has been determined, apply the Direct Assistance prorated calculation to determine the benefit per person.

Total DA Benefit ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

$425 ÷ 4 = $106.25 benefit per HH Member

Step Three: Only apply the prorated benefit amount to each eligible household member.

$106.25 x 3 = $318.75 Total Prorated DA Benefit

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DA BENEFIT LEVELS

Minimum Benefit Level (Heating or Cooling) ……$200

Additional benefits if:

(1) Elderly (age 60+……$75

(2) Disabled……$50

(3) Very Low Income (HH is **30%** or less of the SMI)….$175

(4) Applicant with children age 5 or <……$50

(5) Energy Burden (20% of total HH income)……$175

(6) Fuel *(not provided during cooling season)*……$75

(7) Veterans……$50

Maximum Heating Assistance……..$850

Maximum Cooling Assistance……..$775

Vulnerable Households Defined

(1) Elderly - Individuals age 60 years or older.

(2) Disabled – Individuals must provide proof of disability. Proof of disability is to be provided from a current year's award letter or SSI report from the Social Security Administration (SSA) verifying disability, a current year's letter from Vocational Rehabilitation or the Veterans Administration, Disability Income Check, or an official handicapped sticker bearing the appropriate photograph. Disability may be either temporary or permanent. This medical documentation must be attached to the application on file.

(3) NEW! Very Low income is 30% of the State Median Income - Refer to the current federal register for published income guidelines. Total household income for the last 30 days, including the date of application must be at or below the 30% SMI. Note: SMI is 60% of the State's Median Income.

(4) Household with Children Age 5< - One or more children living in household age 5 or younger.

(5) Energy Burden – An Energy Burden must be calculated using only the current month's home energy cost (ex. kWh or Therms). To determine the Energy Burden for electric households, multiply total monthly household income by 20% (.20) = PRODUCT.
If the current energy bill is higher than the PRODUCT, then an energy burden has been demonstrated. The current home energy cost should exclude all non-utility and unallowable charges.

Example: Total current utility bill is $300, non-utility charges total $50 (round-up fees, franchise fees, service charges and non-regulated charges). $300-$50 = $250. The total allowable energy amount is $250.

Because fuel expands, tanks and cylinders are never filled to the maximum size of the tank. Instead, tanks are only filled to about 80 to 85 % of their capacity. **To determine the Energy Burden for fuel customers, multiply the cost to fill the customer's tank by 80%.**

If a household receives both electric and gas charges on the same bill, combine the total amount of home energy used (kWh and Therms) to determine the current Energy Burden.

(6) Fuel – According to the LIHEAP Performance Measures, fuel is defined as Natural Gas, Fuel Oil/Kerosene or Propane (LPG – liquefied petroleum gas). For an additional benefit, the household must heat with one of the fuels mentioned above. Proof of fuel service must be in the file. **Note: Natural Gas customers are eligible for the Fuel Benefit during the heating season, only.**

Kerosene and propane vendors must verify the tank is attached/connected to the structure. Portable kerosene heaters cannot be provided with kerosene assistance and should not be awarded a fuel benefit.

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(7) Veterans - Individuals must provide proof of veteran status. Documentation must be in the customer's file. Note: Dishonorably discharged veterans are not eligible for the additional Veteran Direct Assistance benefit.

Proof of Active Military or Veteran Status

Veteran's Administration

- Veteran Identification Card (VIC)
- Veteran Health Identification Card (VHIC)
- Veteran Income with status stated
- Veteran retirement or disability income

Department of Defense

- Common Access Card
- Uniformed Services Identification Card
- State Driver's License and ID with veteran's designation
- State vehicle registration with veteran's designation
- DD214 form or DD256 certificate with honorable discharge or less than honorable

Note: Dishonorably discharged veterans are not eligible for the additional Veteran Direct Assistance benefit.

All information provided for income and program eligibility must be consistent. If a client's address listed on the application does not match the address listed on their driver's license/ID, their address may be changed and printed online at: https://www.scdmvonline.com/dmvpublic/trans/AddrChange.aspx. If the online process cannot be accomplished, the customer is responsible for providing the current driver's license/ID.

Direct Assistance Customer Bills

The applicant must provide a copy or original energy bill (must have been issued within the last 30-days) to verify the account number. The customer's bill must detail all past due and current charges. When streetlights and other non-allowable items appear on a bill, those utility vendors must be required to *"Credit only to home energy expense"* to ensure compliance with LIHEAP requirements, or the agency is to pay only the energy expense up to the maximum allowable base the customer is eligible under DA.

Direct Assistance should not be used to pay bills that are in cut-off/disconnection status within five (5) days of the application date.

LIHEAP funds may not be used to pay customer deposits to any vendor unwilling to credit LIHEAP funds to cooling and heating costs, only.

When the balance of the DA benefit is less than $25, the agency may apply the remaining amount to the customer's final award.

Nonelectric Deliveries

Kerosene, wood, coal, and propane applicants' DA benefits must be calculated in the same manner as DA benefits calculated for natural gas and electricity customers, using all allowable benefit options for vulnerable households. In these instances, an Energy Burden may be applicable using the total energy cost, excluding unallowable and non-utility charges, identified on the bill/statement (must be a current bill) from the vendor for that service.

For home deliveries, vendors must provide a Non-Electric Fuel Affidavit provided by the agency, delivery ticket for the file documenting fuel type, number of gallons or cords of wood, cost per gallon, total delivery cost, delivery date, vendor name and address. Agencies must approve the service prior to the delivery (agency *may not* pay for services if the customer initiates the order for fuel/wood without CAA approval) if LIHEAP funds are to be used. The purpose of pre-approval is to ensure that customers are not placing orders assuming agency payments and avoid improperly shared information between customers and vendors. This *does not* apply to customers who are approved by the vendor for automatic route deliveries.

To determine the current amount on a new propane/fuel oil bill, use the cost listed on the vendor's bill/invoice that is needed to fill the tank.

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All kerosene, propane, wood and coal customers are to provide a statement from the vendor for the file that reflects the total number of gallons/cords to be purchased, fuel type, cost per gallon, vendor name and address. Kerosene and propane vendors must verify the tank is attached/connected to the structure. Portable kerosene heaters cannot be provided with kerosene assistance.

When the balance of the DA benefit is less than $25, the agency may apply the remaining amount to the customer's final award.



Fuel Customers and Pre-Pay Accounts

Income-eligible applicants with a zero balance or minimal credit ($10 or less) on an existing utility account may still have a documented need. Files should contain clear justification for assisting these income eligible, zero-balance applicants.

Direct Assistance may be used to pay "pre-payment" accounts and deposits with Electric Cooperatives, only. Pre-pay customers do not qualify for an energy burden since no current bill will be due, (this does not apply to propane and fuel oil). Note the SC Code below:

SECTION 33-49-255. Restrictions on interruption of electric service to residential customer for nonpayment of bill; exceptions:

(A) Except as provided in subsection (B) of this section, an electric cooperative must not interrupt electric service to any residential customer for nonpayment of a bill until twenty-five days have elapsed from the date of billing.

(B) An electric cooperative may interrupt electric service to a residential customer who has voluntarily enrolled in a prepay program if the prepay program allows the customer to monitor his consumption of electricity and his account balance daily and the balance of that customer's prepay account is zero, provided that the following conditions are met:

(1) at the time the residential customer enrolls in the prepay program, the residential customer is informed and agrees that his electric service may be interrupted when the balance of his prepay account reaches zero;

(2) electric service must not be interrupted before 10:00 a.m. on the next business day following an attempt by the electric cooperative to give the customer notice of the impending interruption by telephone or electronically; and

(3) service must not be interrupted except during hours when the electric cooperative is accepting cash payments. For purposes of this subsection, a business day is any day in which the electric cooperative, or an agent, is accepting cash payments.

(C) Nothing contained herein shall be construed to relieve an electric cooperative of the requirements of Act 313 of 2006.

SLAPP & Electric Cities

The Selected LIHEAP Assistance Payment Plan (SLAPP) is an incremental payment plan for customer's whose monthly energy bill includes charges that cannot be paid using LIHEAP funds (ex. water, sanitation, outside lights, etc.).

The household's total DA benefit will be issued to the customer in increments, covering only the allowable charges for each month until the full benefit is exhausted. **If the balance of a SLAPP is less than $25, the agency may apply the remaining amount to the customer's final award.**

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The CAA should inform the customer in writing of his/her responsibility to return monthly with a copy of the household's current bill to receive the remainder of the LIHEAP benefit until exhausted. Failure to return monthly may jeopardize the customer's remaining LIHEAP benefit. However, the CAA must create an internal policy and apply this rule to each customer consistently.

Example:

Customer's DA Award is $300.

Bill	Energy Charge	Agency Pays	Balance
January	$125	$125	$175
February	$160	$175	$0

Note: The agency provided the full balance in February because the remaining balance was $15 (under $25).

Vendors may not transfer, or cash out benefits to recipients; this must be addressed in your Vendor's Agreement. If a customer relocates and is no longer a customer of the vendor that was provided a benefit for that customer/household, all unexpended balances must be returned to the agency by the end of the program year. Vendor Agreements must indicate the vendor's understanding/acceptance of this policy.

Additionally, if vendors agree to apply all LIHEAP funds to the heating and cooling portions of the bill (in writing), incremental payments are not required.

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Section 3B

Emergency Crisis Intervention Program (ECIP)

The Emergency Crisis Assistance Program is designed to restore or prevent termination of an eligible household's home energy.

Emergency is defined as a sudden, urgent, unexpected occurrence or occasion requiring immediate action; a state, especially of need for help or relief, created by some unexpected event; an unforeseen combination of circumstances or the resulting state that calls for immediate action; or an unexpected situation that poses an immediate risk that requires urgent intervention. An emergency is never planned.

To be eligible for the LIHEAP emergency crisis benefit, the applicant/household must not exceed 60% of the state median income (SMI) and prove it has an obligation or responsibility to pay its home energy bill.

Frequency of LIHEAP Services

With a current need and/or proof of emergency, eligible households may receive a maximum of two LIHEAP services during the program year. **Note: To stretch resources, an agency may limit the frequency of LIHEAP assistance to a household each year.**

Maximum Emergency Crisis Assistance Benefit

With a documented emergency, an eligible household may receive ECIP assistance up to $1,500 to eliminate a household's home energy crisis. **Note: To stretch resources, an agency may reduce the LIHEAP benefit provided to a household for the program year.**

Modifications to an agency's LIHEAP benefit amounts and frequency of service should be included in the agency's logic model and submitted to OEO.

Timeframes to Resolve Home Energy Emergencies

An **18-Hour Life Threatening Crisis** is an emergency requiring immediate action to prevent the loss or impairment of life/health due to a medical condition if the household's energy service is interrupted. An award must be processed within 18-hours of determining eligibility. LIHEAP applications must be expedited to resolve life-threatening energy emergencies. Reference statewide timeframes for processing applications.

A **48-Hour Energy Crisis** is an energy crisis when a household is facing imminent disconnection and/or needs restoration of their home heating/cooling source. An energy crisis may also be the result of weather or energy-related emergencies. LIHEAP applications must be expedited to resolve energy emergencies. Reference statewide timeframes for processing customer applications.

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Timeframes to Resolve Home Energy Emergencies

Section 2604(c) of the LIHEAP statute [(42 U.S.C. § 8623] - requires:

Not later than 48 hours after a household applies for energy crisis benefits, provide some form of assistance that will resolve the energy crisis if such household is eligible to receive such benefits.

Not later than 18 hours after a household applies for crisis benefits, provide some form of assistance that will resolve the energy crisis if such household is eligible to receive such benefits and is in a life-threatening situation.

Emergency Intervention Services

Section 2604(c)(1)(2) of the LIHEAP Statute requires Not later than 18- or 48-hours after a household applies for crisis benefits, the eligible entity must provide some form of assistance that will resolve the energy crisis if such household is deemed eligible to receive LIHEAP benefits.

LIHEAP ECIP funds may be used to provide temporary shelter or approved heaters/fans as an emergency intervention when a LIHEAP service cannot be provided within 18- or 48-hours for eligible households.

DBA Instructions: Select the "Emergency Intervention Service" program to provide a heater (one OEO permitted heater at a max. $250), fan (one fan at a max. $100) OR temporary shelter (at a max. of $1,500). (For more information contact your agency's System Administrator or the DBA Help Desk).

ECIP Program Eligibility

To be eligible for ECIP, proof of emergency is always required in each customer/household file (ex. bill due). The emergency must have occurred within 30 days from the date of application unless otherwise stated below. Note: Being disabled, elderly or on a fixed income does not justify an emergency.

Updated! EXAMPLES OF LIHEAP EMERGENCIES

(This list is not inclusive of all allowable emergencies.)

No Home Energy

- No active source of energy to heat/cool the residence. Disconnection of service may be cited as the cause. Proof of no home energy required.

Threat of/Disconnection Emergencies

- **New!** A **termination notice with a scheduled disconnection date** may be used as proof of emergency.

  Please do not advise customers to wait until their services are disconnected to be served – remember emergencies should never be planned.

- **Empty fuel tank or low fuel tank** (less than ¼). If customer misrepresents the facts about the amount of fuel in tank (customer says tank is empty, but tank is more than ¼ empty), customer may be disqualified.

Vulnerable Households

- To avoid an energy emergency, income-eligible vulnerable households with a bill due may qualify for energy assistance. LIHEAP vulnerable households are defined as: children (age 5 and younger), elderly (age 60+), and disabled persons.

Weather-Related (Acts of God) Emergencies

- **Extreme weather-related temperature at the time of application** (below 50º during heating season and above 90º during cooling season. Heat index or wind chill may be considered.) **Documentation of no operable heating/cooling source or the threat of no heating/cooling source to the home (termination notice) accompanied**

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by the temperature at the time of application may be used as the household's emergency.

- **Acts of God** (Burn-out, tornado, hurricane, earthquakes, ice storm or flood) - energy assistance needed to establish home energy in new or temporary residence.

Home Energy Burden

- **Energy burden Calculation**:
  Monthly Income x 20% = _____ Current Energy Bill$_____.

  Compare the current month's energy charge for the heating/cooling portion of the bill to 20% of the household's total income for the month. The household's energy bill must exceed 20% of the household's monthly income to demonstrate an energy burden as the emergency.

Financial Emergencies

- Job loss (within 90 days), proven medical emergency that caused proven financial hardship, proven reduction in income (more than 40%) or death of primary income provider/wage earner.

Emergency Services for Nonelectric/Fuel Vendors

Non-electric energy/fuel may only be purchased during the heating season. For home deliveries, vendors must provide a delivery ticket for the file documenting date and amount of last delivery, fuel type, number of gallons or cords of wood, cost per gallon, total delivery cost, delivery date, vendor name and address.

All kerosene and propane customers must have vented systems that are connected to the dwelling and are to provide a statement from the vendor for the file that reflects the total number of gallons to be purchased, fuel type, cost per gallon, vendor name and address.

ECIP Customer Bills

The applicant must provide the most recent or original copy of the energy bill issued within the last 30-days. The customer's energy bill should be used to verify the following: the correlation between the customer's service address and physical address; validate the customer's account number; and a detail of all actual charges.

According to the South Carolina Office of Regulatory Staff ("ORS") and Public Service Commission of South Carolina ("PSC"), customers have the right to written notice from their electrical utility before electric service is disconnected for nonpayment. Therefore, a final notice/termination notice is not acceptable without the itemized bill.

In a case where a customer has a bill higher than the maximum amount allowed, the difference must be satisfied before the LIHEAP benefit is awarded. The file must contain a paid receipt to satisfy the difference, an agreement with the vendor for future payment options, and/or a noted referral source (by client or through area recommendation).

If the customer is unable to pay the difference, the agency should have a documented statement on file from the vendor to work with the customer on the outstanding balance with no threat of disconnection for 30 days forward.

Example: A client has a bill for $1,200. The agency can pay up to $1,000 of allowable costs, but the client is responsible for the remaining $200. The customer's file must include documentation of an agreement with the vendor to satisfy the remaining balance.

If the customer has either a zero balance (the total amount due is $0) or a credit of $10 or more on a prepay account, assistance **cannot** be provided.

All unallowable charges MUST be paid prior to service or deducted from the maximum award benefit.

Past Due Customer Charges

It is OEO's intent to offer customers the greatest benefit to eliminate their immediate emergency.

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Therefore, there are no restrictions on how far back an agency can pay towards the customer's expenses, regardless of when the debt was accrued, if expenses are allowable and in accordance with the grant/approved program.

The agency must determine if the LIHEAP benefit will eliminate the debt enough to secure the household's energy for 30 days forward. Detailed bills must be provided for consecutive months to ensure unallowable charges are not paid. However, Fuel and Nonelectric energy may only be purchased during the heating season.

Example: When serving a customer with a 2025 bill, allowable charges accrued at any time in 2024 or prior, may be paid up to the maximum dollar amount.

- The applicant or household member's name must be listed on all bills.
- Information in the file must correspond (Ex. Physical addresses and/or names).
- The agency may not exceed the approved maximum benefit per household.

How to Calculate Unallowable Fees

The terms of the LIHEAP vendor agreement do not require the vendor to be knowledgeable of allowable and disallowed LIHEAP costs or have a system in place to separate and apply charges accordingly. This is the responsibility of the CAA.

Households with unallowable fees, such as monthly outside light charges, must always have fees deducted from their overall energy benefit.

Example: A household's current energy bill is $150 but includes a $10 outside light fee that is disallowed and must be deducted from the total LIHEAP benefit.

$150 current energy bill - $10 outside light fee = $140 maximum LIHEAP benefit

Calculating Unallowable Fees for Energy Credits

CAAs should divide the total energy benefit by the **current energy bill** (to include all allowable LIHEAP fees) to determine how far the benefit will take the household forward.

Step 1: *Based on the current energy bill, divide the energy benefit by the current total allowable LIHEAP charges to determine how far the benefit will take the household forward.*

$500 energy benefit ÷ $100 current energy charge = 5 months

Step 2: *Multiply the unallowable outside light fee for each month the energy benefit will cover.*

$10 outside light fee x 5 months = $50 unallowable charges

Step 3: *Subtract the total unallowable charges from the total energy benefit to determine the maximum energy benefit the agency can pay.*

$500 energy benefit - $50 unallowable charges = $450 Maximum Energy Benefit

Customer Payment Extensions

If the situation at the time of application is that the customer made additional arrangements with the vendor and the due date of the original final notice has passed, do not postpone the appointment. Document that the customer has received a final notice and copy of the bill reflecting the original disconnect date.

Transfer Accounts

Allowable transfer amounts from a previous address *may* be paid if the customer can provide documentation that he/she lived at the former address along with an itemized bill(s), regardless of a lapse in service. **The agency must still determine if the LIHEAP benefit will eliminate debt and secure the household's energy for 30 days forward.**

Closed Accounts & Outstanding Debt

If a client has a closed account, **the agency must determine if the LIHEAP award will secure a deposit and restore the household's heating/cooling energy for 30 days forward before an award can be**

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provided. There are no restrictions on how far back an agency can pay toward the customer's debt, regardless of when the debt was accrued.

Prepaid Accounts

Prepaid customers may be eligible to receive a LIHEAP crisis award (ECIP) to restore service or to secure the household for 30-days forward. Deposits and energy-related fees may also be paid up to the ECIP maximum ($1,500).

The customer's file must include a daily usage rate/charge to justify the award. It will be the responsibility of the agency to calculate the daily usage rate/charge by 30-days to determine the ECIP award. Other support documentation may include the customer's account history and account balance.

If a daily usage rate/charge is not detailed on the customer's bill, the agency may consider the household's most recent monthly energy usage (kwh) and other allowable fees to estimate the amount needed to maintain energy for 30 days.

Serving Mixed Status Households with Undocumented Immigrants

A **mixed status household** is described as eligible household members residing in households with at least one member who is not eligible because they are not a U.S. citizen or qualified immigrant.

How to Provide a Prorated Emergency Energy Benefit to Households with Undocumented Immigrants (Mixed Status)

When providing LIHEAP benefits such as energy bill reductions which can reasonably be prorated, LIHEAP subgrantees must prorate such benefits when they are being provided to eligible individuals residing in a household with ineligible members, based on the number of eligible household members. The income of all household members – regardless of eligibility – must be documented, verified, and included in the calculation of the LIHEAP benefit amount. However, ineligible household members must be excluded from the total household count when determining the benefit.

Prorated Emergency Example for Mixed Status Households:

Total allowable LIHEAP charges ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

Household Description:
- *One Adult – Elderly*
- *One Undocumented Immigrant - Disabled*
- *SMI - $28,000*
- Allowable Energy Bill: 500

Step One: Determine the household's total allowable LIHEAP charges from bills due.

Household Description:
- *One Adult – Elderly*
- *One Undocumented Immigrant – Disabled*
- *SMI - $28,000*
- Allowable Energy Bill: 500

Step Two: Divide the allowable amount by the total number of household member (including undocumented person(s).)

Total allowable LIHEAP charges ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

$500 ÷ 2 = $250 benefit per HH Member

Step Three: Only apply the prorated benefit amount to each eligible household member.

$250 x 1 = $250 Total Prorated ECIP Benefit

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Providing Emergency Benefits to Mixed Status Households Facing Disconnection with Undocumented Immigrants

In such circumstances, a LIHEAP subgrantee may pay off arrears in full when necessary to restore utility service or prevent a utility shut-off for eligible household members; subgrantees may also provide other LIHEAP services in full that cannot be prorated for eligible household members such as purchase/repair of a heating or air-conditioning unit, window units, weatherization services.

Therefore, mixed status households that have been disconnected or have a scheduled disconnection may be provided the full LIHEAP benefit.

Step 1: During the intake process, staff **MUS**T select **"undocumented immigrants"** as the reason for no Social Security Number entry ***and*** one of the following emergencies: **(1) Disconnected or (2) have a scheduled disconnection.**

Note: Failure to select the appropriate emergency will result in the database providing a prorated benefit.

Step 2: With proof of a disconnection or scheduled disconnection at the time of application, the mixed status household may receive the full LIHEAP benefit up to the maximum $1,500.

To learn more, reference the Federal Memorandum, **Appendix N.**

LIHEAP Home Energy Repairs/Replacements

Emergency Window Units



Emergency window units may be provided to households with no operable heating/cooling source in the home. Proof of no active source to heat/cool the residence is required. A window unit may be purchased and installed as an emergency service to ensure the safety of members in eligible households during extreme weather.

Maximum Cost - $700/unit or $1,400 for purchase and installation of two (2) units per household

The agency is to coordinate the proper procurement, installation and client education on the usage of the unit. Client education should include the overview of product warranties, changing filters, usage of proper electrical outlets and winter storage. Agencies can coordinate with a vendor or Weatherization Program for installation. If unable to work through either, a licensed and insured contractor is required for proper installation(s) and a contractor's agreement is required. Each agency will be monitored on this component. **Client and installer are to sign off on the installation and a copy of the invoice is to be placed in the client's file.** Refer OEO Fiscal Guidance and Procedural Manual, Procurement Policy.

Maximum Size – 15,000 BTUs; must have the Energy Star certification. Installation by a reputable vendor is required to assure proper setup and service. Warranty and installation fees may be paid with LIHEAP funds.

Emergency Heaters (with approval from OEO)

A maximum of two (2) Heat Surge, Infrared Quartz Heater or comparable units may be purchased during the program year for a household reporting no source/safe source of heat in the home (maximum purchase price is **$250 per unit, not to exceed $500 per household.**) **The need must be justified**. To justify the purchase of more than one unit, the household must include more than one person (since the unit is portable). The BTU Output should be approximately 4,500 - 5,000, have adjustable heat settings, safety tip-over and thermal power cut-off, cool touch exterior, be inspected and approved by UL benchmark in safety, and other health and safety features and benefits.

The purchase of portable kerosene heaters or space heaters **is not** allowed due to safety and health issues.

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Blanket/Throw Distribution
Agencies may provide elderly income-eligible customers blankets or lap throws during the heating season only, in addition to a DA/ECIP service. Eligibility guidelines should be outlined in a logic model accepted by OEO to include requiring the customer's signature in receipt of the blanket/throw.

A separate program **must** be established in DBA FACSPRO to track this service and expense.

Maximum Cost - $25 per blanket/throw up to $100 per household.

LIHEAP Inventory Purchases
At program year-end, the agency must provide an itemized listing by product, unit price, total costs and remaining inventory. In the subsequent program year, once spending is authorized, the agency should use current year program funds to purchase the inventory from the prior program year funds and ensure the inventory is recorded in the current program period in which the benefit is received. Prior year inventory must be cleared out prior to submission of the final FSR.

Chimney Sweep
Chimney sweep service(s) is an allowable emergency (ECIP) health and safety measure using LIHEAP funds.

Maximum Cost - $400/flue or up to $800 for inspection and sweep of up to two (2) chimney flues per household.

LIHEAP Weatherization (LWAP)

Up to fifteen percent (15%) of LIHEAP funds may be allocated to the 2025 Weatherization Program to supplement the Weatherization Assistance Program funded by the U.S. Department of Energy. LIHEAP WAP funds take on the identity of WAP funds, except for Administration (5% has been allocated for administration). LIHEAP WAP funds are also used to improve home health and safety. **The average LWAP expenditure per dwelling is $10,000.**

Agencies are required to refer high energy usage households to Weatherization. **There is NO stipulation when referring LIHEAP and Weatherization customers between programs. Weatherization may refer customers to LIHEAP and vice versa.**

HVAC Assessments (Weatherization Subgrantees, only)

HVAC assessment fees are allowable as a preliminary service when qualifying households request HVAC services, **utilizing LWAP funds**. All HVAC assessments should be coordinated with the eligible entity's Weatherization department or contracted with an outside vendor. **$150 Maximum Cost**.

LIHEAP Disaster Relief

LIHEAP Disaster Relief measures may only be provided upon OEO directive. The following activities will be considered allowable uses of LIHEAP funds to deal with disaster relief crisis, particularly with respect to assistance for home energy related needs resulting from a hurricane or other natural disaster:

Allowable Uses of LIHEAP Funds for Disasters
1. Costs to temporarily shelter or house individuals in hotels, apartments or other living situations in which homes have been destroyed or damaged, i.e., placing people in settings to preserve health and safety and to move them away from the crisis (rent and/or mortgage payments are not allowed)
2. Costs for transportation to move individuals away from the crisis area to shelters, when health and safety is endangered by loss of access to heating or cooling (based on season)
3. Utility reconnection costs

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4. Repair or replacement costs for furnaces/air conditioners (based on season)
5. Coats and blankets, as tangible benefits to keep individuals warm (heating season only)
6. Crisis payments for utilities and utility deposits

Unallowable Uses of LIHEAP Funds for Disasters

1. Payments for water/sewage and other non-energy-related costs
2. Mortgage or rent assistance.
3. Utility assistance for households housing displaced victims UNLESS the household is already low income and qualifies for LIHEAP assistance.
4. Ramps and wheelchairs
5. School uniforms and school supplies
6. Clothing (except for coats)
7. Mattresses, cots, air beds and pillows

Income Eligibility Requirement: The LIHEAP statute does not authorize waiving income eligibility guidelines (60% of the SMI or below); therefore, income eligibility must be verified before services may be provided. However, the LIHEAP statute permits LIHEAP grantees (OEO) the flexibility to provide services to households with at least one member who receives assistance under the TANF, SSI, and Food Stamp programs. Any consideration of eligibility that deviates from South Carolina's approved LIHEAP State Plan **must** be approved by OEO prior to the delivery of service.

Disaster Relief Application Processing Requirements: The LIHEAP statute authorizes the use of LIHEAP funds for "energy crisis intervention". **The 18- and 48-hour time frames do not apply when a grantee is affected by a declared disaster.**

LIHEAP Appeals & Fair Hearing

Section 2605(b) (13) of the LIHEAP statute (42 U.S.C. § 8624(b) (13)) requires that each applicant be given an opportunity to have a fair administrative hearing if he/she is denied assistance or if his/her application is not acted upon with reasonable promptness. **Each CAA must post South Carolina Office of Economic Opportunity's standardized statewide Appeal and Fair Hearing procedures in a visible location in each office, outlining the three levels of appeal.**

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.

- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

  Attention: Legal Counsel
  The South Carolina Department of Administration
  Office of Economic Opportunity
  1205 Pendleton Street, Suite 366
  Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written hearing decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

The funds or services in question must be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be reverted to Client Assistance and made available to eligible participants.

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All paper and DBA applications must include a clause notifying applicants of their right to appeal and a fair hearing if service is denied, as required by Section 2605(b)(13) of the LIHEAP statute.



LIHEAP Planning & Reporting

The following LIHEAP reports are due to OEO on the 15th of the month following the reporting month:

- Monthly **LIHEAP Household Reports** (to include supplemental/special grants)
- Monthly **Financial Status Reports** (FSRs)
- Monthly Energy Vendor Reports

All reports must be submitted in a timely manner; timeliness will be reported on risk assessments.

Logic Model Targeting & Projections

A logic model (also known as a logical framework, theory of change, or program matrix) is a tool used by funders, managers, and evaluators of programs to evaluate the effectiveness of a program. They can also be used during planning and implementation.

The GPRA legislation (Government Performance and Results Act of 1993/ Modernization Act of 2010) refers to "performance plans" and "performance goals," which both relate to the concept of planning for specific results. This references two kinds of targets: the number of people who are expected to be served and the number of people (of those served) who are identified in planning, so they can be assessed in the evaluation phase.

To improve program targeting, OEO allows agencies the flexibility to adjust program projections as the state receives updated notices of funding. Subgrantees will have a maximum of ten (10) business days following South Carolina's notice of LIHEAP Awards to update services and/or projections on the ROMA logic model. **Logic model targeting should not be altered after the state's final award has been received for the program year.** Instead, targeting variances should be explained in the annual report when prompted *(Ex. Anticipated funding was reduced; therefore, participant enrollment was limited).*

Final logic models reporting the achievement of results (column 5, Actual Results) are due to OEO no later than January 16, 2025.

LIHEAP Program Year Closeout

The 2024 LIHEAP Program should be closed out no later than February 15, 2025 (date subject to change). **Note:** The annual LIHEAP household pre- and final closeout reports are no longer required.

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Section 3C

Project Share (PS)

Project Share is an energy benefit donated by private utility vendors to supplement LIHEAP.

To extend the scope of LIHEAP, private utility vendors have elected to designate private funds within their service territory to assist LIHEAP eligible customers with an additional energy benefit. To qualify, a customer must meet the unique criteria specific to each vendor..

Project Share Reporting

Project Share operates on a state fiscal year beginning July 1st and ending June 30th of the following year. All Project Share client assistance data is to be maintained in DBA FACSPRO and reported monthly on a separate Household report for each vendor.

Project Share Exclusions

Project Share funds may not be used to purchase/install HVACs, window units, heat pumps, air conditioners, heaters, etc. Funds may not be used for repairs or administrative costs, unless instructed by the utility vendor.

Project Share Vendors

- Dominion Energy South Carolina
- Duke Energy
- Piedmont Natural Gas

Frequency of Project Share Services

The frequency of Project Share assistance varies by vendor.

Maximum Project Share Benefit

The maximum benefit allowed per household will mirror LIHEAP.

Overview

- No participating utility vendor shall discriminate against nor treat any eligible households adversely because of their receipt of LIHEAP Assistance.

- No participating utility vendor will exchange a customer's energy voucher for cash, nor will any cash equivalent be given for excess credit.

2026 DRAFT

Dominion Energy: ENERGYSHARE

Program Overview

- Qualifying households may use Dominion's EnergyShare funds to pay outstanding utility bills or deposits up to $1,500.
- **Eligible customers may return until their full EnergyShare benefit is exhausted. Agencies must have a mechanism in place to track customer balances.**
- Dominion's EnergyShare funds will continue to follow LIHEAP rules to include allowable charges as defined by OEO, except for income guidelines for Tier Two Dominion customers.
- An agency may use EnergyShare funds combined with LIHEAP as a supplemental service or as standalone service during the program year.
- **CAAs may transfer EnergyShare dollars between counties to meet the needs of eligible customers.**

Dominion Energy – EnergyShare Emergency Assistance

Tier One – LIHEAP Eligible Customers (At or Below 150% of FPL)

1. Dominion's EnergyShare funds may be used to satisfy outstanding allowable balances in conjunction with a Dominion customer's LIHEAP Service. **A maximum of $1,500 may be provided to Dominion Energy customers.**

   a) Example: Total Customer Bill = $2,000 in allowable charges. Staff would charge $1,000 to LIHEAP and the remaining $500 to Dominion's EnergyShare. Customer is then eligible to exhaust the remaining EnergyShare funds, not to exceed the balance of $500.

   b) Example: Total Bill = $1,600, however, the bill includes illegal activity and/or non-utility charges totaling $50. LIHEAP funds may pay $1,500; Dominion EnergyShare funds may pay $50; and the customer is responsible for unallowable costs of $50. Unallowable costs may also be deducted from the customer's total benefit.

Tier Two – Customers exceeding 150% of the FPL (Eligible at 151 – 200% of the FPL)

1. Income eligible customers with a documented need may receive Dominion EnergyShare benefits, not to exceed $1,500. Customer files must include a DBA application, current I.D, proof of household income, and a copy of the customer's current bill.

Dominion Energy's EnergyShare – Nonemergency (DA) Assistance
EnergyShare will mirror LIHEAP rules.
Dominion's EnergyShare funds may be used to provide a nonemergency Direct Assistance benefit to provide financial assistance to help avert, prevent, deter and avoid utility crisis.

For nonemergency assistance, a qualifying household will receive a base EnergyShare Direct Assistance benefit of $200. Additional amounts may be added to the household's total benefit based on the characteristics of its members.

The maximum EnergyShare Direct Assistance benefit a household may receive during the **heating season** is $850.

The maximum EnergyShare Direct Assistance benefit a household may receive during the **cooling season** is $775.

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Duke Energy Project Share

Duke Energy Carolinas

SHARE THE LIGHT

As part of their redesign for customer assistance, Duke Energy's **Share the Light** Fund will be used in all jurisdictions (with the exception of the Piedmont Natural Gas - Share the Warmth program.)

Share the Light funds will follow LIHEAP rules (to include allowable charges as defined by OEO) and may be used for bill payment, unpaid deposits, and unpaid reconnection charges.

Duke Energy funds may be combined with LIHEAP as a supplemental service or as standalone service during the program year.

CAAs may transfer Share the Light dollars between counties to meet the needs of eligible customers.

Income Eligibility

To qualify for assistance, the household's gross income must be at or below 200% of the FPL.

Maximum Benefits/Frequency of Service

A qualifying household may receive up to $1,500 of Duke Energy funds for the program year. Eligible customers may return until their full balance is exhausted; however, agencies must have a mechanism in place to track customer balances.

Emergency Share the Light funds may be provided to qualifying households up to $1,500.

For **nonemergency assistance**, a qualifying household will receive a base Direct Assistance benefit of $200. Additional amounts may be added to the household's total benefit based on the characteristics of its members.

The maximum Direct Assistance benefit a household may receive during the **heating season** is $850.

The maximum Direct Assistance benefit a household may receive during the **cooling season** is $775.

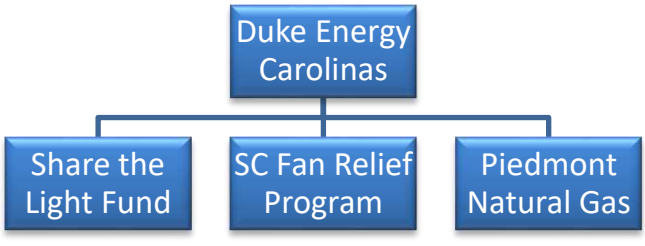
Duke Energy's Fan Relief Program

Duke Energy Carolina customers may be eligible to receive a $50 energy credit or fan once per year. Unallowable costs may be deducted from the customer's total benefit.

In lieu of a fan, a one-time $50 credit is available to eligible households during the program year for Duke Energy Carolina customers, age 60 and older.

Applicants who are awarded the $50 credit are not eligible to receive a fan.

- Any elderly citizen age 60 and older, residing in a county served by Duke Power, in need of cooling assistance may receive a fan, not to exceed $50 in value.
- One fan during the program year is allowed.
- An agency may use Duke's Fan Relief fund combined with LIHEAP as a supplemental service or as a standalone service during the program year.
- A fan purchased through Duke's Project Share is a gift and is not to be counted as an ECIP or DA LIHEAP service.
- Applicants must provide an original/copy of their current Duke Energy bill which is to be retained in the applicant's file.



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Project Share Vendor Overview

Criteria	Dominion Energy South Carolina "EnergyShare"	Duke Energy Fan Relief Program	Duke Energy Progress Energy Neighbor Fund "Share the Light"	Piedmont Natural Gas "Share the Warmth"
Except for *Duke Energy Fan customers, eligible households may receive Project/EnergyShare assistance using LIHEAP rules. Agencies are encouraged to use Project/EnergyShare Funds when possible to expand the outreach of LIHEAP funds. LIHEAP Rules: Maximum level household assistance: ECIP $1,500 and Direct Assistance $850.	LIHEAP & additional Dominion Energy Rules (FPL up to 200%)	LIHEAP & additional Duke Energy Rules, FPL up to 200%, age 60+, serve once $50 limit	LIHEAP & additional Duke Energy Rules, FPL up to 200%	LIHEAP eligibility rules (FPL up to 150%) Heating only
The household must be the energy provider's residential customer. A copy of a current or most recent billing statement verifying the household's residential customer status must be retained with the applicant's file. The applicant's "Home Address" must coincide with the service address on the billing statement.	✓	✓	✓	✓
The household must use electricity or natural gas to heat or cool the home. Secondary sources of heating are permitted. The authorized uses are payment of an energy bill to include deposits, reconnection fees, late fees, membership/franchise fees if required to establish service, if the applicant household can present proof that s/he is either a natural gas or electric customer.	Electricity Natural Gas	Electricity Natural Gas	Electricity Natural Gas	Natural Gas
Funds shall not be used for payment of administrative costs. Interest earned from Project Share funds maintained in an interest earning account may be retained.	Administrative caps for operational costs are outlined in the grant agreement. Funds may not be used for salaries.	✓	✓	✓
Funds can be used for repairs or purchase of a home heating/cooling device or equipment.	No	Purchase of fans, only, not to exceed $50.	No	No
Funds should be expended from balances-on-hand for each county.	Households must be a current customer of the vendor.			
Monthly reporting shall be on OEO Project Share FSR. Each report is to be completed and submitted to the OEO no later than the 15th of the month following the reporting period.	✓	✓	✓	✓

Please be advised that monthly revenue and expenditure activities are to be reported on these forms.

Settlement Funds

Dominion Energy SC Rate Payer Settlement Fund Overview

As part of Dominion Energy South Carolina's (DESC) Comprehensive Settlement Agreement in its 2020 General Electric Base Rate Case before the Public Service Commission (PSC), the PSC issued an order stating that "DESC agreed to double the annual commitment to $1.5 million to EnergyShare in 2021 and 2022, $500,000 of which will be used to support small general service customers. This annual commitment will be funded by Dominion Energy Shareholders; therefore, the Company will not seek recovery from customers."

DESC will give the Office of Economic Opportunity (OEO) double its annual commitment to $1 million to EnergyShare in 2021 and 2022 (a total of $2 million).

Beginning January 2023, agencies will prioritize spending EnergyShare Rate Payer Settlement funds to serve income-eligible households through DBA.

- **Income eligible Dominion Energy households with a bill due may receive a one-time energy credit of $500** to the household's electric and natural gas bill. A household must be at or below 200% of the federal poverty guidelines to be income eligible.
- All Dominion EnergyShare Rate Payer services and benefits shall be tracked separately, notated, and accounted for in DBA by way of an award voucher.

CAAs shall notify OEO once all Rate Payer Settlement funds have been fully obligated.

Marsh Settlement Fund Overview

In the State of South Carolina vs. Kevin Marsh, the Court determined that $5,000,000 represented the ill-gotten compensation Mr. Marsh received as a result of his criminal activity and ordered that Mr. Marsh pay that sum "to the EnergyShare program administered by the South Carolina Office of Economic Opportunity which helps qualifying low-income applicants with their energy assistance needs."

- Following the expenditure of DESC Rate Payer Settlement funds, agencies will have access to Marsh Settlement funds. Marsh Settlement benefits shall be tracked separately, notated, and accounted for in DBA by way of an award voucher.
- **Income eligible Dominion Energy households with a bill due may receive a one-time energy credit of $500** to the household's electric and natural gas bill. A household must be at or below 200% of the federal poverty guidelines to be income eligible.

CAAs shall notify OEO once all Marsh Settlement funds have been fully obligated.

Westinghouse Settlement Fund Overview

The Westinghouse Cooperation Agreement with the U.S. Attorney for the District of South Carolina in the V.C. Summer Criminal Investigation provides that, among other things, Westinghouse is to "contribute $21.25 million as compensation to certain ratepayers through the South Carolina Low-Income Home Energy Assistance Program, or as otherwise directed by the [U.S. Attorney's] Office." The intention of the settlement was for low-income **Dominion, Santee Cooper and Co-op** customers that were most victimized by the fraud to benefit from the settlement.

Agencies will have access to Westinghouse Settlement funds (following the expenditure of Marsh Settlement funds, if applicable). Westinghouse Settlement benefits shall be tracked separately, notated, and accounted for in the statewide database by way of an award voucher.

Westinghouse funds may be provided to electric and fuel households following EnergyShare eligibility criteria, with the below exceptions. (Reference the OEO Administrative Guide for detailed EnergyShare criteria.)

- Local administering Community Action agencies (CAAs) will process customer applications to determine eligibility for households earning no more than 200% of the federal poverty guidelines. **Eligible households with a bill due may receive a maximum of one energy service up to $1,500 each program year until funds are fully expended.**
- **Energy deposits shall not be paid with Westinghouse Settlement funds.**
- **Westinghouse funds may only be provided to approved vendors.** A listing of eligible energy vendors to receive Westinghouse funds on behalf of customers is attached.
- **OEO will issue a separate Westinghouse vendor agreement to be executed between the energy vendor and local CAA**. Vendor agreements must be executed before issuing settlement benefits.
- CAAs may combine a Westinghouse benefit with a LIHEAP payment to satisfy outstanding allowable balances.

CAAs shall notify OEO once all Westinghouse funds have been fully obligated.

Westinghouse Energy Vendors
Aiken Electric Cooperative
Berkeley Electric Cooperative
Black River Electric Cooperative
Blue Ridge Electric Cooperative
Broad River Electric Cooperative
City of Abbeville
City of Bamberg
City of Clinton
City of Easley
City of Gaffney
City of Georgetown
City of Greer
City of Laurens
City of Newberry
City of Orangeburg
City of Rock Hill
City of Union
City of Westminster
City of Winnsboro
Coastal Electric Cooperative
Dominion Energy
Edisto Electric Cooperative
Fairfield Electric Cooperative
Horry Electric Cooperative
Laurens Electric Cooperative
Little River Electric Cooperative
Lynches River Electric Cooperative
Marlboro Electric Cooperative
Mid-Carolina Electric Cooperative
Newberry Electric Cooperative
Palmetto Electric Cooperative
Pee Dee Electric Cooperative
Santee Electric Cooperative
Santee Cooper
Tri-County Electric Cooperative
York Electric Cooperative

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How to Combine Settlement and LIHEAP Benefits

CAAs may combine a settlement benefit with a LIHEAP payment to satisfy a household's outstanding allowable energy balance. **A combined benefit must be awarded on the same day and may not exceed the statewide maximum per fund.**

Combined awards will count as TWO services.

Example #1	Example #2
Total Customer Bill = $3,000; however, the bill includes non-utility charges totaling $50. LIHEAP ECIP funds may pay $1,500 (1st service). Westinghouse Settlement funds may pay $1,450 (2nd service). The remaining unallowable costs of $50 must be satisfied. LIHEAP: $1,500 Westinghouse: $1,450 Total Agency Commitment: $2,950 Customer Pays: $50	*Total Customer Bill = $2,000 of allowable energy charges.* The CAA may charge $1,500 to LIHEAP ECIP (1st service) and the remaining $500 to Marsh Settlement (2nd Service). LIHEAP: $1,500 Marsh: $ 500 Total Agency Commitment: $2,000

While the combination of benefits allows for CAAs to expend grants simultaneously, priority should be given to LIHEAP funds that expire first.

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Appendix G

LIHEAP Checklist

DBA APPLICATION (Customer Report)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Semi-Monthly/Monthly)	YES	NO
CURRENT AND LEGIBLE SOUTH CAROLINA PICTURE ID	YES	NO
SOCIAL SECURITY NUMBERS (Entire Household)	YES	NO
ELECTRIC/GAS BILL or STATEMENT FROM VENDOR	YES	NO
PROPANE/ FUEL OIL BILL DELIVERY TICKET	YES	NO
DIRECT ASSISTANCE WORKSHEET	YES	NO
DIRECT ASSISTANCE SLAPP PLAN	YES	NO
ECIP: CURRENT UTILITY BILL/FINAL NOTICE Bill Date: _____ Cause of Emergency: _____	YES	NO
CUSTOMER PAYMENT AND BILLING HISTORY	YES	NO
REFERRAL FORM (If Applicable)	YES	NO
MANDATORY DBA VOUCHER and DETAILED CHECK COPY/CHECK NUMBER	YES	NO

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COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

South Carolina
Office of Economic Opportunity

STATEWIDE APPEAL AND FAIR HEARING PROCEDURES

Appendix H

Section 2605(b) (13) of the LIHEAP statute (42 U.S.C. § 8624(b) (13)) requires that each applicant be given an opportunity to have a fair administrative hearing if he/she is denied assistance or if his/her application is not acted upon with reasonable promptness.

LEVELS OF APPEAL

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.

- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

  Attention: Legal Counsel
  The South Carolina Department of Administration
  Office of Economic Opportunity
  1205 Pendleton Street, Suite 366
  Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written hearing decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

Funds in question must be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be made available to eligible participants.

Appendix I

NOTICE OF DENIAL OF ASSISTANCE/SERVICES

To: _____

_____

_____

Your request for assistance/services from _____ has been denied for the following reason(s):

Agency Name and Address

☐ You did not meet the program income eligibility requirements.

☐ You have failed to provide sufficient evidence regarding your application to make a ruling on your case application.

☐ Other: _____

Please be advised that if you do not agree with the above reason(s) for denial, you have the right to notify this office in writing within thirty calendar days of the date of this notice at the above-mentioned address, to request a review and formal appeal of your denial.

An initial review of your appeal will be completed by (name of designated hearing officer(s)) and a formal Fair Hearing will be scheduled within five business days of the agency's receipt of your written appeal.

If your appeal is denied at the Community Action Agency level, you may file a written appeal to OEO within 20 calendar days of the applicant's receipt of the agency's written hearing decision. The applicant shall submit the written appeal to:

Office of Economic Opportunity
Attention: Legal Counsel
1205 Pendleton Street, Suite 366
Columbia, SC 29201
(803) 734-0662

_____ _____

Signature of Agency Representative Date

Appendix J

Sample LIHEAP Household Report

The *LIHEAP Household Report–Long Format* is for use by the 50 States, District of Columbia, and insular areas with annual LIHEAP allotments of $200,000 or more. This Federal Report provides data on both LIHEAP recipient and applicant households for Federal Fiscal Year (FFY) 2018, the period of October 1, 2017 - April 30, 2018. The Report consists of the following sections: (1) **Recommended Long Format for LIHEAP Assisted Households** and (2) **Recommended Format for LIHEAP Applicant Households**. Data on assisted households are included in the Department's annual *LIHEAP Report to Congress*. The data are also used in measuring targeting performance under the Government Performance and Results Act of 1993. As the reported data are aggregated, the information in this report is not considered to be confidential.

There are two types of data: (1) **required** data which must be reported under the LIHEAP statute and (2) **requested** data which are optional, in response to House Report 103-483 and Senate Report 103-251. Both the *LIHEAP Household Report–Long Format* (the Excel file name is hhsrptst.xls) and the instructions on completing the Report (the Word file name is hhrptins.doc) can be downloaded in the Forms sections of the Office of Community Services' LIHEAP web site at: www.acf.hhs.gov/programs/liheap/grantees/forms.html#household_report. The spreadsheet is page protected in order to keep the format uniform. The items requiring a response are not page protected. However, other areas of the spreadsheet cannot be modified. For example, the number of assisted and applicant households can not be entered. Each total will be calculated automatically for each type of assistance by a formula when the poverty level data are entered.

Does the data below include estimated figures? No ☐ Yes ☐ Mark "X" in the second column below for each type of assistance that has at least one estimated data entry.

1. RECOMMENDED LONG FORMAT FOR LIHEAP ASSISTED HOUSEHOLDS

Type of assistance	Mark "X" to indicate estimated data	Number of assisted households	REQUIRED DATA: 2018 HHS Poverty Guideline interval, based on gross income and household size					REQUESTED DATA: At least one member who is				REQUESTED DATA: At least one member who is	
			Under 75% poverty	75%-100% poverty	101%-125% poverty	126%-150% poverty	Over 150% poverty	60 years or older (elderly)	Disabled	Age 5 years or under (young child)	Elderly /Disabled /Young Child	Age 2 years or under	Age 3 years through 5 years
Heating		0	0	0	0	0	0	0	0	0	0	0	0
Cooling		0	0	0	0	0	0	0	0	0	0	0	0
Winter/Year Round Crisis		0	0	0	0	0	0	0	0	0	0	0	0
Summer Crisis		0	0	0	0	0	0	0	0	0	0	0	0
Other Crisis (specify)		0	0	0	0	0	0	0	0	0	0	0	0
Any type of LIHEAP assistance		0						0	0	0	0	0	

2. RECOMMENDED FORMAT FOR LIHEAP APPLICANT HOUSEHOLDS (regardless of whether assisted)

Type of assistance	Mark "X" to indicate estimated data	Number of applicant households	REQUIRED DATA: HHS Poverty Guideline interval, based on gross income and household size					
			Under 75% poverty	75%-100% poverty	101%-125% poverty	126%-150% poverty	Over 150% poverty	Income data unavailable
Heating		0	0	0	0	0	0	0
Cooling		0	0	0	0	0	0	0
Winter/Year Round Crisis		5	3	2	0	0	0	0
Summer Crisis		0	0	0	0	0	0	0
Other Crisis (specify)		0	0	0	0	0	0	0

Appendix K

LIHEAP Glossary of Terms

Primary Heating – the main form of energy used by a household to heat its dwelling, either deliverable or a utility. (*For example, the household heats the dwelling with an HVAC system that is fueled by natural gas. Therefore, the agency would select "natural gas". Other possible options include electric, propane, etc.)*

Secondary Heating – the other form of energy used by a household to satisfy only a portion of the heating requirements of a dwelling. *(For example, a dwelling uses a fireplace to supplement its primary heating. Therefore, the agency would select "wood". Other possible options include kerosene, natural gas, electric, etc.)*

Heating Source – a type of device a household uses to heat the dwelling (where the source of heat comes from). *(Examples: central heat (HVAC), kersoene, propane, space heater, wood, etc.)*

Cooling Energy - the main form of energy used by a household to cool its dwelling. (*For example, the household cools the dwelling with a central HVAC system that is run by electricity. Therefore, the agency would select "electric".*

Cooling source – a type of device used to cool the home (where the source of cooling comes from). *(For example, a dwelling uses a window air conditioner to cool the home. Therefore, the agency would select "window air conditioner unit". Other possible options include central air (HVAC), fan, etc.)*

Fuel Oil - the burnable liquids produced from crude oil. **Fuel Oil is commonly known as kerosene**.

Propane - a flammable hydrocarbon gas of the alkane series, present in natural gas and used as bottled fuel. *(Example Vendors: Suburban Propane, L.P. Gas Co., AmeriGas Propane, etc.)*

Natural Gas - flammable gas, consisting largely of methane and other hydrocarbons, occurring naturally underground (often in association with petroleum) and used as fuel. *(Example Vendors: Dominion, Duke, Piedmont Natural Gas, etc.)*

Energy Burden - the expenditures of the household for home energy (kWh or Therms) divided by the income of the household.

Energy Efficiency - the use of energy in an optimum manner to achieve the same service that could have been achieved using a common less efficient manner. LIHEAP considers both the energy burden of such household and the unique situation of such household that results from having members of vulnerable populations, including very young children, individuals with disabilities, and elderly individuals.

Low Income LIHEAP Household - To qualify for LIHEAP a household's total gross income cannot exceed 60% of the State's Median Income.

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Very Low-Income LIHEAP Household – To be considered a very low-income LIHEAP household, a household's total gross income cannot exceed 30% of the State's Median Income.

Background: HUD differentiates its low income versus low-income recipients at a 30% variance. In the same respect, OEO will define very low-income households with the same 30% variance when compared to the State's 60% Median Income guidelines.

DBA System & Program Descriptions for LIHEAP

ECIP Heating/Cooling – LIHEAP crisis assistance provided in response to a situation that has already or poses an immediate risk to life, health and safety directly related to the home or home energy heating/cooling costs. Section 2604(c)(1)(2) of the LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA)provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits.

ECIP Window Unit – a LIHEAP crisis service that provides households a window unit that otherwise reports no operable source of energy to heat/cool the home. The LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA) provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits.

ECIP Heater – a LIHEAP crisis service that provides households a cost-effective and efficient heater that otherwise reports no operable source of energy to heat the home. The LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA) provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits.

LIHEAP Emergency Intervention Service – an intervention provision provided to a household when an approved emergency LIHEAP service cannot be alleviated/executed within the required 18 or 48 hours, and the household has no way to safely heat/cool the home in the interim. The LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA) provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits. A household *must* be provided a safe source to heat/cool the home or temporary shelter until installation. Intervention services include heaters, fans or temporary shelter.

LIHEAP Local Agency Programs – a system program that allows agencies to provide a LIHEAP benefit and pay multiple vendors in a single service. *(Example: An agency may pay to purchase a window unit and also pay a separate contractor to install the unit. Using the LIHEAP Local Agency Programs, the system will attribute both payments to a single LIHEAP service, instead of counting them as two separate services.)* See **Voucher Reference** below for instructions on how to detail the service provided.

Voucher Reference – when creating a voucher in DBA using "LIHEAP Local Agency Programs", the **Reference** field dropdown provides options to detail the service provided.

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(Example: Chimney sweep, Emergency Intervention Services (heaters, fans, or temporary shelter).

DA Heating/Cooling – a LIHEAP nonemergency beneifit to aid low-income households in meeting their home energy costs, particularly the vulnerable and those with the lowest incomes that pay a high proportion of household income for home energy.

Selected LIHEAP Assistance Payment Plan (SLAPP) – when a nonemergency LIHEAP benefit is applied to the client's bill incrementally, over a period of time. Fundamentally, SLAPP *is* a Direct Assistance benefit, only the full benefit amount may not be provided immediately if the household has a vendor that cannot separate unallowable charges. LIHEAP can only pay for costs associated with the heating/cooling of the home. If LIHEAP funds are used by vendors in ways that are different than what is described in the LIHEAP Statute and State Plan, this may constitute an improper use of funds. *(Reference LIHEAP IM 2010-13 Use of LIHEAP Funds Coordinated with Vendor Assistance Programs).*

LIHEAP Blankets – a LIHEAP service that allows blanket distribution as an energy expense in addition to a LIHEAP nonemergency or crisis assistance, if funding is available and approved by OEO.

LIHEAP Assurance 16 - the LIHEAP Statute (Section 2605(b)(16)) allows States, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance. Assurance 16 activities must be approved by OEO.

LIHEAP Outreach Activities - Section 2605(b)(3) of the LIHEAP statutes allows grantees/subgrantees to conduct outreach activities designed to assure eligible households are made aware of LIHEAP assistance. LIHEAP Outreach Activities include written material, interpretation services, media announcements, etc. LIHEAP Outreach Activities is to promote LIHEAP, **ONLY**.

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Appendix L

SOUTH CAROLINA LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) VENDOR AGREEMENT

This Vendor Agreement shall govern certain activities of the Low-Income Home Energy Assistance Program, hereinafter referred to as LIHEAP, which are to be carried out by the Vendor identified on the signature page of this Agreement, hereinafter referred to as the Vendor, as a condition of receipt of payment, and the Community Action Agency; hereinafter referred to as the CAA.

The_____and the Vendor agree to the following:
(Community Action Agency)

A. **SERVICES TO BE PERFORMED**

1. The Community Action Agency (CAA) shall notify each participating household and vendor of the amount of assistance paid on the household's behalf.
2. The Vendor shall charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment.
3. The Vendor is required to verify the account holder's name and/or household member(s), account number, current balance on account and signature upon receipt of the energy voucher prior to crediting the customer's account.
4. The Vendor will accept the voucher(s) as credit for actual commitment/cash payment for the purchase of home heating or cooling assistance. The Vendor shall specify on the signature page of this Agreement the energy type to be provided. The Vendor will accept vouchers for the purchase of only the energy type approved in this Agreement.
5. The Vendor will only deliver fuel to the actual residence of the account holder or credit the account of the account holder as documented on the voucher.
6. If the customer has moved and the energy voucher does not reflect the new address, the Vendor shall not accept the voucher until the customer returns the voucher and requests a change of address from the CAA.
7. Vendors are to ensure credit and/or service to approved households within the designated program year.
8. This assistance is provided for households, not individuals. For this reason, no name changes may be made on the energy voucher. The address that appears on the voucher should match the name and address shown on the Vendor records. No alterations of any kind should be made to the voucher.
9. LIHEAP assistance may be used for deposits if specified by the CAA.
10. The parties recognize that each party is bound to act in accordance with their respective bylaws and policies at all times. Nothing in this Agreement is intended or shall be construed to supersede a party's obligations under their respective bylaws and policies or prevent a party from acting in accordance therewith.

B. **PROVISIONS UNDER WHICH PAYMENT WILL BE MADE TO VENDORS**

1. The Vendor must return this properly executed Vendor Agreement to the CAA prior to being reimbursed.
2. The Vendor must provide a Federal Employer Identification Number (FEIN) or a Social Security number will be acceptable only if the Vendor is an individual and has no FEIN.
   a. If a Vendor provides a Social Security Number, the Vendor must use the proprietor's name, not the company name. If a FEIN is supplied, a company name must be used.
   b. The Vendor shall notify the CAA in writing immediately when the FEIN, Social Security number, business name and/or address changes. Failure to report changes may result in a delay of payments. An IRS W-9 must accompany changes.

3. For fuel oil, propane and/or kerosene, the Vendor shall provide the eligible customer a quantity up to the value of the energy voucher but not to exceed the amount required to fill the tank. A delivery ticket must be submitted for actual payment remittance within 30 days of the delivery.

   a. If the value of the quantity of fuel purchased by a customer is less than the value of the energy voucher, the Vendor shall credit the difference to the customer's account. The credit balance on accounts that equals or exceeds the minimum delivery must be expended each consecutive month until the benefit is exhausted.

   If the value of the quantity of fuel required/purchased by a customer is greater than the energy voucher amount, payment for the remaining balance due must be negotiated between the customer and the Vendor. The CAA will not intervene in these matters.

   b. **The Vendor will not exchange a customer's energy voucher for cash nor will any cash equivalent be given for excess credit.** Violations shall be treated in accordance with Federal and State statutes, to include termination of this Agreement and termination of future services with the Vendor.

   c. When a customer moves from the Vendor's service area, or becomes deceased, and a credit balance remains on that account, the following policies shall apply within the current program year:

      i. Any legal survivors living in the residence of the deceased customer (as listed on the voucher), who were household residents at the time of application, are entitled to use the remaining benefit.

      ii. If there are no remaining legal survivors within the household, any remaining credit balance shall be refunded to the CAA within 30 days of the death or date of last service for the active voucher – whichever comes first.

      iii. Credit balances not used during the current program year (January 1 – December 31) are to be returned to the CAA within 45 days of the close of the grant period.

      iv. Any other circumstances arising shall be dealt with on a case-by-case basis. The Vendor should contact the CAA for additional instruction.

C. PAYMENT PROCEDURES

1. Once the Vendor has honored the energy voucher, as specified herein, the Vendor shall mail the energy voucher(s) to the CAA for payment.

2. Within 30 days of the date of the receipt of the energy voucher(s), payment amount equal to the total amount of the energy voucher(s) for electric service received by the CAA will be made to the Vendor. For kerosene, propane, fuel oil and/or wood vendors, payment will be made for the actual amount delivered, not to exceed the voucher amount.

   If a Vendor has not received payment for the energy voucher(s) within 30 days following the submission, the Vendor should contact the CAA and report the delay. In instances of reported delays, the Vendor may also contact the Office of Economic Opportunity (803-734-0662).

3. CAAs will submit an IRS Form 1099 to record payments in excess of $600 to non-incorporated vendors.

4. All properly executed Vendor Agreements must be maintained on file with the CAA and Vendor.

D. MONITORING

1. The Vendor will maintain records documenting the amount of energy assistance that the customer received and the date of receipt for all fuels other than electricity and natural gas. Records are to be maintained for one year after the program year ends.

2. The Vendor shall permit access to records pertaining to the activities engaged in by the Vendor under this Agreement. Such records include energy voucher payment forms or other documents supporting the delivery of services or receipt of payments for services rendered by the Vendor, as well as the amount of sale, customers' names and addresses.

3. The Vendor shall not discriminate against or adversely treat any eligible household regarding terms and conditions of sale, credit, delivery, or service. No discrimination shall be made based on the source(s) of household income. All sources of household income are documented on the Application and then processed, reviewed and approved by an agency representative. Additionally, the State prohibits any discrimination against households because of their receipt of LIHEAP assistance.

4. The Vendor will cooperate with any Federal, State or local investigation, audit or program review.

E. LIABILITY

To the fullest extent permitted by law, each party agrees to indemnify and hold harmless each other, the Office of Economic Opportunity and their agents, and employees from and against all claims, damages, losses, and expenses including but not limited to attorney's fees, arising out of or resulting from, whether directly or indirectly, any default or negligent or wrongful act or omission of each party, its agents, employees, or subcontractors in the performance or non-performance of the work, the enforcement of this agreement, or any other legal action.

Any losses caused by criminal activity, gross negligence and/or malicious intent is excluded from this indemnification section.

F. CONFIDENTIALITY

The parties agree that the information and records developed as a result of the provision of services under this Agreement are to be kept confidential. The parties shall safeguard the use and limit disclosure of information concerning applicants for and recipients of services by restricting access, use and disclosure of such information to those individuals who have a need to know such information and have agreed to keep such information confidential.

G. REPORTING DISCLOSURE

The Vendor will allow the CAA and the Office of Economic Opportunity access to LIHEAP customer's household fuel/utility/energy information for the purpose of State and Federal data reporting, as approved by the customer, via the statewide application for service.

H. AMENDMENTS and INTEGRATION

This Agreement contains the entire agreement of the parties with respect to the subject matter of this Agreement, and supersedes all prior contract, negotiations, agreement and understandings with respect thereto. This Agreement may only by amended by a written document duly executed by all parties.

I. TERMINATION

1. Either the CAA or the Vendor may terminate this Agreement by giving the other party at least 30 days written notice.

2. This Agreement will terminate immediately should the Vendor supply false information or attempt to defraud the CAA or the eligible customer. In such cases, no additional reimbursement will be made to the Vendor until such matter is resolved.

In witness hereto, the CAA and the Vendor have executed this Agreement on this_____day of _____, 20_____.

VENDOR: **Complete Section 1-9. Do not leave anything blank.**
Vendor must provide physical address or agreement is void.

1. _____
(Business or Vendor Name)

2. _____
(Mailing Address – Include City, State and Zip Code)

3. _____
(Street Address – Include City, State and Zip Code)

4. _____
(Area Code and Telephone Number)

5. **VENDOR DOCUMENTATION**

The Vendor must provide a Federal Employment Identification Number (FEIN), or, if you do not have a FEIN, a Social Security number (SSN) will be acceptable only if used with the proprietor's name (e.g. Hallman's Wood – (FEIN) or Mark Hallman (SSN).

Federal Employer Identification Number_____**or**

Social Security Number _____

6. **Energy Type – Circle all Types of Energy Provided**

Fuel Oil	**Electricity**
Kerosene	**Wood**
Propane Gas	**Coal**
Natural Gas	**Landlord or Building Operator Who Provides Heat to Tenants**

7. **Check all that apply:**

- ☐ **I certify that I am not subject to backup withholding.**
- ☐ **I certify that the mailing address on file is correct and current.**
- ☐ **A W-9 is enclosed as required for new vendor(s), or for existing vendors to report change of address or change in FEIN or Social Security number and/or business name.**

_____	_____
(Print Authorizing CAA Signature)	**(Print Authorizing Vendor Signature)**
_____	_____
(Authorizing Signature)	**(Authorizing Signature)**
_____	_____
(Witness)	**(Witness)**
_____	_____
(Date)	**(Date)**

(OEO – Revised 06/2024. Effective 06/19/2024 – until amended)

admin
THE SOUTH CAROLINA
DEPARTMENT *of* ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
803.734.0356 Fax

SOUTH CAROLINA OEO: Fraud, Waste & Abuse Policies

Background: HHS issued an Action Transmittal requiring that states report on their systems for ensuring program integrity, including provisions to prevent waste, fraud and abuse, and provisions to assure LIHEAP vendor validity. South Carolina OEO's policies to prevent waste, fraud and abuse is as outlined.

State Agency:

To report fraud, waste, abuse, mismanagement, or misconduct within or involving a state agency or employee(s) of a state agency, call the **State Inspector General** at 1-855-723-7283 (1-855-SC-Fraud), or visit the State Inspector General's website to file a complaint online (https://oig.sc.gov/).

Additionally, HR-201 – Disciplinary policy implemented by the Department of Administration (Admin) applies to all employees of the state agency and includes procedures to take. Admin's Human Resources Director or designee should be consulted, and Admin may conduct an investigation and coordinate with the Office of General Counsel as needed. Reference: Department of Administration Employee Disciplinary Policy (form HR-201).

Vendor:

The LIHEAP statewide vendor agreement will terminate immediately should a utility vendor supply false information or attempt to defraud the Office of Economic Opportunity, a Community Action Agency/OEO eligible entity or the eligible customer. In such cases, no additional reimbursement or payment will be made to the utility vendor until such matter is resolved. Reference: South Carolina OEO's Statewide Vendor Agreement (Effective 1/1/20 – until amended).

The Consumer Services Division of the South Carolina Office of Regulatory Staff (ORS) is responsible for assisting the public with complaints against regulated public utilities. This division can be reached at **1-800-922-1531** or **803-737-5230** between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday. You may also visit their website at www.ors.sc.gov.

Their mailing address is:
Office of Regulatory Staff
Consumer Services Division

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1401 Main Street, Suite 900

Columbia, SC 29201

The state office (OEO) will abide by the following procedures for investigating and prosecuting reports of fraud, and any sanctions placed on vendors found to have committed fraud:

- Refer to state Inspector General.
- Refer to US DHHS/DOE/HUD Inspector General (including referral to OIG hotline).
- May refer to OEO Subgrantee
- Vendors found to have committed fraud may no longer participate in CSBG, ESG, LIHEAP and/or WAP, and formal debarment or suspension may be initiated.

For more information please refer to South Carolina OEO Grant Agreements, Model/State Plans, OEO policies and procedures.

Subgrantee:

If the state office finds "cause" with a subgrantee, subgrantee employee, or authorized representative of the subgrantee that involves evidence of fraudulent reporting, use of funds or other evidence of criminal wrongdoing, OEO may initiate a reduction in or termination of the subgrantee's funding.

The federal CSBG Act explains that "cause" for which a state office may initiate a reduction in, or termination of a CAA's funding includes:

> *The failure of a CAA to comply with the terms of its CSBG agreement with the state, the state plan or to meet a state requirement.*

OEO requires Subgrantees to submit a LIHEAP integrity plan annually that details the agency's plan for preventing and detecting fraud, abuse, and improper payments.

In accordance with the OEO grant agreement, Subgrantees must disclose, in a timely manner, in writing to the Grantee all violations of State and Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award. See 45 C.F.R. §75.113.

Additionally, Subgrantees must comply with the reporting requirements of Appendix XII to 45 CFR Part 75 and 2 CFR Part 200. More specifically, Subgrantees receiving a total value exceeding

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$10,000,000 of active grants, cooperative agreements and procurement contracts from federal awarding agencies must maintain the currency of information reported to the System for Award Management (SAM) about civil, criminal, or administrative proceedings. See 45 C.F.R. §75 Appendix XII and 2 C.F.R. §200 Appendix XII.

The state office (OEO) will abide by the following procedures for investigating and prosecuting reports of fraud, and any sanctions placed on subgrantees found to have committed fraud:

- Refer to state Inspector General.
- Refer to US DHHS/DOE/HUD Inspector General (including referral to OIG hotline).
- May refer to OEO Subgrantee
- Contracts and grant agreements with local agencies require that employees found to have committed fraud are reprimanded and/or terminated.

For more information please refer to South Carolina OEO Grant Agreements, Model/State Plans, OEO policies and procedures.

Customers:

Customers intentionally misrepresenting information and/or documentation (social security identification, photo identification, income, household members, etc.) to qualify for services should be considered for debarment. With the recommendation of staff and the approval of the executive director, it is the servicing agency's responsibility to determine the period of debarment according to the documented offense(s). Debarment shall be for a period commensurate with the seriousness of the cause(s). Generally, debarment should not exceed one (1) program year, except debarment for violations involving physical assault, criminal or other seriously improper conduct, which may result in permanent barring.

The state office (OEO) will abide by the following procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients found to have committed fraud:

- Refer to state Inspector General.
- Refer to US DHHS/DOE/HUD Inspector General (including referral to OIG hotline).
- May refer to OEO Subgrantee.

For more information please refer to South Carolina OEO Grant Agreements, Model/State Plans, OEO policies and procedures.

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ADMINISTRATION FOR CHILDREN & FAMILIES
Office of Community Services | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/ocs

Low Income Home Energy Assistance Program

Information Memorandum

IM#:	LIHEAP-IM-2023-03
DATE:	June 1, 2023
TO:	Low Income Home Energy Assistance Program (LIHEAP) Grant Recipients
SUBJECT:	LIHEAP Assistance for Eligible Household Members Residing with Ineligible Household Members
ATTACHMENT(S):	N/A

PURPOSE

This Information Memorandum (IM) provides guidance on LIHEAP benefit payments for eligible household members residing in households with at least one member not eligible because they are not a citizen or qualified immigrant. In such circumstances, a LIHEAP grant recipient may pay off arrears in full when necessary to restore utility service or prevent a utility shut-off for eligible household members; grant recipients may also provide other LIHEAP services in full that cannot be prorated for eligible household members such as the purchase/repair/replacement of a heating or air-conditioning unit, weatherization services, and other minor-home energy related repairs.

OFFICIAL POLICY

When providing LIHEAP benefits such as energy bill reductions which can reasonably be prorated, LIHEAP grant recipients must prorate such benefits when they are being provided to eligible individuals residing in a household with ineligible members, based on the number of eligible household members. The income of all household members—regardless of eligibility—must be documented, verified, and included in the calculation of the LIHEAP benefit amount. However, ineligible household members must be excluded from the total household count when determining the benefit.

Additionally, LIHEAP grant recipients may pay the full amount of an arrearage to reconnect services or prevent the disconnection of home energy services for an eligible household member in order to ensure the availability of home energy services, even if the eligible member resides with one or more ineligible household members. Grant recipients may also provide eligible household members with other LIHEAP services that cannot be prorated such as the

purchase/repair/replacement of a heating or air-conditioning unit, weatherization services, and other minor-home energy related repairs.

BACKGROUND

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub. L. 104-193), restricts the access of certain non-citizen populations to specified Federal benefits. PRWORA distinguishes between qualified and not-qualified non-citizens.[1] Non-citizens who are not qualified are ineligible for defined federal public benefits, including LIHEAP. Qualified non-citizens are eligible to receive assistance and services under LIHEAP if they meet other program requirements.

Qualified non-citizens include persons granted permanent residence (green cards), refugees, asylees, persons paroled into the United States for at least a year or more, and certain other categories of non-citizens as specified in section 431 of PRWORA, 8 U.S.C. 1641(b).

An eligible household member for purposes of the LIHEAP Program is any individual who is a U.S. citizen or qualified non-citizen and is a member of a household that meets the eligibility requirements specified in Section 2605(b)(2) of the Low Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)).

RESPONDING TO NEEDS

LIHEAP grant recipients can use this guidance immediately to ensure that they are responding to the needs of low-income households. OCS recognizes that a full arrearage payment or payment arrangement may be required in order to reconnect or prevent the disconnection of household energy services, and that in such circumstances, it is impossible to reconnect heating/cooling services for only certain household members. Similarly, it is not possible to replace half of a heating unit or install part of an air-conditioning unit. It is for this reason that grant recipients are allowed to provide LIHEAP services in full that cannot be prorated for eligible household members when the eligible member resides with one or more ineligible household members.

Please note that this guidance aligns with guidance issued for the Low Income Household Water Assistance Program. Together, these guidance documents will allow grant recipients to best meet the needs of eligible individuals in low-income households and ensure that those who are eligible for critical utility assistance are not denied services based solely on living with ineligible household members.

RELATED REFERENCE

LIHEAP IM HHS Guidance on the Use of Social Security Numbers (SSNs) and Citizenship Status Verification

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[1] The statutory term is "qualified alien." The meaning of qualified alien and qualified non-citizen is intended to be synonymous.

Thank you for your attention to these matters. OCS looks forward to continuing to provide high-quality services to OCS partners.

/s/
Dr. Lanikque Howard
Director
Office of Community Services

Serving Households with Energy Costs Included in Rent

The LIHEAP Terms and Conditions state that LIHEAP must establish policies and procedures that treat owners and renters equitably. The following are scenarios subgrantees may encounter when providing assistance to renters.

1. Household when the applicants is the residential energy account holder: These households are to be served the same as homeowners.
2. Households who have their residential energy bill included in their rent (this may include mobile homeowners or renters who lease the space/land.)

- **Single energy meters** the following information is required for the subgrantee to be able to make a payment directly to the energy vendor.
  - The name of the vendor
  - The account number
  - The cost of residential heating/cooling costs charged in the rental fee; and
  - Rent or heating/cooling energy balance (Past Due Bills)
- **Shared energy meters** the following information is required for the subgrantee to be able to make a payment directly to the energy vendor.
  - The name of the vendor
  - The account number
  - Rent or heating/cooling energy balance (Past Due Bills) and
  - An agreed upon average household amount for monthly heating/cooling energy usage

Important: For all situations when the heating/cooling energy bill is part of the rent, the subgrantee must confirm that the benefit is being passed to the household in the form of a rent reduction once the vendor receives a payment.

If an applicant is behind on their rent, which includes their energy bill, a payment cannot be made to the landlord to cover the rent. The LIHEAP benefit must only be for arrearages and rate reductions related to heating/cooling energy services, not for general rental payments. In addition, payments cannot be made directly to landlords nor households.

Subgrantees may use the LIHEAP Renter's Affidavit to gather and document information that demonstrates the household is in receipt of rent reduction.

Renter's Reduction Example:

Renter's Billing Profile	
Monthly Rent (No Payments Made)	$500
Number of Months Past Due	3
Itemized Heating/Cooling Fees	$100
Itemized Late Fees	$25

LIHWAP Benefit Calculation	
Energy Fees: $100 x 3	$300
Late Fees: $25 x 3	$75
Total LIHEAP benefit	$375
Rent Reduction	$375

Note: The landlord must agree to reduce the household's total rent due by $375.

OFFICE OF ECONOMIC OPPORTUNITY (OEO/State)
CSBG & LIHEAP STAFF INFORMATION:

Questions regarding this Administrative Guide should be directed to OEO staff:

SENIOR MANAGER FOR CSBG AND LIHEAP PROGRAMS

Kelly Buckson | (803) 734-0579 | Kelly.Buckson@admin.sc.gov

PROGRAM COORDINATORS & AGENCY ASSIGNMENTS

Akevia Brigance | (803) 734-1394 **|** Akevia.Brigance@admin.sc.gov
Aiken/Barnwell, Chesterfield/Marlboro, GLEAMNS, Piedmont, Wateree

Franchesca Watson | (803) 734-3456 | Franchesca.Watson@admin.sc.gov
Beaufort-Jasper, Carolina, Lowcountry, Palmetto CAP, Pee Dee

VACANT
Darlington, OCAB, SHARE, Waccamaw

Office of Economic Opportunity
1205 Pendleton Street
Columbia, South Carolina 29201
Telephone: (803) 734-0662
Fax: (803) 734-0356
oeo.sc.gov

This guide is subject to change at any time during the program year.

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2025 COMMUNITY ACTION AGENCY SUBGRANTEES/ELIGIBLE ENTITIES

Community Action Agency	CSBG/LIHEAP Point of Contact
Aiken/Barnwell Counties Community Action Agency, Inc. **George A. Anderson, Esq.** Executive Director 291 Beaufort Street Aiken, SC 29801 (803) 648-6836	**Bertie McKie** *Program Contact* bertie.mckie@abccaa.org (803) 648-6836 **Patrice Jones** *Fiscal Contact* patrice.jones@abccaa.org CSBG/LIHEAP/Weatherization
Beaufort-Jasper Economic Opportunity Commission **James Williams** Executive Director 60 Robert Smalls Parkway Beaufort, SC 29906 (843) 962-3888	**Andray Holmes** *Program Contact* aholmes@thebjeoc.org (843) 962-3980 **Latoya Washington** *Fiscal Contact* lwashington@thebjeoc.org *CSBG/LIHEAP*
Carolina Community Actions **Karen Brackett-Browning** Executive Director 138 South Oakland Avenue Rock Hill, SC 29731 (803) 329-5195	**Mary Reid** *Program Contact* mreid@ccainc.org (803) 329-5195 **Karen Kee** *Fiscal Contact* kkee@ccainc.org CSBG/LIHEAP/Weatherization
Chesterfield-Marlboro Economic Opportunity Council **Samuel D. Bass, Jr.** Executive Director 318-322 Front Street Cheraw, SC 29520 (843) 320-9760	**Rolanda Lewis** *Program Contact* rlewis@cmeoc.org (843) 320-2135 **Deborah Clyburn** *Fiscal Contact* dclyburn@cmeoc.org *CSBG/LIHEAP/Weatherization*
Darlington County Community Action Agency **Jacquelyn Slayton** Executive Director 325 W. Washington Street	**Pamela Stevenson** *Program Contact* pstevenson@dccaa.net (843) 332-1135 ext. 209

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Hartsville, SC 29550 (843) 332-1135	**Stephanie Howell** *Fiscal Contact* showell@dccaa.net *CSBG/ LIHEAP*
GLEAMNS Human Resources Commission **Dr. Ameca Thomas** Executive Director 237 Hospital Street Greenwood, SC 29648 (864) 223-8434	**Marcella Kennedy** *Program Contact* mkennedy@gleamnshrc.org (864) 223-8434 ext. 8829 **Darlene Hall** *Fiscal Contact* dhall@gleamnshrc.org *CSBG/LIHEAP/Weatherization*
Lowcountry Community Action Agency **Tara Glover** Executive Director 1605 N Jefferies Hwy Walterboro, SC 29488 (843) 549-5576	**Emily Mitchell** *Program Contact* eamitchell@lowcountrycaa.org (843) 549-5576 ext. 106 **Tamika Shiggs** *Fiscal Contact* tamika.shiggs@lowcountrycaa.org *CSBG/LIHEAP/Weatherization*
OCAB Community Action Agency **Calvin Wright** Executive Director 1822 Joe Jeffords Highway Orangeburg, SC 29116 (803) 536-1027	**Janice Spells-Jamison** *Program Contact* jjamison@ocabcaa.org (803) 536-1027ext.117 **Dietrich Shuler** *Fiscal Contact* dshuler@ocabcaa.org *CSBG/LIHEAP*
Palmetto Community Action Partnership **Casdell Singleton** Executive Director 1069 King Street Charleston, SC 29403 (843) 724-6760	**Patrice Simmons** *Program Contact* psimmons@palmettocap.org (843) 737-8816 **Ronald Dixon** *Fiscal Contact* rdixon@palmettocap.org *CSBG/LIHEAP/Weatherization*
Pee Dee Community Action Partnership **Walter Fleming** Executive Director	**Queen McCall** *Program Contact* queenmccall@hotmail.com

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2685 South Irby Street Florence, SC 29501 (843) 678-3400	(843) 678-3400 ext. 121 **Alberta Durant** *Fiscal Contact* flopdcaa@aol.com *CSBG/LIHEAP*
Piedmont Community Actions, Inc. **Cynthia Lounds** Executive Director 300A South Daniel Morgan Avenue Spartanburg, SC 29304 (864) 585-8183	**Vanessa Davis** *Program Contact* vdavis@pcasp.org (864) 327-1115 **Julita Chandra** *Fiscal Contact* jchandra@pcasp.org *CSBG Only*
Sunbelt Human Advancement Resources **Pamela Sims** Executive Director 254 S. Pleasantburg Drive Greenville, SC 29607 (864) 269-0700	**Tandy Bannister** *Program Contact* tbannister@sharesc.org (864) 269-0700 ext. 3242 **Doris Pitchford** *Fiscal Contact* dpitchford@sharesc.org *CSBG/LIHEAP*
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Wateree Community Actions **Annette Tucker** Executive Director 1915 Harden Street Columbia, SC 29204 (803) 807-9811	**Margaret Gibson** *Program Contact* mgibson@wcai.org (803) 807-9811 **Tinika Cantey** *Fiscal Contact* tcantey@wcai.org *CSBG/LIHEAP/Weatherization*

2026 DRAFT

SC Association of Community Action Partnership **Jessica McMoore** Executive Director 2700 Middleburg Drive, Suite 213 Columbia, SC 29204 (803) 771-9404	**Elaina Lamar** elamar@scacap.org (803) 771-9404

2026 DRAFT

PROGRAM YEAR _____
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM
GRANT AGREEMENT

(CFDA 93.568)

Between

THE STATE OF SOUTH CAROLINA
Department of Administration
Office of Economic Opportunity (OEO)
UEI #: UL2HEZMR7HN1
1205 Pendleton Street
Columbia, South Carolina 29201

And

Subgrantee Name
UEI #:
Address
Address

EFFECTIVE DATES:
January 1, ___through December 31, ____

PROGRAM YEAR ____
LOW-INCOME HOME ENERGY ASSISTANCE
GRANT AGREEMENT

(CFDA 93.568)

This Grant Agreement effective as of the 1st day of January ____ by and between the Department of Administration, Office of Economic Opportunity, hereinafter referred to as the "Grantee" and Subgrantee Name, hereinafter referred to as the "Subgrantee."

WHEREAS, the Secretary of the United States Department of Health and Human Services (USDHHS) has allocated funds under the Low-Income Home Energy Assistance Act, hereinafter referred to as the "Act," to the State of South Carolina for the conduct of human service programs to assist eligible households in meeting home energy expenses within all of South Carolina's 46 counties; and,

WHEREAS, the Grantee meets applicable standards as a provider to administer the energy assistance program associated with the Low-Income Home Energy Assistance Act of 1981, as amended by the Low-Income Home Energy Assistance Amendment of 1998, and the Energy Policy Act of 2005;

NOW THEREFORE, the parties to this Grant Agreement, in consideration of the mutual promises, terms, conditions, covenants, and stipulations set forth herein agree as follows:

I. **ENGAGEMENT OF SUBGRANTEE:** The Grantee hereby agrees to engage the Subgrantee and the Subgrantee hereby agrees to perform the services hereinafter set forth in this Grant Agreement.

II. **SERVICE AREA:** The Subgrantee shall perform the services provided under this Grant Agreement in the following counties: List counties served

III. **GRANT PERIOD:** The Grant Agreement shall take effect as of January 1, ____ and shall continue in full force through December 31, ____, unless sooner terminated in accordance with Section XI herein.

IV. **DEFINITIONS:** Terms used in this Grant Agreement, unless another meaning is clearly indicated by context, are defined as follows:

A. Act: Low-Income Home Energy Assistance Act of 1981 (Title XXVI of The Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, as amended); and the Energy Policy Act of 2005;

B. Administrative Guide**:** A comprehensive manual containing program guidelines;

C. DA**:** Direct Assistance Heating (DAH) or Direct Assistance Cooling (DAC);

D. ECIP**:** Emergency Crisis Intervention Program;

E. Federal Award Date: The date the Federal Award was signed by the authorized Federal awarding agency.

F. Federal Award Period: The timeframe federal funding is available for obligation.

G. FFY**:** Federal Fiscal Year means the October 1, 2023 through September 30, ____;

H. Grantee**:** The State of South Carolina, Department of Administration, Office of Economic Opportunity;

I. LIHEAP**:** Low-Income Home Energy Assistance Program;

J. PY**:** Program Year means the Grant period January 1, ____ through December 31, ____;

K. Recipient**:** A household or individual that has been determined eligible for services as outlined in the ____ State Plan;

L. Secretary**:** The Secretary of the U.S. Department of Health and Human Services;

M. State**:** The State of South Carolina;

N. State Plan**:** The State of South Carolina's PY ____ State Plan for Low-Income Home Energy Assistance, which describes the methodology, policy and procedures for implementing the grant program;

O. Subgrantee**:** Community Action Agency (CAA)

P. Subgrantee Period of Performance: The timeframe a subgrantee has to obligate funds.

Q. Subgrantee Closeout Period: The timeframe a subgrantee must liquidate or pay all obligations incurred under the award for the funding period, conduct final reconciliations, data collection, and other administrative activities necessary to close the grant; and

R. Vulnerable Households**:** Households with frail, older individuals, individuals with disabilities, and/or those with very young children that meet LIHEAP program and income eligibility standards.

V. PURPOSE OF THE STATE LIHEAP PROGRAM: The Low-Income Home Energy Assistance Program (LIHEAP) is designed to assist low-income households in meeting home heating and cooling expenses. LIHEAP helps to alleviate home energy crisis through the provision of home energy assistance, energy education, home weatherization, income management counseling, and intervention with energy providers.

The goals for PY ____ include:

A. Expand outreach in one or more vulnerable household categories;

B. Target energy assistance to eligible households with the highest energy needs and lowest incomes;

C. Increase efficiency of energy usage by applicant households; and

D. Address inefficient home heating/cooling systems through repair and/or replacement utilizing LIHEAP Weatherization.

VI. FUNDING

A. Grantee agrees to provide the Subgrantee the PY ____ allocation of $ _____

US Department of Health and Human Services-Office of Community Services
Federal Award Date: 10/23/2023
Federal Award Period: 10/01/2023 – 09/30/2025
Federal Award Identification Number: 2402SCLIEA
Assistance Listing Number: 93.568
Low-Income Home Energy Assistance Program
Subgrantee Period of Performance: 01/01/____ to 12/31/____
Subgrantee Budget Period: 01/01/____ to12/31/____
This is not an R&D award.

County	**Administration**	**Operations & Outreach**	**Total ____ LIHEAP Allocation**

Total			

B. Minimum Performance

Each Subgrantee must expend the LIHEAP allocation according to the quarterly percentages in the following table. Any Subgrantee who does not expend the minimum percentage of LIHEAP funds will be required to submit a Plan of Action Report within ten (10) days of receiving notification from Grantee.

1st Quarter – January, February, March	-	25%
2nd Quarter – April, May, June	-	50%
3rd Quarter – July, August, September	-	75%
4th Quarter – October, November, December	-	100% expended

VII. TERMS AND CONDITIONS

Now, therefore, the parties to this Grant, in consideration of the mutual promises, terms and conditions, covenants, and stipulations set forth herein, agree to the following terms and conditions:

A. GRANTEE RESPONSIBILITIES

1. Monitoring and Evaluation

The Grantee is responsible for monitoring grant, sub-grant and contract supported activities to assure compliance with Federal and State requirements, and that performance goals are being achieved. Monitoring must cover each project, function and activity. (See 45 C.F.R. §75.342). In a timely, complete and accurate manner, the Subgrantee shall report all data and information requested by the Grantee. The Subgrantee agrees that the Grantee and its representatives may carry out monitoring and evaluation activities, including announced and unannounced activities. The Subgrantee agrees to ensure the cooperation of all Subgrantee employees and board members and make all program records and facilities available to the Grantee to examine and copy to complete monitoring requirements. (See 45 C.F.R. §75.364) During the visit, the Grantee may contact clients and vendors, and will review service delivery as specified in the Grant, as well as review current monitoring reports for other programs administered by the Subgrantee. In addition, internal program reviews shall be conducted by the Subgrantee in accordance with all other procedures issued by the Grantee.

A copy of each Subgrantee fiscal and program monitoring report shall be mailed to the Board Chairperson and the Executive Director; if issues are identified that could cause an agency to become at-risk, the entire board will receive a copy of the report and other correspondences.

Effective controls over and accountability for federal funds require subgrantees to assure funds are used solely for authorized purposes; i.e., those activities that relate to the approved Budget and Work Plan. Subgrantee must review and document client assistance file, as it is an effective tool in maintaining control and ensuring compliance over Federal funds.

2. Payments

45 C.F.R. §75.305 sets forth the payment guidelines that OEO will follow.

a. Method of Payments

Advance payments must be limited to the minimum amounts needed and be in accordance with the actual, immediate cash requirements of the Subgrantee in carrying out the purpose of the LIHEAP program. Therefore, OEO will release a scheduled one-time advancement of funds for the first two to four (2-4) months of expenses of the grant period for LIHEAP.

Subgrantees should request additional cash payments throughout the program year using the "Certification of Advancement of Funds" form. A separate form is required for each grant.

Cash payment requests should be made on a monthly basis but may be submitted as frequently as biweekly.

In determining the cash request, Subgrantees should take into consideration:

- The amount of funds that have been obligated;
- Commitments and other funds needed to continue daily operations; and
- Time for Grantee to process and release funds requested. It may take up to thirty (30) days for Grantee to process and release the requested disbursement.

Pursuant to 45 C.F.R. §75.305, the Subgrantee must maintain and demonstrate the willingness to maintain both written procedures that minimize the time elapsing between transfer of fund and disbursement by the Subgrantee, and financial management systems that meet the standards for fund control and accountability. As such, Subgrantees must continuously monitor grant funds received from Grantee to ensure compliance with this requirement. Grantee maintains the right to request additional information from the Subgrantee prior to disbursing payments.

b. Conditions of Payments

The Grantee shall only make payment for allowable costs that are authorized in the course of providing services pursuant to this Grant. Allowable costs shall meet the basic considerations prescribed in 45 C.F.R. §75.403. The Grantee shall make payments on the condition that the Subgrantee is in full and faithful compliance with the terms, conditions, covenants and stipulations of this grant.

c. Limit of Payments

The total payment to the Subgrantee shall not exceed the amount on Section VI, Funding, page 3 of this Grant Agreement unless authorized by an amendment issued by the Grantee.

d. Recall of Funds

The Grantee may request return of unexpended grant funds upon written notice to the Subgrantee. The notice will indicate the allowable time for the return of the funds and stipulate causes.

B. SUBGRANTEE RESPONSIBILITIES:

The Subgrantee shall do, perform and carry out, in a satisfactory manner, as determined by the Grantee, the services herein:

1. Description of Service**:**

The services to be provided are the program elements described in the ____ South Carolina LIHEAP State Plan and approved Subgrantee Work Plan for implementation of the Act. These services are listed below:

a. Administration:

Provides program and fiscal support, technical assistance and training, program development and oversight for the program elements outlined below in paragraphs b – d;

b. Direct Assistance (DA):

Assists eligible households with home heating and cooling expenses (Refer to PY ____ Administrative Guide);

c. Energy Crisis Intervention (ECIP):

Assists eligible households with home emergency heating and cooling expenses and/or home energy needs created by extreme weather-related temperatures, fuel supply shortages, and other emergency conditions as defined by the State (Refer to PY ____ Administrative Guide); and

2. Provision of Services**:**

The Subgrantee certifies it has the legal authority to apply for the Grant and the capability to ensure proper planning, management and completion of the program elements approved in the Work Plan and Grant Agreement.

a. Performance

The services shall be provided and performed in accordance with the ____ South Carolina LIHEAP State Plan and Administrative Guide as soon as practicable after the approval of the Work Plan and Budget and the execution of the ____ LIHEAP Grant Agreement. Subgrantees are required to report deviations from Budget and Work Plan and request prior approvals for Budget and Work Plan revisions, including changes in the scope or objective of the program.

b. Clients

The Subgrantee agrees to provide LIHEAP services only to households whose eligibility is established in accordance with the ____ South Carolina LIHEAP State Plan and Administrative Guide, and to disburse LIHEAP funds for heating and cooling components during the ____ Program Year as outlined in the Administrative Guide.

c. Notification of Payment to Client and Vendors

Subgrantee shall:

(A) notify each participating household of the amount of assistance paid on its behalf;
(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;
(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and
(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs.

See 42 U.S.C. §8624(b)(7).

d. Appeal and Fair Hearing

Subgrantee agrees to publicize procedures for an opportunity for a fair hearing for any applicant or recipient of services whose request for any service is not acted upon with promptness or is denied.

3. Personnel:

a. Generally

The Subgrantee agrees to secure the personnel required to perform the services under this Grant Agreement. Subgrantee should employ personnel who can demonstrate the knowledge and aptitude needed to serve recipients and achieve the Grant's Performance Targets, including fiscal requirements. Personnel engaged by the Subgrantee to perform services under this Grant shall be employed in accordance with Federal and State laws and regulations, as well as Subgrantee's Personnel Policies and Procedures. In the budget, the Subgrantee shall identify all positions to be funded by this Grant, full/part-time and temporary, by providing the Employee ID and the county served of each position to be occupied and the percentage of salary. If there are positions to be filled later, the Subgrantee shall submit an updated, final list within ninety (90) days of the beginning of the grant or whenever all positions have been filled, or whichever is sooner. If there are still position vacancies at the time of submission of the final list, the list must still be submitted to the Grantee with the vacancies noted.

All services required will be performed by the Subgrantee or under the direct supervision of the Subgrantee as approved by the Grantee. The Grantee considers Subgrantee's Personnel Policies and Procedures an integral part of this Grant, as are any amendments, and will be reviewed during the OEO monitoring.

b. Subcontractors

Unless otherwise expressly authorized by the Grantee, all services hereunder shall be provided by the Subgrantee directly and no grant for the provision of such services shall be entered into by the Subgrantee. Authorized subcontracts under this Grant shall be in writing, attached to this Grant and shall be subject to the term of this Grant. The Subgrantee will, of necessity due to limitations of administrative funds, be expected to establish cooperative procedures with such other organizations and procedures will be in accordance with the approved Work Plan. The Subgrantee shall establish outreach procedures for eligible households using assistance from volunteer private and public agencies.

Subgrantee shall require any subcontractor to comply with the provisions of this Grant Agreement. Subgrantee shall be responsible for the performances of any subcontractor and shall monitor the performance of any subcontractor.

Subcontractors engaged by the Subgrantee to perform services under this grant shall be contracted with in accordance with state laws and local ordinances. Under this Grant Agreement, an employee of the Subgrantee is not eligible to provide services to recipients as a subcontractor. Applicable procurement laws and procedures as outlined in the OEO Fiscal Guidance and Procedural Manual will be followed in securing subcontractors who provide services. See Section VII, Paragraph (B), Subsection (10), of this Grant Agreement.

c. Confidentiality and Safeguarding Information

Any reports, information or data obtained by Subgrantee, or prepared at the request of Grantee by Subgrantee, shall not be made available to any individual or organization without the prior written approval of Grantee. Subgrantee shall not disclose any personally identifiable information (PII) (see 45 CFR §75.2) of a recipient to any third party without the express written authorization of the client or of his/her legal guardian.

The Subgrantee shall safeguard the use and disclosure of information concerning applicants and recipients of services in accordance with applicable Federal or State laws or regulations and shall restrict access to, use and disclosure of such information, in accordance with said laws and regulations. Any question regarding access to information should be referred in writing to the Grantee. Accessibility will be permitted only at the direction of the Grantee.

Subgrantee must comply with 45 C.F.R §75.365 Restrictions on public access to records.

Subgrantee must develop and implement a confidentiality policy for all employees, consultants and volunteers to sign and adhere to while working with personal information of household members being serviced under this Grant Agreement.

d. Safety

The Subgrantee must take necessary steps to protect itself and its personnel while providing services through this grant. The Subgrantee will comply with all applicable local, State and Federal occupational and safety acts, rules and regulations. The Grantee assumes no responsibility with respect to accident, illness or claims arising out of any work undertaken with funds provided through this grant.

4. Time of Performance:

Services by the Subgrantee shall commence as soon as practicable**,** only after the approval of the Work Plan and Budget, and the execution of this Grant Agreement. Services shall be undertaken to assure completion in accordance with timelines**,** goals and objectives, as stipulated in the approved Work Plan.

5. Client Files

Subgrantee agrees to maintain files that contain source documents that (1) support recipient eligibility, (2) support costs that are allowable and traceable to the accounting system, and (3) are in accordance with provisions of cost principles, conditions of this Grant Agreement and 45 CFR §75.305(b). The review of files can be used to support future individual or agency training, employee performance evaluation and other human resource procedures.

Subgrantee agrees to secure and protect client information collected, used, stored, and maintained in the execution of this grant.

6. Work Plan:

The Subgrantee shall submit a Work Plan describing the agency's operational plan, Performance Targets, Outcome Statements, goals and objectives for the LIHEAP Program, to include a clear description of advertising outreach, of how identified linkages will be utilized to fill identified gaps in services, and to prevent the duplication of services within the designated service area. The Work Plan will provide the total number of low-income households in the service area and clearly indicate the percentage of vulnerable households that the agency is planning to target. Projections must include: target elderly, disabled, households with children age 5 and younger, and households with a high burden (energy bill is 20% or greater than the total household monthly income).

The Subgrantee shall immediately notify the Grantee of significant developments potentially impacting or changing the approved scope of work or in case of problems, delays, or adverse conditions which could impair the ability to meet the objectives of the award. The notification shall include a statement of action(s) to be taken or contemplated and identify any assistance needed to resolve the situation(s). Any revised Work Plans must be approved by the Grantee.

7. Budget

a. General Requirements

Subgrantee must submit to OEO a budget package through the statewide database system, which has been approved by their Board of Directors. The budget must set forth a plan summarizing the financial aspects of their program, specifically stating the estimated revenues and expenses. Subgrantee also agrees to adhere to the cost principles set forth in 45 C.F.R. §75 - Subpart E.

b. Allowable Costs

Pursuant to 45 C.F.R. §75.403, an allowable cost is a cost that meets the following general criteria:

- Be necessary and reasonable for the performance of the grant and be allocable thereto;

- Conform to any limitations or exclusions as to types or amounts of cost items;
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the Subgrantee;
- Be accorded consistent treatment. A cost may not be assigned to a grant as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the grant as an indirect cost;
- Be determined in accordance with generally accepted accounting principles (GAAP);
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-funded program in either the current or prior period;
- Be adequately documented.

c. Reasonable Costs

Pursuant to 45 C.F.R. §75.404, a cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

d. Direct Costs

Pursuant to 45 C.F.R. §75.413, direct costs are those costs that can be identified specifically with a particular final cost objective, such as grant funds, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

e. Indirect Costs

Pursuant to 45 C.F.R. §75.2, indirect costs means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

Pursuant to 45 C.F.R. §75.414, indirect costs shall be classified within two broad categories: "Facilities" and "Administration."

- "Facilities" is defined as depreciation on buildings, equipment and capital improvement, interest on debt associated with certain buildings, equipment and capital improvements, and operations and maintenance expenses.
- "Administration" is defined as general administration and general expenses such as the director's office, accounting, personnel and all other types of expenditures not listed specifically under one of the subcategories of "Facilities."

The Subgrantee shall establish an indirect cost rate in accordance with the cost principles and procedure by the cognizant agency. See 45 C.F.R. §75.414(e) for requirements for development and submission of indirect cost rate proposals and cost allocation plans. The Subgrantee shall provide documentation to substantiate an approved rate from the cognizant agency and provide subsequent re-issuance of such rate agreement. The Subgrantee shall utilize the approved IDC in accordance with the cost principles and procedures set forth by the cognizant agency.

f. Allocable Costs

Pursuant to 45 C.F.R. §75.405, a cost is allocable to a particular grant or other cost objective if the goods or services involved are chargeable or assignable to that grant or cost objective in accordance with relative benefits received. This standard is met if the cost:

- Is incurred specifically for the grant;
- Benefits both the grant and other work of the Subgrantee and can be distributed in proportions that may be approximated using reasonable methods; and
- Is necessary to the overall operations of the Subgrantee and is assignable in part to the grant funds in accordance with costs principles set forth in Subpart E.

g. Program Income

Program income means gross income earned by the Subgrantee that is directly generated by a supported activity or earned as a result of the LIHEAP funds during the period of performance. See 45 C.F.R. §75.2.

Program income that is earned may be retained and deducted from the total allowable costs pursuant to 45 C.F.R. §75.307(e)(1).

8. Financial Management System**:**

a. General Requirements

By accepting this grant, the Subgrantee certifies that it has established an effective and efficient system of accounting and administrative internal controls to properly conduct this grant with full accountability for the resources made available. The Subgrantee's financial management systems, including records documenting compliance with State and Federal statutes, regulations and the terms and conditions of this grant, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracking of funds to a level of expenditures adequate to establish that such funds have been used according to State and Federal statutes, regulations and the terms and conditions of this grant.

Subgrantee's financial management system must comply with 45 C.F.R. §75.302 (b).

b. Cash Management
Grantee is required to comply with the Cash Management Act (CMIA) 31 CFR 205 (amended 1992). The payment guidelines for the Subgrantee are set forth in 45 CFR §75.305(b).

See 45 CFR §75.305 (a) and (b).

c. Identification of Accounts

Subgrantee must have a separate fund account for LIHEAP funds and must be able to identify the source and application of funds for LIHEAP activities. The Subgrantee's records must contain information pertaining to the LIHEAP award, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. Program and grant fund identification must include, as applicable, the CFDA title and number, grant identification number and year, name of the Federal Agency, and name of the pass-through entity, OEO.

No portions of LIHEAP funds may be used for the purpose of making loans to employees or other programs within the agency without approval from OEO and HHS.

9. Internal Control Systems:

Subgrantee agrees to establish and maintain effective internal control over the grant funds that provides reasonable assurance that the funds are being managed in compliance with Federal and State statutes, regulations, and the terms and conditions of this agreement. These internal controls must be in compliance with 45 C.F.R. §75.303.

Subgrantee must take prompt action when instances of noncompliance are identified, including but not limited to noncompliance identified in audit findings and/or monitoring activities.

10. Procurement

Subgrantee shall follow the South Carolina Consolidated Procurement Code set forth in S.C. Code Ann. §11-35-10, et seq., in conducting procurements unless the proposed purchase is from a vendor

that is selected from the current State Procurement Contract list, which must be verified through the State's Materials Management Office (MMO). Subgrantee also agrees to follow the requirements set forth in §§45 C.F.R. §§75.327 through 75.335, any applicable memorandums issued by the State and Grantee's Fiscal Guidance and Procedural Manual. Subgrantee's agreements and contracts with subcontractors shall follow the procurement guidelines.

All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. The subgrantee shall be alert to organizational conflicts of interest and noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, invitation for bid and/or requests for proposals shall be excluded from competing for such procurements. Any and all bids or offers may be rejected when it is in the subgrantee's interest to do so.

The use of sole source contracting is highly discouraged. Sole source contracts will be awarded only under exceptional circumstance and in compliance with Section 11-35-1560 of the South Carolina Consolidated Procurement Code. Subgrantee must also refer to the OEO Fiscal Guidance and Procedural Manual for specific guidance and requirements. Subgrantee is required to submit a written explanation justifying this type of procurement, with support documentation, to OEO prior to entering into a sole source contract.

Grantee will review the Subgrantee's procurement procedures and purchases during their monitoring. Grantee may request, at any time, justification and documentation supporting any purchase as a direct cost in this grant.
As stated in §507 of Public Law 103-333, to the extent practicable, all equipment and products purchased with grant funds should be American made.

11. Program and Fiscal Records

    a. General Requirements

    The Subgrantee must maintain records which adequately identify the source and application of funds provided for grant activities. The Subgrantee also agrees to prepare, retain, and permit the Grantee and its authorized representative(s) to inspect Subgrantee records as the Grantee deems necessary for monitoring purposes. In addition to inspections, the Subgrantee agrees to give access to the Grantee and its authorized representative(s) to the following records:

    - Fiscal transactions;
    - Audits;
    - Personnel files;
    - Administration;
    - Program; and
    - Any other record deemed relevant by the Grantee.

    See 45 C.F.R. §75.364.

    b. Statewide Database System

    Subgrantee must fully utilize the statewide database system as prescribed by Grantee. Subgrantee is required to ensure that all staff with access to the statewide database system remain current with access requirements and documentation (i.e. SANS Training and User Confidentiality Agreement). Subgrantee is also required to ensure that staff who will be given access to the statewide database system meet all requirements, documentation and training.

    If Subgrantee determines a need to maintain client information outside of the statewide database system, Subgrantee agrees to appropriately protect the information, and dispose of the information in a manner that renders the information unreadable, indecipherable, and irrecoverable.

c. Record Retention

All pertinent grant records including financial, program, supporting documents, statistical and non-expendable property records must be retained for three (3) years after the Subgrantee submits the final expenditure report to the Grantee. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.

To see additional exceptions, see 45 C.F.R. §75.361.

12. Reporting Requirements

Subgrantee will file all required reports using Grantee's on-line Budget and Financial Status Reporting process. For further details, see the Grantee's Fiscal Guidance and Procedural Manual, § IV.

All required reports, fiscal and programmatic, must be sent to Grantee in a manner acceptable to Grantee. "Acceptable to Grantee" means that the work product was submitted accurately and complete within the required time frame and completed in accordance with generally accepted accounting principles and is consistent with the Budget, Work Plan and Grant Agreement. When Grantee receives an incomplete report, Subgrantee shall provide additional fiscal and program records, updates or information as may be required by Grantee.
When reports are not submitted within the required time frame, nor completed in accordance with generally accepted principles, nor consistent with the approved budget, Work Plan or this Agreement, the State may exercise its right to temporarily stop grant funding. Among other required data, this includes, but is not limited to program reports, quarterly reports, annual reports, budgets and budget revisions, Financial Status Reports, individual audits, close-out reports, Board Meeting Minutes, and submission of carryover (when required). **Failure to submit timely and accurate FSRs may result in delayed payments of advancements.**

Required reports, prescribed above, must be sent to the Grantee in a manner acceptable to the Grantee, or the Grantee may withhold further payments/awards until they are completed or may take action as set forth in "Section X– Administrative Enforcement" of this Agreement.

a. Financial

The Subgrantee shall furnish the Grantee monthly Financial Status Reports (FSR) no later than the 15th day of the following month (refer to OEO Fiscal Guidance and Procedural Manual). The FSR reports shall include an accounting of all financial activity completed during the reporting period. A final FSR report shall be required within forty-five (45) days after the completion of the grant period (time-frame subject to change).

b. Programmatic

The Subgrantee shall provide the Grantee monthly household reports no later than fifteen (15) days after the end of each quarter of the program year and shall continue to provide the reports each quarter until submission of the annual close-out report is due forty-five (45) days after termination of this Agreement.

Upon reasonable notice, the Subgrantee shall provide such additional fiscal and/or program updates or information as may be required by the Grantee.

c. Monitoring Reports from Other Funding Sources

The Subgrantee shall provide the Grantee current monitoring reports for other programs administered by the Subgrantee, including but not limited to any federal funding sources and Project Share, within thirty (30) days of receipt. (See 45 C.F.R. §75.364).

d. Board of Directors

Within thirty (30) days of the date of execution of minutes, one copy of each set of approved Board Meeting Minutes is to be submitted to the Grantee by uploading them to the BoardPro module of the statewide database system. Board Rosters are to be updated as needed and a revised copy is to be submitted to the Grantee within thirty (30) days of the revision(s).

e. Subcontractor and/or Consultants

The Subgrantee shall send Grantee written notification identifying all subcontractors and/or consultants that Subgrantee directly contracted with for services for its organization, funded in whole or in part by this grant. (Refer to OEO Fiscal Guidance and Procedural Manual, page 35, which further defines Contractual/Professional Services.) Subgrantee will provide to the Grantee copies of all relevant business licenses and insurance certificates of the subcontractors and/or consultants.

f. Property

Pursuant to 45 C.F.R. §75.2, Property means real property or personal property and equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the Subgrantee for financial statement purposes, or $2,500. Title to all property shall vest with the Subgrantee so long as it is used for the purposes of this Grant. When the Subgrantee determines that property is no longer required for the purposes of this Grant, the Subgrantee is to contact the Grantee for disposition instructions and approval (refer to OEO Fiscal Guidance and Procedural Manual).

Subgrantee must maintain property records that include a description of the property, a serial number or other identification number, the source of funding for the property (including FAIN), who holds title, the acquisition date and cost of the property, the percentage of Grantee's participation in the project cost for the grant funds under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

Subgrantee must perform an annual physical inventory of the property and reconcile the results as of the end of the fiscal year. Subgrantee will submit a final equipment inventory to Grantee no later than April 30, ____.

See 45 C.F.R. §75 - Property Standards, §§75.316 through 75.323 and Grantee's Fiscal Guidance and Procedural Manual for further details.

13. Single Audit

Subgrantees that expend $750,000 or more in a fiscal year in federal funds are federally required to have a single audit conducted for that year in accordance with 45 CFR §75 Subpart F –Audit Requirements.

Within thirty (30) days of receipt of the independent audit report, or nine (9) months after the year end, whichever comes first, the Subgrantee is required to electronically submit the completed data collection form and reporting package to the Federal Audit Clearinghouse per 45 CFR §75.512. If findings are reported, the subgrantee is required to submit a corrective action plan compliant with 45 CFR §75.511(c). Subgrantee must make copies available for public inspection.

C. CLOSE-OUT

1. General Requirements

The Grantee will close-out the grant when it is determined that all applicable administrative actions and all required work of the grant have been completed by the Subgrantee within the grant period. The Grantee will provide close-out procedures, which comply with 45 C.F.R. §75.381, in the Fiscal Guidance and Procedural Manual and the close-out memorandum.

2. Reports

No later than 45 calendar days after the end date of the period of performance, the Subgrantee shall submit all financial, performance, and other reports as required by the terms and conditions of the grant.

3. Cost Adjustments

The Grantee will make adjustments upward or downward to allowable costs based on the final close-out financial report.

4. Cash Adjustments

The Subgrantee shall, within the close-out period, refund to the Grantee any balance of unobligated funds unless otherwise directed by the Grantee.

The Subgrantee will make payment to the Grantee for all unallowable costs within thirty (30) days of notification.

5. Later Disallowed Costs and Adjustments

The close-out of this Grant does not affect the following:

- The Grantee's right to disallow costs and recover funds on the basis of a later audit or other financial review;
- The Subgrantee is obligated to return any funds due as a result of later refunds, corrections or other transactions; and
- Record retention as required in §VII, (B)(10)(c) of this Grant Agreement.

D. MISCELLANEOUS

1. Political Activities

The Subgrantee agrees that no funds shall be utilized, nor services provided, or personnel assigned in a manner supporting or resulting in the identification of such programs with:

- Any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office;
- Any activity to provide voters and prospective voters with transportation to the polls or to provide similar assistance in connection with any election;
- Any voter registration activity; or
- Any political activities as set forth in the U.S. Code, Title 5, Chapter 15, Section 1502(a)(i)(2) and (3).

2. Nondiscrimination

No persons shall because of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available through this Grant. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (U.S.), or with respect to an otherwise qualified disabled individual as provided in Section 504 of the Rehabilitation Act of 1978 (U. S.), and Americans with Disabilities Act of 1990 (U.S.) shall also apply to any such activity conducted under the provisions of this Grant.

3. Investigations

   The Subgrantee will permit and cooperate with any Federal investigation undertaken by the Secretary, Comptroller General, or any State investigation to determine compliance with the provisions of this Grant. The Subgrantee will make available any books, documents, papers and records to any authorized representatives for examination, copying or mechanical reproduction on or off the premises of the Subgrantee based upon a reasonable request. Subgrantee will disclose, in a timely manner, in writing to Grantee all investigations s potentially affecting the award.

4. Limitations of Construction

   Funds made available under this Grant may not be used by the Subgrantee for improvement of land or the purchase, construction, or permanent improvements (other than low-cost residential weatherization or other energy-related repairs) of any building or other facility. The Secretary only may waive this limitation.

5. Professional Services

   Costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of Subgrantee, are allowable when reasonable in relation to the services rendered and when not contingent upon recovery of the costs from the Grantee. Subgrantee must comply with 45 C.F.R. §75.459.

   Additionally, legal and related services are limited under 45 C.F.R. §75.435.

6. Copyright / Publications

   Except as otherwise provided in the terms and conditions of this Grant, the Grantee or a Subgrantee paid through this Grant, is free to copyright any books, publications or other copyrightable materials developed in the course of or under this Grant. However, the Federal awarding agency and State funding agency (SFA) reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal government and SFA purposes:

   - The copyright in any work developed under this Grant, or through a contract under this Grant; and,
   - Any rights of copyright to which a Subgrantee purchases ownership with Grant support.

   The Federal government's rights and the SFA's rights identified above must be conveyed to the publisher and the language of the publisher's release form must ensure the preservation of these rights.

7. Information related to Illegal Acts

   The Subgrantee shall furnish the Grantee information about all illegal acts/criminal activities discovered or alleged. Any attempt to conceal illegal acts/criminal activities, withhold information from the Grantee or otherwise obstruct justice will be cause for enforcement action, which may result in suspension or termination of this Grant Agreement. See 45 C.F.R. §75.113.

8. Certifications

   Subgrantee and/or their subcontractors must maintain the following certifications:

   - Certification for Contracts, Grants, Loans and Cooperative Agreements
   - Drug-Free Workplace Certification
   - Debarment, Suspension, Ineligibility & Voluntary Exclusion Certification
   - Lobbying Certification
   - Environmental Tobacco Smoke Certification

9. Insurance

   Subgrantee shall provide adequate insurance coverage for the following, but not limited to, assets, real property and equipment acquired with or improved by Grantee funds in compliance with 45 C.F.R. §75.317.

   Subgrantee must provide and certify that any subcontractor provided adequate insurance coverage.

10. Utilization of Minority Business

    Subgrantee must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. See 45 C.F.R. §75.330.

11. Americans With Disabilities Act of 1990 (ADA)

    The Subgrantee shall comply with the Americans With Disabilities Act of 1990 (ADA), as applicable.

12. Section 504 of the Rehabilitation Act of 1973 (Disabled)

    All subgrantees must comply with Section 504 of the Rehabilitation Act of 1973 (U.S.), and Americans with Disabilities Act of 1990 (U.S.) shall also apply to any such activity conducted under the provisions of this Grant. Therefore, the subgrantees, pursuant to the requirements of The Act, hereby gives assurance that no otherwise qualified disabled person shall, solely by reason of disability, be excluded from the participation in, be denied the benefit of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The subgrantee agrees it will ensure that requirements of The Act shall be included in the agreements with and be binding on all of its subgrantees, contractors, subcontractors, assignees or successors.

13. Coordination

    The Subgrantee agrees that it will coordinate any program activities conducted through this grant with other anti-poverty programs in the area to avoid duplication of services and to expand customer outcomes.

14. Mandatory Disclosures

    Subgrantee must disclose, in a timely manner, in writing to Grantee all investigations and violations of State and Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award. See 45 C.F.R. §75.113.

    Subgrantee must disclose, in a timely manner, in writing to Grantee all potential or pending litigation involving the Subgrantee which could potentially affect the award.

15. Conflict of Interest

    Subgrantee must disclose in writing to Grantee any potential conflict of interest in accordance with applicable policies. Personnel and other officials connected with this Grant shall adhere to the policies given below:

    a. Advice

       No official or employee of the State or a unit of local government or of non-government Grantees/Subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative grant, claim controversy, or other particular matter in which these funds are used, where to his/her knowledge their immediate family, partners, organization other than a public agency in which s/he is servicing

as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

b. Appearance

In the use of these grant funds, officials or employees of the State or a local unit of government and non-governmental Subgrantees shall avoid any action which might result in, or create the appearance of:

- Using an official position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; and/or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

c. Nepotism

Subgrantees are restricted from the hiring of family members in accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 and to further restrict the hiring of relatives within the same office, program area, or the equivalent work unit.

In accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 (Ethics Act), no supervisory employee of the agency may cause the employment, appointment, promotion, transfer or advancement of a family member to a position in which the employee supervises or manages. Employees may also not participate in an action relating to discipline of their family members.

For the purpose of this section nepotism means appointing unqualified relatives and friends to positions in one's organization when an outsiders might be better qualified, see Black's Law Dictionary.

Definitions: The Ethics Act defines family member as an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild; or (b) a member of the individual's immediate family.

Immediate family is further defined as follows:
- A child/adult residing in an employee's household;
- A spouse of an employee;
- An individual claimed by the employee or employee's spouse as a dependent for income tax purposes.

Furthermore, for the purposes of this policy, the Grantee has defined relative as: spouse, parent, sibling, child, parent in-law, grandparent, grandchild, sibling in-law, grandparent in-law, step-grandchild, step-child, child in-law, aunt, uncle, niece, or nephew of the employee or a member of the employee's household. Grantee, the State, recognizes common-law marriage and the relationships that are created as a result. This policy also applies to all members of the Board of Directors.

Employees are expected to disclose relationships covered by this policy to the agency Executive Director and supervisor whenever the relationships come into existence. Employees have up to 90 days after marriage to find employment in either a suitable unit within the agency or outside the agency. An employee's failure to disclose such information will lead to discipline up to and including termination. Supervisors shall not recommend the hiring of an individual that result in violation of this requirement.

See 45 C.F.R. §75.112.

16. Community Action Agencies or Non-Profit Private Organizations

    Any Subgrantee which is a Community Action Agency or non-profit private organization to which funds are provided from the LIHEAP must have at the time of the Grant and must agree to maintain a Board of Directors consisting of: (1) one-third members who are elected public officials currently holding office, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the Board, membership on the Board of appointive public officials may be counted in meeting the requirement; (2) at least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served; and (3) the remainder of the members are officials or members of business, industry, labor, religious, welfare, education or other major groups and interests in the community. Board members must reside in the service area and must be able to participate actively in the development, planning, implementation, and evaluation of the program to serve low-income communities.

17. Fees for Services

    No fees shall be imposed by the Subgrantee upon any eligible person for services described in this Grant. Any attempt to collect such fees shall be grounds for termination of this Grant.

18. Acknowledgment

    The Subgrantee shall announce or print the following information when conducting any public relations activities related to this Grant: "Funded in whole or in part (whichever the case may be) by the Department of Administration, Office of Economic Opportunity, through funding from the U. S. Department of Health and Human Services."

19. Drug-Free Workplace

    The Subgrantee shall establish and implement policies, procedures and programs in accordance with the Certification Regarding Drug-Free Workplace Requirements as set forth in Appendix C to this Grant Agreement. The Subgrantee must submit to the Grantee a completed Place of Performance, Drug-Free Workplace Certification, contained in Appendix C to this Grant, within 30 days of the beginning of this Grant.

20. Compliance with Public Law 103-227, Part C - Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994.

    This Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments. Federal programs include grants, cooperative agreements, loans, or loan guarantees and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment.

    By signature, Subgrantees certify accordance. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to $1,000 per day.

21. Lobbying

    The Subgrantee shall certify compliance with terms and conditions stated in Appendix E. See 45 C.F.R. §75.450.

22. Religious Activities

    Direct grants, sub-awards, or contracts under this program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, Subgrantees

must take steps to separate, in time or location, their inherently religious activities from the services funded under this program.

VIII. CORRECTIVE ACTION AND SUSPENSION OF FUNDING

In administering this section, the Grantee will comply with 42 U.S.C. § 9915, 45 C.F.R. §§ 75.205 – 207, and 75.371- 75.374. The Grantee must evaluate the risks posed by the Subgrantee. If Grantee determines Subgrantee poses a risk, Grantee may impose additional specific conditions that correspond to the degree of risk assessed.

A. Special conditions and/or restrictions may be imposed when the Grantee determines that the Subgrantee:
   1. Is not financially stable;
   2. Has a management system and ability that does not meet the management standards set forth by the Grantee;
   3. Has a documented history of unsatisfactory performance;
   4. Has not complied with the general or specific terms, conditions, covenants and stipulations of previous grant awards; OR
   5. Is otherwise not responsible.

   See 45 C.F.R. §§75.205 and 75.207(a).

B. Special conditions and/or restrictions Grantee may impose include, but are not limited to the following:

   1. Payment to the Subgrantee on a reimbursement basis;
   2. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;
   3. Requiring additional detailed financial reports and/or data;
   4. Additional project monitoring and interim audits;
   5. Requiring the Subgrantee to obtain technical and/or management assistance;
   6. Establishment of additional prior approvals;
   7. Establishment of additional constraints as necessary and appropriate in the circumstances; AND/OR
   8. Require Board acknowledgement of agency's status.

   See 45 C.F.R. §75.207(b).

C. If Grantee decides to impose such special conditions and/or restrictions, Grantee will notify the Subgrantee as early as possible, of the following:

   1. The nature of and reason for the special conditions and/or restrictions;
   2. The corrective actions which must be approved Grantee and completed by the Subgrantee prior to the removal of the special conditions and/or restrictions;
   3. The time allowed for completing the corrective actions, if applicable;
   4. The method of appeal for reconsideration of the imposed conditions/restrictions; and
   5. The training and technical assistance Grantee is offering to the Subgrantee, if appropriate, to help correct the deficiency. If training and technical assistance are not appropriate, Grantee will include an explanation detailing the reason(s).

   See 45 C.F.R. §75.207(c).

D. Grantee will remove any special condition(s) and/or restriction(s) once the condition(s) prompting them have been corrected. See 45 C.F.R. §75.207(d).

IX. REMEDIES FOR NONCOMPLIANCE

If Subgrantee fails to comply with Federal and/or State statutes, regulations or the terms and conditions of a Federal Award, Grantee may impose additional conditions, as described in §VIII of this grant agreement. If Grantee determines that noncompliance cannot be remedied by imposing additional conditions, Grantee may take one or more of the following actions, as appropriate in the circumstances:

A. Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee;
B. Disallow all or part of the cost of the activity or action not in compliance;
C. Wholly or partly suspend or terminate the grant agreement;
D. Initiate suspension, debarment or termination of the grant agreement;
E Withhold further grant agreement funds for the project or program; and/or
F. Take other remedies that may be legally available.

See 45 C.F.R. §75.371.

X. ADMINISTRATIVE ENFORCEMENT

The enforcement remedies identified in the agreement do not preclude the Subgrantee from being subject to "Debarment and Suspension" as prescribed by the Grantee. When a Subgrantee fails to comply with the terms of this Agreement, as outlined in Section VIII (Corrective Action and Suspension of Funding) and/or grant requirements/reports are not submitted within the required time frame, nor completed in accordance with the generally accepted principles, nor consistent with the approved budget, Work Plan or Grant Agreement; a temporary suspension of funding for enforcement purposes may be instituted, but shall not constitute a statutory termination or reduction of funding.

A. Effects of Suspension (45 C.F.R. §75.375)

Costs incurred by the Subgrantee during a suspension or after termination of the Grant Agreement are not allowable unless the Grantee expressly authorizes such in the Notice of Suspension or Termination. Other Subgrantee costs during suspension or termination, which are necessary and not reasonably avoidable, are allowable if:

1. The costs result from obligations which were properly incurred by the Subgrantee before the effective date of the suspension or termination are non-cancelable; and
2. The costs would be allowable if the Grant was not suspended or expired normally at the end of the funding period in which the termination takes effect and the Subgrantee has written permission from the Grantee to incur such costs.

B. Relationship to Debarment and Suspension

If this Grant exceeds $25,000 or if the Subgrantee has critical influence on or substantive control over the transaction completion of the Grant, completion of the Debarment Certification, which is included in Appendix C to this Grant, is required. The Subgrantee is responsible for completing the Debarment Certification, monitoring the submission, and maintaining the official document.

XI. TERMINATION

Termination is defined as the permanent withdrawal of funding by the state administering authority of an eligible entity's authority to obligate previously awarded funds before that authority would otherwise expire, or the refusal of the state to continue funding to the eligible entity. A temporary suspension of funding for administrative enforcement purposes shall not constitute a statutory termination or reduction of funding.

Termination of this Grant Agreement may be initiated by the Grantee, the Subgrantee, or by mutual agreement of both parties as prescribed herein. The following shall apply to the termination of this Grant:

A. Termination for Lack of Funds

The parties hereto covenant and agree that their liabilities and responsibilities, one to another, shall be contingent upon the availability of funds, Federal or State, for the funding of LIHEAP activities. This Grant shall be terminated if such funding ceases to be available. The Grantee shall have the sole authority for determining the lack of availability of such funds. The Grantee shall immediately notify the Subgrantee of any cutback in funds of which it becomes aware.

B. Termination for Breach of Grant

This Grant may be suspended or terminated by the Grantee at any time within the Grant period whenever it is determined by the Grantee that the Subgrantee has breached or otherwise failed to comply with its obligations.

C. Termination for Breach of Previous Contracts and Grants or Non-Payment of Previous Audit Disallowances

This Grant may be suspended or terminated by the Grantee at any time within the Grant period if the Subgrantee has failed to make payment in full to the Grantee for audit disallowances pursuant to any previous Contract or Grant Agreement between the parties or the Subgrantee has failed to comply with the maintenance and inspection of records requirements of any previous Contract or Grant between the parties.

D. Termination by Subgrantee

The Subgrantee may terminate this Grant by giving the Grantee 30 days written notice of intent to do so. Expenditures legitimately incurred by the Subgrantee prior to the date of termination of this Grant will be permitted providing they are in accordance with provisions of this Grant.

E. Termination for Convenience

The Grantee and Subgrantee may mutually agree to terminate the Grant in whole or in part. In which case, the two parties shall agree upon the termination conditions, the effective date and in the case of partial termination, the portion to be terminated.

F. Termination for Insolvency

This Grant is subject to immediate termination by the Grantee upon the Subgrantee's insolvency, including the filing of proceedings in bankruptcy.

G. Notice of Termination

In the event of Grant termination, except Termination for Insolvency in F above, the party terminating the Grant shall give notice of such termination in writing to the other party. Notice of Termination shall be sent by certified mail, return receipt requested, and shall be effective 30 days after the date of the receipt, unless otherwise provided by law; provided however, if terminated pursuant to Paragraph A of this section, said termination shall be effective upon receipt of such notice.

H. Process for Termination

If Grantee believes cause for funding termination exists, the following steps shall be followed:

1. If Subgrantee fails to correct any and all deficiencies identified during a corrective action plan or if based on the seriousness of any of the deficiencies, Grantee determines Termination is appropriate, a certified letter will be sent from Grantee's Director to Subgrantee's Board Chairperson advising him/her of Grantee's recommendation to terminate the grant, along with the reasons for this recommendation. Within fifteen (15) days of receipt of this recommendation, Subgrantee may request a hearing in writing to appeal this recommendation.

2. If Subgrantee appeals Grantee's recommendation, the Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within thirty (30) days of receipt of the letter of appeal, utilizing informal hearing procedures. All proceedings will be recorded.

3. The decision made by the Hearings Officer shall be the final decision of OEO.

4. In the event funding termination occurs, Grantee may either extend the geographic service area of an existing eligible entity or submit a Request for Proposal and bid for a new eligible entity. This will be

done, as necessary, to provide services to the low income population in that service area and shall be administered in accordance with existing Federal and State legislation.

I. Return of Data upon Termination

In the event of a termination of the grant, the Grantee shall immediately revoke the Subgrantee's access to the statewide database system. The Subgrantee shall return all relevant records to the Grantee, including electronic and paper records. The transfer of records must be done in a secure manner to ensure confidentiality.

XII. MISCELLANEOUS LEGAL PROVISIONS

A. Conformity with Law

The provisions of this Grant and performance hereunder are subject to all applicable laws, regulations, ordinances and code of Federal, State and local governments. If it appears that the terms hereof are in conflict with such, then the terms hereof, which conflict therewith, shall be deemed inoperative and null and void to the extent of the conflict and shall be deemed modified to conform therewith. In the event the regulations contradict each other, State and Federally imposed regulations always supersede.

B. Collected Information

Pursuant to Section 30-2-40(B) of the S.C. Code of Laws, information collected by and/or provided to the Office of Economic Opportunity may be personal information as defined by "The Family Privacy Protection Act of 2002" (S.C. Code Section 30-2-10 et seq.) and subject to public scrutiny or release. This grant agreement and all materials associated with it may be released pursuant to FOIA or media request.

C. Legal Services

Subgrantee shall not use grant funds to engage an attorney-at-law pursuant to any term of this Grant Agreement unless Grantee has provided written permission to Subgrantee. Such permission will only be granted by Grantee after consultation with the Attorney General of South Carolina.

D. Non-Waiver of Breach

The failure of the Grantee at any time to require performance by the Subgrantee of any provision of this Grant shall in no way affect the right of the Grantee thereafter to enforce the same; nor shall the waiver by the Grantee of any breach of any provision hereof, be taken or held to be a waiver of any succeeding breach of such provision, or waiver of the provision itself.

E. Statute of Limitations

The Statute of Limitations applicable to the Grant is as stated in South Carolina Law.

F. Venue of Actions

Any and all suits or actions for the enforcement of the obligations of this Grant and for any and every breach thereof may be instituted and maintained, at the option of the Grantee, in any court of competent jurisdiction in the State of South Carolina.

G. Attorney Fees

In the event the Grantee shall bring suit or action to compel performance of or to recover for any breach of any stipulation, covenant, or condition of this Grant, the Subgrantee shall pay to the Grantee such attorney fees the court may adjudge reasonable in addition to the amount of judgment and costs.

H. Non-Assignability

No assignments of this Grant or of any rights hereunder by the Subgrantee shall be valid without the prior written consent of the Grantee.

XIII. AMENDMENT

Amendments or modifications to this Grant shall be valid if in writing and signed by both of the parties hereto.

XIV. INCORPORATION OF DOCUMENTS

The ____ South Carolina LIHEAP State Plan, OEO Administrative Guide, OEO Fiscal Policies and Procedural Manual, OEO Memoranda and Guidance, Office of Community Services (OCS) Memoranda and Guidance, Program Budgets, Appendices, Personnel Policies and Procedures, Audit Appeals Guide, Monitoring Guide, Program Evaluation Guide, and Work Plans, operational plans or procedures are expressly made a part of this Grant Agreement. There may be subsequent amendments to the State Plan and further notices, waivers and/or memoranda issued by OEO and HHS/OCS. By signature, Subgrantee affirms it has read the above-mentioned documents, statutes of and regulations and is responsible for complying with any subsequent changes.

IN WITNESS WHEREOF, the Subgrantee and the Grantee by their authorized agents, have executed this Grant Agreement to be effective as of **January 1, ____.**

The Department of Administration	
Office of Economic Opportunity	
1205 Pendleton Street	
Columbia, South Carolina 29201	
SIGNATURE AND DATE	SIGNATURE AND DATE
James Miller, OEO Director	
PRINT NAME AND TITLE	PRINT NAME AND TITLE
WITNESS SIGNATURE AND DATE	WITNESS SIGNATURE AND DATE
WITNESS PRINT NAME	WITNESS PRINT NAME

APPENDICES

Appendix A **Subcontractors/Consultants List**

Appendix B **Drug-Free Workplace Certification**

Appendix C **Debarment, Suspension, Ineligibility & Voluntary Exclusion Certification**

Appendix D **Lobbying Certification**

Appendix E **Environmental Tobacco Smoke Certification**

APPENDIX A

SUBCONTRACTORS/CONSULTANTS LIST

OFFICE OF ECONOMIC OPPORTUNITY

SUBGRANTEE: _____

GRANT NAME: PY ____ Low-Income Home Energy Assistance Program

GRANT PERIOD: January 1, ____ - December 31, ____

Subcontractor/Consultant (Professional services provided by an outside agency or individual, as the result of a written contract).

Official Name	Federal Employer's I.D. or Social Security Number

_____ _____

Signature **Date**

APPENDIX B
Drug-Free Workplace Certification

DRUG-FREE WORKPLACE (Subgrantees other than individuals) - Applicable to Grantees receiving $50,000 or more and all State agencies regardless of Grant amount.

As required by the S. C. Drug-Free Workplace Act #593 of 1990 and the Federal Drug-Free Workplace Act of 1988 and implemented under the applicable 10CFR, Part 1036 for grantees:

A. The undersigned certifies, acknowledges and will comply and continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b. Establishing an on-going drug-free awareness program to inform employees about:
   1. The dangers of drug abuse in the workplace;
   2. The grantee's policy of maintaining a drug-free workplace;
   3. Any available drug counseling, rehabilitation and employee assistance programs; and
   4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the Grant be given a copy of the statement required by paragraph a;

d. Notifying the employee in the statement required by paragraph a. that as a condition of employment under the Grant, the employee will:
   1. Abide by the terms of the statement; and
   2. Notify the employer in writing of their conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph d.2. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the State Funding Agency. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.2., with respect to any employee who is so convicted:
   1. Taking appropriate personnel action against such an employee, up to an including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
   2. Requiring such employees to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a., b., c., d., e. and f.

DRUG-FREE WORK PLACE (Grantees Who Are Individuals) - Applicable to Grantees Receiving $50,000 or More.

As required by the S. C. Drug-Free Workplace Act #593 of 1990 and the Federal Drug-Free Workplace Act of 1988, and implemented under the applicable CFR for grantees:

A. As a condition of the grant I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction to the State Agency.

_____ _____

(Signature of Executive Director) (Date)

APPENDIX B-1

PLACE OF PERFORMANCE
FOR CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Name of Subgrantee: _____

Grant Program Name: PY Low-Income Home Energy Assistance Program

Grant Period: January 1, ____ - December 31, ____

Subgrantee shall insert in the space provided below the site(s) expected to be used for the performance of work under the grant covered by the certification:

Place of Performance (include street address, city, county, state, and zip code for each site):

_____

_____

_____

_____

_____

_____

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_____

_____

Agency name and site(s) for the performance of work done in connection with the grant:

_____

_____

_____

_____

Name and Title of Authorized Official (Typed or Printed)

_____

Signature of Authorized Official **Date**

APPENDIX C

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when HHS determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, HHS may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the HHS agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction, debarred, suspended, ineligible, lower tier covered transaction, principal, proposal, and voluntarily excluded," as used rules implementing Executive Order 12549, "Debarment and Suspension." See 45 CFR 92.35.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is Debarred, Suspended, Declared Ineligible, or Voluntarily Excluded from participation in this covered transaction, unless authorized by HHS.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by HHS, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless frequency by which it determined the eligibility of its principals. Each participant may, but is not required to, check the Non-Procurement List (of excluded partied).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered from participation in this transaction, in addition to other remedies available to the Federal Government, HHS may terminate this transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS.

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

   a. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;
   b. have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
   c. are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State of local) with commission of any of the offenses enumerated in paragraph 1 b of this certification; and
   d. have not, within a three-year period preceding this application/proposal, had one or more public transactions (Federal, State or Local) terminated for cause or default.

2. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

GRANT NAME AND DATE: Low-Income Home Energy Assistance Program, PY____

_____ _____

(Signature) (Date)

APPENDIX D

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Grant, the making of any Federal loan, the entering into any of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) Federal grant funds provided under this award may not be used to support lobbying activities to influence proposed or pending Federal or State legislation or appropriations. This prohibition is related to the use of Federal grant funds and is not intended to affect an individual's right or that of any organization, to petition Congress, or any other level of Government, through the use of other resources. (See 45 CFR Part 93.)

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all subgrantees shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature _____

Print Name _____

Title _____

Date _____

Low-Income Home Energy Assistance Program, PY____

APPENDIX E

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 per day.

Signature _____

Print Name _____

Title _____

Date _____

Low-Income Home Energy Assistance Program, PY ____

SOUTH CAROLINA OFFICE *of*
ECONOMIC OPPORTUNITY

Protocol for CSBG & LIHEAP Grants:

Policies and procedures for program monitoring to ensure the accomplishment of program outcomes and grant compliance.

SOUTH CAROLINA OFFICE of ECONOMIC OPPORTUNITY

OEO Mission and Responsibilities

The mission of the Office of Economic Opportunity (OEO) is to expand awareness of human service programs throughout the State of South Carolina and to implement and maintain technical support for our service agencies in the areas of moving eligible families, including the elderly and disabled, from their current economic condition to stabilized and ultimately self-sufficient.

The OEO shall administer the Community Services Programs in accordance with the State Plans, State and Federal statutes and other policies and interpretations as may be required by appropriate State or Federal authorities. South Carolina Code of Laws (SECTION 58-37-50) dictates that Community Services Block Grant (CSBG), Low-Income Home Energy Assistance Program (LIHEAP) and Weatherization Assistance Program (WAP) be administered locally by Community Action Agencies (CAAs); therefore, subawards are made only to eligible Community Action Agencies. The OEO shall ensure that services and activities implemented to assist low-income persons, including the poor, in areas as set forth in Section 676(b)(1) of the Act/Statute.

The OEO, through Grant Agreements with eligible Subgrantees, will carry out the services and activities necessary to comply with Section 675(c)(1) of the Act. OEO's minimum responsibilities as the state administering agency are:

1. Development of the State Plan and of the CSBG fund distribution process;
2. Establishment of program policies and operational procedures;
3. Development of accounting policies and procedures;
4. Development of fiscal procedures, including required audits;
5. Procedures for record maintenance and for supporting documentation;

6. Issuance of policies and procedures for compliance with Act 143 of 1983, South Carolina Code of Laws, referenced as the "Community Economic Opportunity Act of 1983", as amended;
7. Review and approval of Subgrantee Work Plans;
8. Determination of Subgrantee eligibility;
9. Issuance of grants;
10. Monitoring of the program throughout the state;
11. Training and technical assistance;
12. Evaluation of Subgrantee agency program performance and identification of remedial procedures;
13. Reporting of program data.

Program Overview

Community Services Block Grant (CSBG)

The Community Services Block Grant (CSBG), administered by the states, provides core funding to local agencies to reduce poverty, revitalize low-income communities and to empower low-income families to become self-sufficient. The CSBG is currently authorized under the 1998 CSBG Act.

Agencies in the CSBG network are Community Action Agencies (CAAs), created through the Economic Opportunity Act, a predecessor of the CSBG. Community representation and accountability are hallmarks of the CSBG network, where agencies are governed by a tripartite board. This board structure consists of elected public officials, representatives of the low-income community, and appointed leaders from the private sector.

CSBG is not required to implement verification requirements, therefore, “Non-citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs” (CSBG IM No. 30, US Department of HHS for Children and Families Office of Community Services Division of State Assistance).

The federal income eligibility According to the CSBG Act, the term “poverty line” means the official poverty line defined by the Office of Management and Budget based on the most recent data available from the Bureau of the census. The annual revision of the poverty line, shall be used as a criterion of eligibility in the community services block grant program. The

State may revise the poverty line not to exceed 125 percent of the official poverty line ((Section 673(1)(B)(2)).

In response to the pandemic, CSBG was allowed a temporary increase to the eligibility rate up to 200 percent of the Federal Poverty Level (FPL) for services provided. Reference the current program year's State Model Plan for eligibility criteria.

CSBG requires States to use the FPL when determining customer eligibility. However, States are allowed the flexibility to determine the formula in which funds are distributed by county (ex. Historical, FPL only, Historical + Formula, etc.) Reference OEO's Fiscal Policies and Procedures for OEO's methodology to allocate and distribute funds to eligible entities.

CSBG Program Operations: January 1–December 31. Federal reports are based on events that occur during the program year.

Low-Income Home Energy Assistance Program (LIHEAP)

The Low-Income Home Energy Assistance Program (LIHEAP), administered by the states, assists low-income households, particularly those with the lowest incomes that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs. Grantees (states) must provide crisis assistance. States have the option to provide home heating/cooling, weatherization and/or energy-related minor home repairs.

Congress established the formula for distributing funds based primarily on each State's weather, fuel prices, and low-income population. Home energy is defined as a source of heating or cooling in residential dwellings. Grantees (states) can use funds for heating and/or cooling costs as well as up to 15% of their funding for weatherization assistance.

LIHEAP defines eligible household members as any individual who is a U.S. citizen or "qualified alien". A "qualified alien is defined at 8 U.S.C. § 1641(b). Members of the household must meet the eligibility requirements specified in Section 2605(b)(2) of the Low-Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)).

The Federal income eligibility All LIHEAP grantees must set their income-eligibility criteria between 110 percent of these guidelines and the greater of (1) 150 percent of these guidelines; and (2) 60 percent of State Median Income (SMI). Reference the Health and Human Services Poverty Guidelines (HHSPG). HHS will publish LIHEAP's 60 percent of SMI criteria.

LIHEAP allows State's the flexibility in choosing to serve constituents based on the FPL or the State's Median Income (SMI). The State then has the flexibility in determining how funds are distributed to eligible entities.

South Carolina determines eligibility for LIHEAP households based on 60 percent of the State's median income (SMI). LIHEAP income guidelines were effective January 24, 2023. Total "gross" household monthly or annual income must be used to determine income eligibility. Income is calculated using the 30-day period preceding and including the application date.

LIHEAP grantees must adopt these guidelines by the beginning of the Federal Fiscal Year or the beginning of a Grantee's program year, whichever is later.

LIHEAP Program Operations: January 1–December 31. While South Carolina operates on a calendar year, Federal reports are based on events that occur during the Federal Fiscal Year (FY) October 1–September 30.

Federal Poverty Guidelines

South Carolina utilizes the Federal Register notice announcing the annual update of the Federal Poverty Guidelines to determine eligibility for CSBG and LIHEAP grants, which mirrors the Health and Human Services Poverty Guidelines (HHSPG). South Carolina's FPG is updated only once annually at the beginning of each calendar year, upon Federal notice. The Federal Register notice is generally issued from mid to late January. South Carolina will determine eligibility based on the previous year's income guidelines until receipt of the updated notice. Upon receipt of the updated income guidelines, it is the responsibility of the CSBG/LIHEAP Program Manager to issue an Information Memorandum (IM) alerting the CAA network and the statewide database (DBA)

when to adopt the new guidelines. Included in the IM should be calculations for CSBG, LIHEAP and Weatherization (WAP) programs according to 100%, 125%, 150% and 200% of the FPL and/or SMI. A copy of the IM should be saved to OEO's CSBG/LIHEAP grant control file.

OEO CSBG/LIHEAP Grant Awards

It is the intent of OEO to maximize program efficiency, ensure the application of appropriate procedures, and maintain the integrity of grant funds.

A timeline of events must occur before awarding CAA's CSBG and/or LIHEAP funds:

- Approved State Plans - US HHS must approve South Carolina's CSBG and LIHEAP State Plans to receive Federal Awards.
- Approved Community Action Plan – OEO must approve CAA's Community Action Plans to administer programs in their designated counties.
- Approved Budget – OEO's fiscal staff must approve CAA's budgets
- Executed Grant Agreements – CAA's must submit signed grant agreements to OEO prior to the release of funds.

OEO CSBG/LIHEAP Program Monitoring

South Carolina is tasked to assess the health of the entire agency through the State's monitoring practices. Such assessments include general oversight, desk reviews, and onsite reviews of the following: agency work plan and/or contract, needs assessments, service delivery systems, administration and management systems, board and governance systems, and financial systems. Monitoring is a way of identifying and correcting problems in program policies and operations. If monitoring is conducted early in the program year, then problems can be corrected to improve current program activities. Also, results from monitoring can be used to help design a more effective program for the next fiscal year.

To assure the accomplishment of program outcomes and grant compliance, the OEO will monitor each Subgrantee a minimum of one time per three program years.

Monitoring will include site visits consisting of the review of client files, year-to-date reporting, year-to-date achievement of outcomes and milestones, Results Oriented Management and Accountability (ROMA) implementation, partnerships/collaboration, Board minutes and Board membership rosters, and the accomplishment of the 58 Organizational Standards. Offsite desk reviews may also be conducted. The Subgrantee will be briefed on the observations and/or findings generated by the monitoring during the exit interview. Additionally, training and technical assistance may be provided during the monitoring visit or upon request.

Types of State Monitoring

OEO will conduct the following types of monitoring of subrecipients.

a) Triennial Onsite Programmatic Monitoring: To assure the accomplishment of program outcomes and grant compliance, the OEO will monitor each Subgrantee a minimum of one time per three program years.

b) Annual Fiscal Monitoring: In its interim and at the discretion of the State, OEO will conduct risk-based monitoring annually of subrecipients to strengthen oversight of Federal awards. The review will include, but may not be limited to, onsite interval monitorings to include a sample of customer files, observation of subrecipient satellite office(s), desktop review of customer files, a review of expenditures and the accuracy of related documentation.

c) Annual Monitoring of Organizational Standards: 42 U.S.C. § 9914 requires State CSBG Lead Agencies to establish "performance goals, administrative standards, financial management requirements, and other requirements" that ensure an appropriate level of accountability and quality among the State's eligible entities. The Center of

Excellence (COE) developed 58 standards for nonprofit eligible entities. To ensure the consistent achievement of the 58 Organizational Standards as required by the Office of Community Services (OCS), OEO requires each CSBG eligible entity to upload and maintain all standards in the statewide database for OEO approval. Standards will be monitored annually according to the Calendar of Required Actions.

d) Board Compliance: In order to assure board compliance, eligible entities will provide the OEO, via the statewide database, a current board of director's roster and completed and signed board composition forms. Changes in composition are to be reported to the OEO within thirty (30) days of the change. Additionally, Subgrantees will upload minutes to the statewide database for each board meeting no later than thirty (30) days following the approval of the minutes.

e) New Eligible Entity Monitoring: An onsite review of each newly designated eligible entity will be conducted during the first year in which such entity receives funds.

f) Follow-up monitoring: Follow-up reviews will occur for subrecipients, and their programs that fail to meet the goals, standards and requirements established by the State. If the on-site monitoring reveals serious deficiencies and/or deficiencies are not corrected in a timely manner in accordance with requirements, the State Office will conduct a follow-up on-site monitoring review and provide training and technical assistance as deemed necessary.

g) Additional Monitoring: Other reviews are conducted as appropriate. These might include reviews of subrecipients with programs that have had other Federal, State or local grants terminated for cause. If a subrecipient is experiencing programmatic issues, OEO will conduct additional reviews and ensure that training and technical assistance is provided as deemed necessary.

OEO Monitoring Schedule

OEO managers, auditor(s) and/or legal counsel will meet in December to assesses the risks of each eligible entity. Considering the potential risks of each subgrantee, OEO will draft a monitoring schedule for the upcoming program year. OEO will consider location and season, to avoid costly travel expenses (example: OEO will attempt to schedule overnight monitorings along the coast during the off-season to meet the Federal per diem for lodging costs). The Federal Per Diem Rates can be accessed at https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup. OEO will then provide the dates to each agency's Executive Director for approval. The monitoring schedule will be finalized by January 1st.

The Monitoring Process

Pre-Monitoring Procedures

a) It is the responsibility of the OEO Program Coordinator to compose the **monitoring instruments** and **monitoring exhibits** and submit to OEO's legal counsel to include in the monitoring announcement letter. A template of the monitoring instrument and exhibit can be provided by the CSBG/LIHEAP Program Manager or found on OEO's S: drive.

b) OEO's legal counsel will send the CAA notification of monitoring along with monitoring exhibits at least 30 days prior to monitoring to the Executive Director and designated points of contact.

c) The OEO Program Coordinator will contact the database help desk and request the total number of customers served by program and grant, following the OEO issued announcement letter. The coordinator will then make the appropriate copies of CSBG/LIHEAP monitoring sheets.

d) At minimum, a Program Coordinator should have the following items to monitor: Monitoring sheets; a copy of the monitoring

exhibit, announcement letter and instruments; Administrative Guide(s); relevant OEO memorandums; database pay frequency calculations; FPL(s); current and prior year calendars; CSBG/LIHEAP State Plans; CSBG Act, LIHEAP Statute; copies of the agency's current logic models; a calculator; pens; highlighters; stapler; and agency/OEO contact information.

On-Site Monitoring Procedures

OEO will conduct on-site monitoring as indicated in the Types of Monitoring. A typical visit can be expected to span two (2) to five (5) days on-site. Issues identified onsite could result in a longer monitoring period. Program monitors will travel and review as a team and execute the following:

a) Offer both an entrance and exit conference with the Executive Director and appropriate staff. The lead Program Coordinator will conduct the entrance conference to reinforce the agenda items outlined in the monitoring announcement. An exit conference should be scheduled within 10 days of OEO's completed review. The exit conference may be provided via telephone conference call with the Executive Director and appropriate OEO and agency staff.

b) A sample of CSBG and LIHEAP customer files are randomly selected for review to determine that files document customer eligibility, costs are allowable and traceable to the accounting system, and are in accordance with provisions of cost principles and conditions of the Grant Agreement.

   The program manager will determine which program years to review, based on the agency's past performance. Note: Consider monitoring program performance dating back to OEO's latest monitoring to present. This could result in monitoring two program years. The number of files selected is based on agency size, number of CSBG/LIHEAP programs, number of customers served at the time of monitoring, past performance, interval/full site monitoring and the number of OEO program coordinators available.

c) Review Organizational Standards. Organizational Standards categories 1-6 and 9 are monitored and approved by the CSBG manager and program coordinators. Categories 7 and 8 are monitored by OEO's fiscal manager and monitoring staff.

d) Review board Compliance (board composition and roster according to agency by laws) and meeting minutes to verify proper board practices;

e) Review Vendor Agreements and payments;

f) Observation of Fair Hearing and Appeals posting, current CSBG/LIHEAP State Plans and current agency Community Action Plans;

g) Observe the client intake process;

h) Observe and review the collection of reports submitted monthly and quarterly (CSBG Outcome Measures report, LIHEAP Household report);

i) Interview staff;

j) Interview customers, if available;

k) Provide staff T/TA upon request.

Interim Monitoring Procedures

OEO may conduct an on-site interim monitoring visit that could span two (2) days. A team of program monitors will:

a) Offer both an entrance and exit conference;

b) A smaller sample of customer files are randomly selected for review to determine that customer files document customer eligibility, costs are allowable and traceable to the accounting system, and are in accordance with provisions of cost principles and conditions of the Grant Agreement.

c) Review Organizational Standards

d) Review board Compliance (board composition and roster according to agency by laws) and meeting minutes to verify proper board practices;

e) Review of Vendor Agreements and payments;

f) Observation of Fair Hearing and Appeals posting, current CSBG/LIHEAP State Plans and current agency Community Action Plans.

During the **second day of interim monitoring**, program monitors will perform an onsite review of the agency's satellite office to include:

a) Observation of Fair Hearing and Appeals posting, current CSBG/LIHEAP State Plans and current agency Community Action Plans;

b) Observe the client intake process;

c) Observe and review the collection of reports submitted monthly and quarterly (CSBG Outcome Measures report, LIHEAP Household report);

d) Discuss with program manager(s) and staff the implementation of CSBG and LIHEAP projects, including program success and obstacles;

e) Interview customers, if available; and

f) Provide staff T/TA.

Desktop Monitoring Procedures

OEO will use desktop monitoring procedures in the review of eligible entities' annual CSBG Organizational Standards self-assessment, review of Board compliance, and to monitor customer files.

a) Conduct desktop review of programs and customer files during the interim period.

b) Organizational Standards will be reviewed periodically throughout the program year to assure compliance according to the Calendar of Required Actions. Utilizing the statewide database, OEO will review subrecipient's submissions and approve, request additional information or deny the achievement of standards. All standards (according to the Calendar of Required Actions) must be uploaded and achieved by December 31st. Standards unmet will be considered noncompliant and the entity will be required to respond through a Technical Assistance Plan (TAP) which will set a clear timeline and benchmarks for progress. Standards continuously unmet will escalate to a Quality Improvement Plan (QIP).

c) Review Board Compliance (Board composition forms, roster and meeting minutes according to agency by laws).

Post-Monitoring Procedures

OEO will provide timely feedback to subrecipients on the results of each monitoring visit with an opportunity for the monitored entity to respond to all observations and findings. All results of the monitoring will correspond with Federal statute, State policies, grant agreements, vendor contracts, Community Action Plans, etc.

a) An exit conference will be scheduled within ten (10) days of OEO's completed monitoring.
b) Following the exit conference, the CAA has five (5) business days to provide pending information requested by OEO to resolve outstanding monitoring concerns.
c) Following the exit conference, OEO has twenty-five (25) days to issue a draft report to the CAA.
d) From the date of receipt, the CAA has ten (10) days to respond to OEO's draft report.
e) Finally, OEO has twenty (20) days to issue a final report, including the CAA's rebuttals.

Reference OEO's monitoring policies and procedures for further monitoring report instructions.

Monitoring Board Vacancies and Composition

Sections 676B of the Community Services Block Grant Reauthorization Act of 1998 requires that, as a condition of designation, private nonprofit entities and public organizations administer their CSBG program through tripartite boards that "fully participate in the development, planning, implementation, and evaluation of the program to serve low-income communities."

42 U.S.C. § 9910(a)(2): Requires a nonprofit CAA's governing board to be selected by the CAA and the board to be composed to assure that – (A) 1/3 of the board are elected public officials, holding office on the date of selection, or their representatives, except that if elected officials are unavailable and/or unwilling to serve, CAAs may elect appointed public officials to meet the 1/3 requirement; (B) not fewer than 1/3 of the board are chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the neighborhood served; and (C) the remainder of the board are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served.

OEO should review CAA bylaws to ensure any vacancy in any sector be filled within 90 days. If vacancies exceed 90 days, the CAA will provide OEO a written plan outlining a timeline to recruit competent, qualified member(s) of the community to fill the vacancy(ies) on the Board of Directors.

Eligible entities should maintain current Board information, to include a roster, composition forms and executed meeting minutes in the statewide database. Changes in composition are to be reported to the OEO within thirty (30) days of the change. Additionally, Subgrantees will upload executed minutes to the statewide database no later than thirty (30) days following the approval of the minutes in DBA.

Monitoring Fair Hearing and Appeals

For the purpose of ensuring the impartial and effective administration of Office of Economic Opportunity (OEO) programs to low-income citizens of South Carolina, Section 2605(b)(13) of the LIHEAP statute (42 U.S.C. § 8624(b)(13)) states that "As part of the annual application required by subsection (a) of this section, the chief executive office of each State shall certify that the State agrees to – … (13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) of this section are denied or are not acted upon with reasonable promptness; …."

Each agency must educate and inform each applicant of the Appeal and Fair Administrative Hearing Procedures. A copy of these procedures must be posted in a visible place in each office and explained to all applicants for the following OEO federal program areas: CSBG, LIHEAP and WAP. Constituents who assert they have been unfairly treated and/or those who have been denied access to program assistance services are entitled to be notified in writing explaining the reason for the denial.

Subgrantees of the Office of Economic Opportunity funds are encouraged to settle appeals, when possible. However, if resolution cannot be reached within a reasonable time frame, the proper procedures to advance an appeal are as follows:

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.

- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

  Attention: Legal Counsel
  The South Carolina Department of Administration
  Office of Economic Opportunity
  1205 Pendleton Street, Suite 355
  Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written decision. The Department of

Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

The funds or services in question need to be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be reverted to Client Assistance and made available to eligible participants.

State's Obligations When It Finds a Deficiency

The federal CSBG Act requires states to inform a CAA of a deficiency and give the CAA an opportunity to correct the deficiency. OCS recommends that a state office document the basis for a performance deficiency or failure to comply with a state requirement and maintain records of correspondence or other communication relating to actions taken. OCS also recommends that a state CSBG office maintain records of correspondence or other communications related to an enforcement action against a CAA to establish compliance with the federal CSBG Act. All correspondence will be saved to the entities OEO file located on the S: drive. It is the responsibility of the program coordinator to communicate concerns and/or deficiencies to the program manager. The program manager will then communicate all concerns/deficiencies to OEO's Executive Director and other relevant OEO Managers if necessary.

Training and Technical Assistance

Effective monitoring includes providing training and technical assistance. The federal CSBG Act requires that, in many or most instances, a state office take two steps to assist a CAA in correcting a deficiency: provide training and technical assistance (T/TA) and allow the CAA to submit a Quality Improvement Plan (QIP) (also referred to as a Corrective Action Plan (CAP)).

OEO will provide training and technical assistance upon request and when deemed necessary. OEO may provide this assistance directly, through the State Association, a peer CAA, a local or national TA provider, and/or any other mechanism that is deemed appropriate.

T/TA should focus on the CAA's specific deficiencies or the issues underlying them. All trainings will include an agenda, sign-in sheet and supporting documentation to be filed at OEO.

Situations where OCS Views T/TA as NOT Appropriate

OCS gives the following examples of when T/TA may not be appropriate:

• A deficiency for which the eligible entity has the expertise and skills available within the organization to make corrective actions without assistance;

• A deficiency for which the state has previously provided technical assistance and the eligible entity has failed to institute corrective actions;

• Multiple, widespread, and/or repeated deficiencies that cannot feasibly be addressed through technical assistance; or

• A deficiency that involves evidence of fraudulent reporting or use of funds, or other evidence of criminal wrongdoing.

Reference https://www.acf.hhs.gov/ocs/resource/no-116-corrective-action-termination-or-reduction-of-funding.

Quality Improvement Plan (QIP)

It is within the State's discretion whether to give a CAA the opportunity to develop and implement a Quality Improvement Plan to correct a deficiency. However, the state's discretion to deny a CAA the opportunity to submit a Quality Improvement Plan is generally limited to situations where the seriousness of the deficiency and the time required to correct it would make a QIP invalid.

A CAA's QIP must be able to correct a deficiency within a reasonable time as determined by the OEO. If the state office grants a CAA the opportunity to submit a QIP, it must give the CAA 60 days after it informs the CAA of the deficiency to develop and implement the QIP, and up to 30 days to develop and implement a QIP for immediate deficiencies. The state CSBG office must notify a CAA of its decision to approve or not approve the QIP within 30 days of receiving it from the CAA. If OEO does not approve the QIP submitted by the CAA, OEO must also specify the reason(s) why when it notifies the CAA of its decision. The state CSBG office must also report eligible entities on QIPs to OCS within 30 days.

Situations when a State Office is NOT Required to Grant the Opportunity to Submit it a Quality Improvement Plan

A State office may consider denying a CAA the opportunity to prepare a QIP if:

• A deficiency for which a CAA has previously instituted a corrective action and has repeated findings and

• 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.

OEO allows CAAs the discretion to develop a QIP that best addresses their situation. As soon as a CAA submits a QIP to the state office it should assume that the QIP will be approved and begin preparing for implementation of the QIP. By doing so, if the QIP is approved, the CAA will ensure that it can begin implementing the QIP well within the required 60-day period.

OEO must evaluate the risks posed by the Subgrantee. If OEO determines the Subgrantee poses a risk, OEO may impose additional specific conditions that correspond to the degree of risk assessed.

A. Special conditions and/or restrictions may be imposed when the Grantee determines that the Subgrantee:

1. Is not financially stable;

2. Has a management system and ability that does not meet the management standards set forth by the Grantee;

3. Has a documented history of unsatisfactory performance;

4. Has not complied with the general or specific terms, conditions, covenants and stipulations of previous grant awards; OR

5. Is otherwise not responsible.

Reference 42 U.S.C. §§ 9915(a) and (b); 45 C.F.R. §§75.205 and 75.207(a).

B. Special conditions and/or restrictions Grantee may impose include, but are not limited to the following:

1. Require Subgrantee to develop and implement a quality improvement plan to correct the deficiency within a reasonable period, after approval by the Grantee;

2. If Grantee determines training and technical assistance is appropriate, require Subgrantee to obtain training and technical assistance to correct the deficiency;

3. Payment to the Subgrantee on a reimbursement basis;

4. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;

5. Requiring additional detailed financial reports and/or data;

6. Additional project monitoring and interim audits;

7. Requiring the Subgrantee to obtain technical and/or management assistance;

8. Establishment of additional prior approvals;

9. Establishment of additional constraints as necessary and appropriate in the circumstances; AND/OR

10. Require Board acknowledgement of agency's status.

Reference 42 U.S.C. §§ 9915(a)(2) - (a)(4); 45 C.F.R. §§75.207(b).

C. If Grantee decides to impose such special conditions and/or restrictions, Grantee will notify the Subgrantee as early as possible, of the following:

1. The nature of and reason for the special conditions and/or restrictions;

2. The corrective actions which must be approved by Grantee and completed by the Subgrantee prior to the removal of the special conditions and/or restrictions;

3. The time allowed for completing the corrective actions, if applicable;

4. The method of appeal for reconsideration of the imposed conditions/restrictions; and

5. The training and technical assistance Grantee is offering to the Subgrantee, if appropriate, to help correct the deficiency. If training and technical assistance are not appropriate, Grantee will include an explanation detailing the reason(s).

Reference 42 U.S.C. §9915(a)(1) and 45 C.F.R. §75.207(c).

D. Grantee will remove any special condition(s) and/or restriction(s) once the condition(s) prompting them have been corrected. See 45 C.F.R. §75.207(d).

Remedies for Noncompliance

If a Subgrantee fails to comply with Federal and/or State statutes, regulations or the terms and conditions of a Federal Award, Grantee may impose additional conditions, as described in the subrecipient grant agreement. If Grantee determines that noncompliance cannot be remedied by imposing additional conditions, Grantee may take one or more of the following actions, as appropriate in the circumstances:

a) Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee;

b) Disallow all or part of the cost of the activity or action not in compliance;

c) Wholly or partly suspend or terminate the grant;

d) Provide adequate notice and an opportunity for a hearing;

e) Initiate suspension, debarment or termination of the grant;

f) Withhold further grant funds for the project or program; and/or

g) Take other remedies that may be legally available.

Also reference 42 U.S.C. §9915(a)(5) and 45 C.F.R. §75.371.

Administrative Enforcement

The enforcement remedies identified in the agreement do not preclude the Subgrantee from being subject to "Debarment and Suspension" as prescribed by the Grantee. When a Subgrantee fails to comply with the terms of this Agreement, as outlined in **Corrective Action and Suspension of Funding** and/or grant requirements/reports are not submitted within the required time frame, nor completed in accordance with the generally accepted principles, nor consistent with the approved budget, Community Action Plan (also referred to as agency work plan) or Grant Agreement; a temporary suspension of funding for enforcement purposes may be instituted, but shall not constitute a statutory termination or reduction of funding as prescribed by 42 U.S.C. §9915.

A. **Effects of Suspension (45 C.F.R. §75.375)** Costs incurred by the Subgrantee during a suspension or after termination of the Grant

are not allowable unless the Grantee expressly authorizes such in the Notice of Suspension or Termination. Other Subgrantee costs during suspension or termination, which are necessary and not reasonably avoidable, are allowable if:

1. The costs result from obligations which were properly incurred by the Subgrantee before the effective date of the suspension or termination are non-cancelable; and
2. The costs would be allowable if the Grant was not suspended or expired normally at the end of the funding period in which the termination takes effect and the Subgrantee has written permission from the Grantee to incur such costs.

B. **Relationship to Debarment and Suspension**
If the Grant exceeds $25,000 or if the Subgrantee has critical influence on or substantive control over the transaction completion of the Grant, completion of the Debarment Certification, which is included in the Grant Agreement, is required. The Subgrantee is responsible for completing the Debarment Certification, monitoring the submission and maintaining the official document.

Defunding and Termination

A state office must initiate proceedings to terminate or reduce funding if a CAA fails to correct a deficiency. However, the state may do so only after it has met the following responsibilities:

- Adequate notice and
- An opportunity for a hearing on the record.

It is within OEO's discretion to determine the format of the notice and hearing it will provide a CAA. Any notice and hearing provided should be consistent with applicable state policies, rules or statutory requirements, including the state's administrative procedures act (APA). The notice and hearing procedures should also be made available to the CAA.

After giving notice and conducting a hearing, if OEO finds cause to reduce or terminate funding, the state office must initiate proceedings to do so unless the CAA corrects the deficiency.

"Cause" to Reduce or Terminate Funding

Following the hearing, OEO determines if "cause" exists to reduce or terminate a CAA's CSBG or other OEO awarded funding. The federal CSBG Act explains that "cause" for which a state office may initiate a reduction in or termination of a CAA's funding includes:

The failure of a CAA to comply with the terms of its CSBG agreement with the state, the state plan or to meet a state requirement.

If the state finds "cause" exists and the CAA disagrees with the state's finding, the CAA should request a review by HHS of the state's finding.

A state office may also initiate a reduction in funding for "cause" if a statewide redistribution of CSBG/LIHEAP funds is needed to respond to one of the following:

- The results of the most recently available census or other appropriate data,
- The designation of a new CAA, or
- Severe economic dislocation.

Termination

Any eligible entity which received funding in the previous fiscal year under the Act will not have its present or future funding terminated or reduced below the proportional share of funding it received in the previous year, unless after notice and an opportunity for hearing on the record, Grantee determines that cause existed for such termination or reduction subject to the procedures and review by the Secretary as provided in 42 U.S.C. §9915.

Termination is defined as the permanent withdrawal of funding by the state administering authority of an eligible entity's authority to obligate previously awarded funds before that authority would otherwise expire, or the refusal of the state to continue funding to the eligible entity. A temporary suspension of funding for administrative enforcement purposes

shall not constitute a statutory termination or reduction of funding.

Termination of the Grant Agreement may be initiated by the Grantee, the Subgrantee, or by mutual agreement of both parties as prescribed herein. The following shall apply to the termination of this Grant:

A. Termination for Lack of Funds

The parties hereto covenant and agree that their liabilities and responsibilities, one to another, shall be contingent upon the availability of funds, Federal or State, for the funding of CSBG activities. This Grant shall be terminated if such funding ceases to be available. The Grantee shall have the sole authority for determining the lack of availability of such funds. The Grantee shall immediately notify the Subgrantee of any cutback in funds of which it becomes aware.

B. Termination for Breach of Grant

This Grant may be suspended or terminated by the Grantee at any time within the Grant period whenever it is determined by the Grantee that the Subgrantee has breached or otherwise failed to comply with its obligations.

C. Termination for Breach of Previous Contracts and Grants or Non-Payment of Previous Audit Disallowances

This Grant may be suspended or terminated by the Grantee at any time within the Grant period if the Subgrantee has failed to make payment in full to the Grantee for audit disallowances pursuant to any previous Contract or Grant Agreement between the parties or the Subgrantee has failed to comply with the maintenance and inspection of records requirements of any previous Contract or Grant between the parties.

D. Termination by Subgrantee

The Subgrantee may terminate this Grant by giving the Grantee 30 day's written notice of intent to do so. Expenditures legitimately incurred by the Subgrantee prior to the date of termination of this Grant will be permitted providing they are in accordance with provisions of this Grant.

E. Termination for Convenience

The Grantee and Subgrantee may mutually agree to terminate the Grant in whole or in part. In which case, the two parties shall agree upon the termination conditions, the effective date and in the case of partial termination, the portion to be terminated.

F. Termination for Insolvency

This Grant is subject to immediate termination by the Grantee upon the Subgrantee's insolvency, including the filing of proceedings in bankruptcy.

G. Notice of Termination

In the event of Grant termination, except Termination for Insolvency in F above, the party terminating the Grant shall give notice of such termination in writing to the other party. Notice of Termination shall be sent by certified mail, return receipt requested, and shall be effective 30 days after the date of the receipt, unless otherwise provided by law; provided however, if terminated pursuant to paragraph A, said termination shall be effective upon receipt of such notice.

H. Process for Termination

If Grantee believes cause for funding termination exists, the following steps shall be followed:

1. If Subgrantee fails to correct all deficiencies identified during a corrective action plan or if based on the seriousness of any of the deficiencies, the Grantee determines Termination is appropriate, a certified letter will be sent from the Grantee's Director to the Subgrantee's Board Chairperson advising him/her of Grantee's recommendation to terminate the grant, along with the reasons for this recommendation. Within fifteen (15) days of receipt of this recommendation, Subgrantee may request a hearing in writing to appeal this recommendation.

2. If Subgrantee appeals Grantee's recommendation, the Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within thirty (30) days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act. All proceedings will be recorded.

3. A Federal review of the Grantee's decision to reduce or terminate funding may be initiated through a request from

Subgrantee. In accordance with 45 CFR §96.92, Subgrantee has 30 days following notification by Grantee of its final decision to request a review by the Secretary of the Department of Health and Human Services (HHS).

The US DHHS Secretary will either accept or deny this request.

1. If the request for review is denied, defunding procedures will begin immediately and will be concluded not more than ninety (90) days following the date of the hearing.

2. If the request for review is granted, the Secretary will review the hearing officer's determination not later than ninety (90) days after receiving from the State all necessary documentation relating to the determination.

    a. If the Secretary upholds Grantee's determination, defunding procedures will begin immediately;

    b. If the determination is overturned by the Secretary, the grant relationships with the subject agency will be continued; and

    c. If the review is not completed within ninety (90) days, the determination of Grantee will become final on the 91st day and defunding procedures will begin as outlined

I. Appeal of Termination by Subgrantee

If a Subgrantee fails to comply with the Terms and Conditions of this Grant or to remedy a situation under

suspension, the State may terminate the Grant in whole or in part at any time.

The CSBG Act requires that any community action agency which received funding in the previous program year will not have present or future funding reduced or terminated unless after notice, and opportunity for a hearing on the record, the State determines that cause exists for such reduction or termination subject to the procedures and review by the Secretary. To comply with this assurance the Grantee shall set forth the following:

1. This section is not applicable to Section IX, Items A, D, and E which result in terminations by law, Subgrantee choice or convenience for a mutually agreed upon provision.

2. This section is not applicable to Section IX which results in temporary suspensions of funding for enforcement purposes.

3. This section is applicable to Section IX, Items B, C, and F which will result in terminations for cause as a "final" action.

In the event funding termination occurs, Grantee shall either extend the geographic service area of an eligible entity or submit a Request for Proposal and bid for a new eligible entity. This will be done, as necessary, to provide services to the eligible individuals in that service area and shall be administered in accordance with existing Federal and State legislation.

OEO Designation Procedures

South Carolina Code of Laws (SECTION 58-37-50) dictates that CSBG and LIHEAP be administered locally by Community Action Agencies; therefore, subawards are made only to eligible Community Action Agencies.

Designation/Re-Designation of (New) Eligible Entities

The OEO may designate a new eligible entity if an area of the state is not served or ceases to be served by an eligible entity. This includes situations where an existing eligible entity goes out of business, is terminated, or relinquishes its designation as an eligible entity. OCS IM 116 clarifies that, where a state has decided to terminate an eligible entity's CSBG funding and the entity has appealed that decision to OCS the state can solicit applications for new eligible entities but cannot award funds to a new entity until OCS confirms the state's decision to terminate or the review period ends.

CSBG: Designation/Re-Designation of Eligible Entities in Unserved Areas

The existing CAAs in South Carolina are eligible entities which receive CSBG and LIHEAP funding to carry out programs and activities designed to appreciably impact the causes of poverty in their designated service areas. If a county has not been, or ceases to be served by an existing CAA under the CSBG and/or LIHEAP, the state may at any time initiate a process for the designation of a CAA or other eligible entity pursuant to provisions of applicable federal and state law, including the CSBG Act, 42 U.S.C. §9901 *et seq.*

The procedure for designation shall be as follows:

1. The State will notify in writing and request written applications from:

   (a) Any private nonprofit organization that is geographically located in the unserved area, that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency, and that meets the requirements of the CSBG Act, 42 U.S.C. §9901 *et seq*.; and
   (b) Any private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area.

2. Requirement. To serve as the area's designated eligible entity, an entity shall agree to administer their CSBG program through a tripartite board and add additional members to the board of the entity to ensure adequate representation as outlined in the Section 676B of the CSBG Act and in accordance with Information Memorandum No. 82:
   (a) In each of the three required categories described in the CSBG Act, 42 U.S.C. §9901 *et seq*. by members who reside in the community comprised by the unserved area; and
   (b) In the category relating to low income individuals by members that reside in the neighborhood to be served.

3. Special Consideration. The designation shall be granted to an organization of demonstrated effectiveness in meeting the goals and purposes of both the CSBG and LIHEAP. Priority may be given to eligible entities that are providing related services in the unserved area, consistent with the needs identified by a community needs assessment.

LIHEAP: Designation/Re-Designation of Eligible Entities in Unserved Areas

OEO may redesignate an eligible entity if an area of the state is not served or ceases to be served by an eligible entity. This includes situations where an existing eligible entity goes out of business, funding is terminated, or relinquishes its designation as an eligible entity. The procedure for redesignation shall be as follows: 1. The State will notify in writing and request written applications from:(a) Any private nonprofit organization that is geographically located in the unserved area, that can provide a range of services designed to meet the requirements of the LIHEAP Statute; and (b)Any private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area. 2. Special Consideration. The designation shall be granted to an organization of demonstrated effectiveness in meeting the goals and purposes of LIHEAP. Priority may be given to eligible entities that are providing related services in the unserved area.

Each CAA is assigned a service area made up of a county or counties whereby program services of these grants are provided to specific county residents. Allocations for LIHEAP and LIHEAP Weatherization Assistance Program (LWAP) are prepared by OEO's Fiscal Manager. Sub-grantee allocations for each grant are calculated based on the poverty rates of the county(s) served by the sub-grantee. Disbursements are payments to the sub-grantees for administrative and program costs based, in part, on the funding allocated to a sub-grantee, timing, and reason for disbursement. All disbursements made to sub-grantees must ensure that the time between the day the funds are paid to the sub-grantee and when the sub-grantee spends the funds are minimized, ensuring compliance with federal requirements. The SC OEO references Omni Circular §200.305(b)(1) for guidance. During the program year, it is the sub-grantee's responsibility to track their expenditures and submit a Certification of Advancement of Funds requesting funds needed and the reason for the

request through the statewide database. The Certification of Advancement of Funds must be signed and dated by the sub-grantee's Executive Director, Finance Officer, and Program Officer. A separate form is required for each grant. The Senior Fiscal Manager must review the request, and if approved, a disbursement request will be submitted to Accounts Payable within the Department of Administration's Finance office for processing.

State Plans

CSBG State Plan (Subgrantee Community Action Plans submitted to OEO; OEO submission to HHS)

According to section 676(b) of the CSBG Act, States, including Territories, must prepare and apply and State plan for CSBG funding. The Office of Community Services (OCS) funds CSBG grantees based on the determination that their application and State plans are complete in accordance with all requirements of the CSBG Act. The State CSBG application and plan not only is a critical document for Federal monitoring and oversight purposes, but also provides a framework for accountability and oversight at the State level.

CSBG applications for the Federal Fiscal Year are due to OCS by September 1. States have the option of submitting CSBG applications annually or bi-annually (covering one or two fiscal years); however, South Carolina submits its CSBG Model State Plan annually. The CSBG State Plan is submitted electronically through the Online Data Collection System (OLDC). OEO's CSBG Program Manager submits South Carolina's CSBG State Plan.

State instructions to complete the CSBG State Plan can be found on the Office of Community Services website https://www.acf.hhs.gov/ocs/resource/. Contact South Carolina's Federal CSBG Program Specialist for access to OLDC or visit the following link: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1.

Similarly, OEO requires its subgrantee's to apply (Community Action Plan) for CSBG funding. OEO's Program Manager provides a checklist of documents to be included in the Community Action Plan to CAA's during the month of June. The CAA's Community Action Plan is a critical document for State monitoring and oversight purposes, but also provides a framework for accountability and oversight at the Subgrantee level. Subgrantee's must submit their plans via the statewide database annually, and no later than the final Friday in the month of August. OEO's Program Manager and Coordinators will review and approve subgrantee Community Action Plans no later than December 1st.

LIHEAP State Plan (Subgrantee Community Action Plans submitted to OEO; OEO submission to HHS)

States, the District of Columbia, territories, and tribes/tribal organizations that wish to administer the Low-Income Home Energy Assistance Program (LIHEAP) must apply for funds each year. Section 2605(c)(3) of the Omnibus Budget Reconciliation Act of 1981, as amended, provides that the Secretary shall make available a model LIHEAP Plan which may be used to prepare the application required under Sections 2605(a)(1) and (c)(1). All applications must be submitted through the On-Line Data Collection (OLDC) system by September 1. OEO's LIHEAP Program Manager submits South Carolina's LIHEAP State Plan each year.

LIHEAP grant applications (State Plans) must include a report on LIHEAP households for the previous Federal Fiscal Year. Because South Carolina operates its LIHEAP program based on the calendar year instead of the Federal Fiscal Year, OEO submits an estimated LIHEAP Household Report with the submission of the State Plan (September 1st) and updates its final Household report to be submitted by December 15th. The final LIHEAP Household report is updated and resubmitted by the LIHEAP Program Manager via OLDC.

State instructions to complete the LIHEAP State Plan can be found on the Office of Community Services website https://www.acf.hhs.gov/ocs/resource/. Contact South Carolina's Federal Energy Assistance Program Specialist for access to OLDC or visit the following link: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1.

Similarly, OEO requires its subgrantee's to apply (Community Action Plan) for LIHEAP funding. The CAA's Community Action Plan is a critical document

for State monitoring and oversight purposes, but also provides a framework for accountability and oversight at the Subgrantee level. Subgrantee's must submit their plans via the statewide database annually, and no later than the final Friday in the month of August.

Distribution of State Plans

Section 676(a)(2)(B) of the CSBG Act conditions the State, in conjunction with the development of the State plan, to hold at least one hearing the in the State with sufficient time and statewide distribution of notice of such hearing, to provide to the public an opportunity to comment on the proposed use and distribution of funds to be provided through the grant.

Meaningful and Timely Participation

A draft of the State Plan is issued to all eligible entities during the month of May to allow time to review and provide edits and comments. OEO's CSBG program staff will traditionally host a statewide workshop (in person or virtually) to provide an overview of updates and allow for additional input prior to the submission of the State Plans. A draft of both CSBG and LIHEAP State Plans is also posted to OEO's website for public comment and review, as well as disseminated to vendors, stakeholders and board members for additional evaluation.

Legislative & Public Hearings

To be eligible to receive a grant, the State shall hold at least one legislative hearing every three (3) years in conjunction with the development of the state plan (CSBG Act Section 676(a)(3)). In the interim, the State is required to hold at least one Public Hearing to provide to the public an opportunity to comment. A combined hearing for both CSBG and LIHEAP grants are scheduled at the beginning of August.

OEO's Director will contact the Clerk of the Senate to assemble a subcommittee to be present at the scheduled Legislative Hearings, only. A copy of the draft State Plans should be provided to the subcommittee members in a timely manner for review prior to the hearing.

Hearings require all attendants to sign-in and should be recorded to ensure a transcript can be provided with the submission of the plan(s). Any comments provided should be notated. A transcript and sign-in sheet outlining attendants should be uploaded to OLDC with the submission of the State Plan(s).

Advertising Hearings

Public notice of hearings should be advertised in a manner that provides an opportunity for public input. OEO's CSBG/LIHEAP Manager will draft a copy of the Notice to be posted to OEO's website at least three days preceding the date of the hearing. OEO's Director and other appropriate staff will review the public notice for final approval. If advertisement is purchased, the manager should contact OEO's Business Manager for payment procedures. A copy of the advertisement should be uploaded to OLDC with the submission the State Plan(s).

Community Needs Assessment

As a condition to receipt CSBG funding, the State will secure from each eligible entity a community action plan that includes a community-needs assessment for the community served (reference CSBG Act Section 676(b)(11)). OEO requires a comprehensive Community Needs Assessment be completed at least once every three years. An updated needs assessment may be provided, as needed, during the interim years.

Budget Process

This section serves to describe the grant budgeting process, particularly as it relates to the CSBG and LIHEAP.

The OEO fiscal manager develops a projected budget based on information, including but not limited to, previous federal awards and any unused funds at the end of the program year. The projected budget generally becomes the amount OEO requests from the federal funding source for the new grant period. This projected budget amount is a starting point for the Subgrantees to use in developing their proposed spending for the new grant period. No spending shall take place until OEO receives the actual federal award notification from the federal funding source. OEO determines the amount of each Subgrantee's actual award. OEO considers South Carolina's total

allocation, the poor population by county and the subgrantee's historical funding awards. Once the Subgrantee is notified of the actual award amount, the Subgrantee must make the appropriate adjustments to their initial projected budget and submit the revised budget to OEO for approval.

Budget Approval

A Subgrantee's Board of Directors must review the grant application and actual budget for each program year. The actual budget will be based on the actual award from the funding source and may include prior program year unexpended funds. A completed Community Action Agency Budget Approval Form must be submitted to OEO's fiscal department for documentation of the budget review and approval. The acknowledgement of the budget review will represent the total allocation of all awards budgeted, note specific approval of salary/wage increases, new positions, as well as procurements that require approval. The budget package submitted to OEO for approval must include all documents to support compliance with procedural requirements. The budget package must be submitted through DBA. This on-line budget submission process requires an authorized user with signature authority.

OEO's CSBG/LIHEAP Senior Manager will review subgrantee budgets, as provided by the OEO fiscal manager/staff. The CSBG/LIHEAP Senior Manager and Program Coordinators will review the Budget Narrative forms to ensure programmatic consistency, compliance and allowances as outlined in the subgrantee's Community Action Plan (logic models). The CSBG/LIHEAP Senior Manager/Program Coordinators will alert the Fiscal Manager and staff of any discrepancies or provide written approval.

CSBG State and Federal Reporting

All Subgrantee reports must be submitted in a timely manner. Timeliness of reporting will be reported on the Subgrantee Risk Assessment.

CSBG Annual Report (Subgrantee reports to OEO; OEO reports to HHS)

Eligible entities will comply with accurate completion and timely submission of the CSBG Annual Report administered by the National Association for State Community Services Programs (NASCSP) and supported by the U.S. Department of Health & Human Services (DHHS), Office of Community Services (OCS), and is a requirement for all eligible entities in receiving CSBG funding.

OCS provides general guidance on the submission of annual reports each year through an Information Memorandum, along with deadlines. The full CSBG Annual Report will be submitted through the Online Data Collection (OLDC) site operated by the ACF Grants Center of Excellence Grant Solutions system. The CSBG Annual Report is generally due to OCS no later than March 31st and is submitted by OEO's CSBG Program Manager. Visit the following link for instructions to gain access to the OLDC reporting system:
https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1

OEO requires subgrantee's to submit their individual agency reports via email to OEO's LIHEAP program manager no later than February 15th. OEO's CSBG program manager will enter the State and eligible entities' reports in OLDC to complete the State's submission to HHS. The CSBG program manager will also provide OEO's fiscal manager with the fiscal related sections to be completed. Subgrantee's can access the electronic version of the annual report through the National Association for State Community Services Programs (NASCSP) or at https://nascsp.org/csbg/csbg-data-collection-and-reporting/csbg-annual-report/.

Statewide Workshops: During the month of January, OEO's CSBG program staff traditionally hosts a statewide two-day workshop with Subgrantees to review the annual report instructions and requirements.

Within 60 days of the Grantee's submission of the Annual Report, States are required to communicate each subgrantee's annual performance. OEO's CSBG Program Manager and Program Coordinators provide annually, each agency's actual results. The report compares the actual success rate for services completed during the program year to the agency's projected target goals. Subgrantees should use the report as information to make changes in program

forecasts for the upcoming program year and as a guide to monitor program performance.

Organizational Standards (Subgrantee reports to OEO; OEO reports to HHS)

42 U.S.C. § 9914 requires State CSBG Lead Agencies to establish "performance goals, administrative standards, financial management requirements, and other requirements" that ensure an appropriate level of accountability and quality among the state's eligible entities. The Center of Excellence (COE) developed 58 standards for nonprofit eligible entities.

To ensure the consistent achievement of the 58 Organizational Standards as required by OCS, OEO requires each CSBG eligible entity to upload and maintain all standards to DBA for OEO approval. Organizational Standards categories 1-6 and 9 are monitored and approved by the CSBG manager and program coordinators. Categories 7 and 8 are monitored by OEO's fiscal manager and monitoring staff.

Prior to monitoring, the State encourages each eligible entity to track their progress using the self-assessment tool and Calendar of Required Actions. Utilizing our statewide database, South Carolina has developed an approval system that allows agencies the ability to upload and submit documentation throughout the year, as each standard is accomplished. The state office will then review submissions and classify each standard as Approved, Rejected, or Requires additional information. Each agency will have the opportunity to provide the State a projected timeline of completion for any outstanding standards. OEO will assess pending items according to the approved schedule of achievement. Organizational Standards will also be reviewed as part of each subgrantee as program monitoring. All subgrantees must comply by the close of South Carolinas Program Year (December 31st). Any agency failing to meet the required deadlines will be issued a Technical Assistance Plan (TAP) outlining a time frame to meet pending standards.

The annual achievement of statewide standards by eligible entity is reported to HHS via OLDC as part of the CSBG Annual Report (due by March 31st) submitted by OEO's CSBG Program Manager. An overview of all Organizational Standards, the Calendar of Required Actions and other related resources can be found on NASCSP's website: https://nascsp.org/csbg/csbg-resources/performance-management/organizational-standards/.

CSBG Outcome Measures Report (Quarterly Subgrantee reports to OEO)

Each quarter, eligible entities must submit a CSBG Outcome Measures report to OEO that describes the National Performance Indicators (NPIs) established by ROMA, Performance Domains, services provided to CSBG clients/ communities assisted, and the results achieved. Individual agency reports must be submitted electronically via email to their assigned OEO program coordinator no later than the 15th day following each quarter. A final report of customers served by program will be submitted via the completed ROMA logic Model (column 5 - Actual Results). All logic models should be completed by the Subgrantee and e-mailed to the appropriate OEO Program Coordinator no later than January 15th following the completion of the program year. Outcome Measures reports will be distributed by OEO. Logic Models can be found on the NASCSP website: https://nascsp.org/wp-content/uploads/2018/02/NPtP-Logic-Model.pdf.

Program Expenditure Notice (OEO report to Subgrantee)

Each quarter, the Program Manager will review the submission of the most current FSR to track CSBG and LIHEAP program expenditures. A Notice of Program Expenditures will be sent on behalf of the Program Manager (or designated Program Coordinators) to each Subgrantee's Executive Director, Program and Fiscal Director if it expenditures are under or over expended. A plan to expend funds will be requested to ensure the agency is on target to spend program dollars in accordance with the grant agreements.

LIHEAP State and Federal Reporting

All Subgrantee reports must be submitted in a timely manner. Timeliness of reporting will be reported on the Subgrantee Risk Assessment.

LIHEAP Quarterly Report (OEO report to HHS)

On October 12, 2022, the Office of Community Services (OCS) received approval from the Office of Management and Budget (OMB) for the LIHEAP Quarterly Performance and Management Report through October 31, 2025.

LIHEAP Quarterly Performance and Management Report instructions indicate the report is due approximately 30 days following the end of each respective quarter.

Fiscal Year (October 1 through September 30) reporting periods:

- Quarter 1: October 1 through December 31 (report due February 28)
- Quarter 2: January 1 through March 31 (report due April 30)
- Quarter 3: April 1 through June 30 (report due July 31)
- Quarter 4: July 1 through September 30 (report due October 31)

To reduce grant recipient burden, the cumulative obligated allotments in Section III: Estimated Use of Funds for FY24 will include one total for all funding sources including regular non-supplemental, Infrastructure Investment and Jobs Act (IIJA), and any supplemental funding amounts.

Quarterly Report submissions are required of all LIHEAP grant recipients, including state, territory, and tribal grant recipients. Recipients are required to submit their quarterly data submissions in the OLDC system. Once the grant recipient's LIHEAP Quarterly Report has been submitted, OCS will review the submitted report, notify the grant recipient of any reporting questions, and assist with resolving any potential reporting issues.

LIHEAP Household Report Long Form (Subgrantee reports to OEO; OEO report to HHS)

Under the amendments to the LIHEAP statute enacted in 1994 (Public Law 103-252), LIHEAP grant applications must include a report on LIHEAP households for the previous Federal Fiscal Year. OCS requires all LIHEAP grantees (States and Tribes) to report LIHEAP household data. State instructions to complete the LIHEAP Household report can be found on the Office of Community Services website https://www.acf.hhs.gov/ocs/resource/.
The State's submission of the LIHEAP Household Report (reported by Federal Fiscal Year (October 1 – September 30) is due to the Administration of Children and Families' via the On-Line Data Collection (OLDC) System no later than December 15th**.** OEO's LIHEAP Program Manager submits South Carolina's LIHEAP Household Report each year. Visit the following link for instructions to gain access to the OLDC reporting system: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1.

Likewise, OEO requires all LIHEAP eligible entities to report LIHEAP household data monthly that includes the number and income levels of households assisted each month. The statewide LIHEAP Household report can be accessed via the statewide database. LIHEAP Household reports are due to OEO's Program Coordinator(s) on the 15th day following each month.

LIHEAP Performance Measures (OEO report to HHS)

The LIHEAP Performance Data Form is an annual report in response to **Section 2610(b) of the LIHEAP statute (42 U.S.C. § 8629(b))** which requires the Secretary of the U.S. Department of Health and Human Services (HHS) to submit a report to Congress on LIHEAP for the prior Federal Fiscal Year. The LIHEAP Performance Data Form consists of three modules:

- **Module 1 (Grantee Survey)** *Further instructions below.*
- **Module 2 (Performance Measures)**
- **Module 3 (Optional Performance Measures)**

State instructions to complete the LIHEAP Performance Measures report can be found on the Office of Community Services website: https://liheappm.acf.hhs.gov/. The LIHEAP Performance Data Form can be accessed through ACF's web-based system, OLDC https://home.grantsolutions.gov/home/. Visit the following link for instructions to gain access to the OLDC reporting system: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1

The State's submission of the LIHEAP Performance Measures (reported by Federal Fiscal Year (October 1 – September 30) is due to the Administration of Children and Families' via the On-Line Data Collection (OLDC) System no later than January 30th. OEO's LIHEAP Program Manager submits South Carolina's LIHEAP Performance Measure report each year.

To complete the performance measures, South Carolina developed a client waiver statement (outlined in OEO's statewide Vendor Agreement and client application) that allows OEO to collect customer's annual usage information from vendors. OEO partners with the state's largest two utility vendors (SCE&G and Duke) to provide data on households as outlined in the report. In conjunction with the Department of Administration's IT department, OEO's LIHEAP Program Manager provides vendors with customer information to be completed. IT ensures all personal identifiable information (PII) is properly safeguarded through digital transfer.

OEO's statewide database (help desk) is also utilized to provide additional LIHEAP data.

LIHEAP Grantee Survey (OEO report to HHS)

The LIHEAP Grantee Survey is part of the LIHEAP Performance Data Form. State instructions to complete the LIHEAP Grantee Survey can be found on the Office of Community Services website https://liheappm.acf.hhs.gov/. The Grantee Survey can be accessed via the LIHEAP Performance Data Form in OLDC https://home.grantsolutions.gov/home/. Visit the following link for instructions to gain access to the OLDC reporting system: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1

The State's submission of the LIHEAP Performance Measures (reported by Federal Fiscal Year (October 1 – September 30) is due to the Administration of Children and Families' via the On-Line Data Collection (OLDC) System no later than January 30th. OEO's LIHEAP Program Manager submits South Carolina's LIHEAP Performance Measures Report which includes the Grantee Survey.

The Grantee Survey cross references the LIHEAP Household Report and the Carry Over and Reallotment report. Therefore, it will require information from OEO's Fiscal and Weatherization Managers. The appropriate Federal Poverty Guidelines will also need to be referenced to complete this report. The LIHEAP program manager will disseminate the appropriate forms to relevant staff in December (or as soon as the report becomes available) to be completed.

Program Expenditure Notice (OEO report to Subgrantee)

Each quarter, the Fiscal Monitoring or Program Manager will review the submission of the most current FSR to track CSBG and LIHEAP program expenditures. A Notice of Program Expenditures will be sent on behalf of the Program Manager (or designated Program Coordinators) to each Subgrantee's Executive Director, Program and Fiscal Director if it expenditures are under or over expended. A plan to expend funds will be requested to ensure the agency is on target to spend program dollars in accordance with the grant agreements.

Grant Solutions (OLDC) Federal Reporting Database for CSBG & LHEAP

Most federal reporting for CSBG and LIHEAP is reported through the On-Line Data Collection (OLDC) database https://home.grantsolutions.gov/.

To request a new OLDC account or to add additional permissions to an existing account, the senior manager should complete the OLDC Request Form Microsoft Word - Request_Access_OLDC.doc (hhs.gov). When complete, e-mail or fax the form to

your ACF Grants Office. Account information (ID and Password) is automatically e-mailed to the new user.

For additional support email help@grantsolutions.gov.

CSBG and LIHEAP Administrative Guide

The CSBG and LIHEAP Administrative Guide is a manual that serves as a guide to assist CAA's in their day-to-day administration of the grants. The manual contains instructions for determining eligibility and provides program procedures to ensure compliance.

It is the responsibility of the CSBG/LIHEAP Program Manager to update annually OEO's Administrative Guide for CSBG and LIHEAP grants. A draft of the Administrative Guide is distributed in November to the CAA Network for comments and edits. A final guide is distributed to the network no later than January 1.

Results Oriented Management and Accountability (ROMA) Database

42 U.S.C. § 9908(b)(12), 9917(a)(1)(A): The federal CSBG Act requires states and CAAs to participate in a performance measurement system such as ROMA to measure the CAA's performance in promoting self-sufficiency, family stability, and community revitalization. State ROMA requirements set forth that a CAA shall maintain back-up documentation to support the total number of families and individuals reported and that such information should be reported on a quarterly basis. Quarterly CSBG Outcome Measures reports are due to OEO on the 15th day following each quarter. All reports must be reported in a timely manner.

LIHEAP Performance Measure Database

42 U.S.C. §2610(a): The federal LIHEAP Statute requires states and CAAs to participate in a performance measurement system to collect the following data:

(1) Information concerning home energy consumption;
(2) the amount, cost and type of fuels used for households eligible for assistance for this title;
(3) the type of fuel used by various income groups;
(4) the number and income levels of households assisted by this title;
(5) the number of households which received such assistance and include one or more individuals who are 60 years or older or disabled or include young children; and
(6) any other information which the Secretary determines to be reasonably necessary to carry out the provision of this title.

OEO Statewide Reporting Database

To comply with Federal data collection requirements set forth by CSBG and LIHEAP, OEO contracts with DBA Technologies (DBA FACSPro) to collect and track subgrantee performance. The South Carolina Department of Administration requires the database be procured every five (5) years.

DBA provides a Help Desk unique to South Carolina OEO and CAA's. Roscoe Mines is the point of contact and will assist all OEO departments and subgrantee's with the collection and reporting of data. The Help Desk also provides trainings as needed and accompanies OEO to on-site monitorings.

The OEO Program Manager will ensure all Program Coordinators have access to DBA at the time of hire.

OEO Travel

OEO will pay for/reimburse staff for transportation and travel-related expenses incurred in connection with monitoring and trainings that have been approved by OEO's Executive Director. Lodging and meals will be reimbursed for overnight out-of-town travel, only. Daily commutes are not reimbursable. Mileage and fuel is not reimbursable when traveling in one's personal vehicle when OEO/State vehicles are available. Lodging at local trainings (in Columbia) will not be reimbursed unless otherwise approved.

South Carolina meal reimbursement:

In-State

Breakfast	Lunch	Dinner
$8	$10	$17

Out-of-State

Breakfast	Lunch	Dinner
$10	$15	$25

Breakfast may be claimed if travel begins before 6:30 AM. Lunch may be claimed if traveling occurs from 6:30 AM-11:00 AM. Dinner may be claimed if traveling occurs after 8:30 PM.

Lodging must not exceed the approved the approved government rate. Visit https://www.gsa.gov/travel/plan-book/per-diem-rates for lodging per diems. Unapproved expenses incurred will be at the expense of the staffer.

Vehicles must be reserved on OEO's vehicle calendar. See OEO's Executive Assistant to retrieve vehicle books. Vehicle books include a travel log to be completed, key and fuel card. The fuel card will require employee's fuel pin for payment. The fuel pin is issued at the time of employment by Human Resources.

Traveler's Responsibilities – Employees must complete OEO's travel reimbursement form with the appropriate management signatures. All reimbursements will be submitted to OEO's Executive Assistant for processing.

Definitions

Community Action Agency (CAA) In the United States and its territories, **Community Action Agencies** (CAA) are local private and public non-profit organizations that carry out the Community Action Program (CAP), which was founded by the 1964 Economic Opportunity Act to fight poverty by empowering the poor as part of the War on Poverty.

Community Services Block Grant (CSBG) The Community Services Block Grant (CSBG), administered by the states, provides core funding to local agencies to reduce poverty, revitalize low-income communities and empower low-income families to become self-sufficient.

Grantee a person to whom a grant or conveyance is made. OEO is the grantee of CSBG and LIHEAP grants.

Health and Human Services (HHS) is the U.S. Department of Health and Human Services. Health and Human Services Awards is the Federal funding agency of CSBG and LIHEAP grants.

Low-Income Home Energy Assistance Program (LIHEAP) helps keep families safe and healthy through initiatives that assist families with home energy heating and cooling costs.

NASCSP The National Association for State Community Services Programs is the national association charged with advocating and enhancing the leadership role of states in preventing and reducing poverty. NASCSP serves as the liaison between Federal partners and states.

Office of Community Services (OCS) partners with states, communities and agencies to reduce the causes of poverty, increase opportunity and economic security of individuals and families and revitalize communities. OCS is a division within the U.S. Department of Health and Human Services (US HHS).

Office of Economic Opportunity (OEO) Created by the Community Economic Opportunity Act of 1983, the Office of Economic Opportunity (OEO) is the state's administering agency for the Community Services Block Grant, Low-Income Home Energy Assistance Program, Weatherization Assistance Program and Emergency Solutions Grant. OEO works in partnership with community action agencies and other non-profit agencies to administer and distribute funds for local initiatives designed to appreciably impact the causes of poverty.

On-Line Data Collection (OLDC) is the Federal Grant Solutions database used for Federal reporting. States submit all Federal reports via the Grant Solutions web portal.

Organizational Standards 42 U.S.C. §9914 requires State CSBG Lead Agencies to establish "performance goals, administrative standards, financial management requirements, and other requirements" that ensure an appropriate level of accountability and quality among the State's eligible entities. The Center of Excellence (COE) developed 58 standards for public and private entities.

Result Oriented Management Accountability (ROMA) The Monitoring and Assessment Task Force (MATF), a task force of federal, state, and local CSBG Network officials, created ROMA in 1994. Based upon principles contained in the Government Performance and Results Act of 1993, ROMA provides a framework for continuous growth and improvement among local CAAs and a basis for state leadership and assistance.

In 1998, the CSBG Reauthorization Act, Section 678E(a)(1), 42 U.S.C. § 9917(a)(1), made ROMA implementation a requirement for receiving federal CSBG funds, and established October 1, 2001 as the start date for reporting CSBG

Network outcomes in the context of ROMA performance-based management principles. This statutory mandate changed both the nature and pace of ROMA implementation throughout the CSBG Network.

IM 152 outlines the new CSBG Annual Report and the role of ROMA Next Generation in the new Performance Management Framework. The IM places an enhanced emphasis on analysis and evaluation under ROMA Next Generation. This evaluation and analysis is actualized through the new CSBG Annual Report that will replace the CSBG IS beginning in FFY 2018.

Local CAAs are encouraged to undertake ROMA implementation actions that focus on results-oriented management and accountability. Organizational Standards require the review of particular documents by a ROMA Certified Trainer/Implementer. Therefore, OEO recommends each agency have one to two certified ROMA trainers or implementers on staff. To become a certified ROMA Implementer or Trainer visit the NASCSP website: https://nascsp.org/csbg/csbg-resources/roma/.

Subgrantee means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided

Model (State) Plan Submission Checklist

In **May**, CSBG/LIHEAP Senior Manager will **compose drafts for both CSBG/LIHEAP Model Plans** & distribute to OEO's Director, Senior Managers and Program Coordinators for review and edits.	YES	NO
Approved **drafts** will be **distributed to the CAA Network** and community partners (in **May**) to include Executive Directors, the State Association, CSBG/LIHEAP/WAP program and fiscal managers, for review, comments and edits.	YES	NO
OEO will host a **workshop to receive feedback from the network on updates and edits to both CSBG and LIHEAP plans**.	YES	NO
Public Hearing: A public hearing is required as a platform for public comment. The public hearing traditionally occurs at the beginning of **August**. The Public Hearing must occur prior to the submission of the State Plans, due to HHS September 1st.	YES	NO
Legislative Public Hearing: A Legislative Public Hearing is required to occur once every three years. OEO's Director will contact the Senate Clerk to assemble a subcommittee. Draft plans should be provided in a timely manner to allow the subcommittee time to review. The legislative Hearing must occur prior to the submission of the State Plans, due to HHS September 1st.	YES	NO
The hearing will be recorded, and a copy of the sign-in sheet and transcript will be uploaded to OLDC with the submission of the State Plans.	YES	NO
Following the Legislative/Public Hearing, OEO's Senior Manger and staff will consider additional comments to include in the CSBG/LIHEAP State Plans. Final edits will be made to each plan and submitted to OEO's Director, Senior Managers and Program Coordinators for final review.	YES	NO
The CSBG/LIHEAP Senior Manager will submit South Carolina's final CSBG and LIHEAP State Plans with support documentation via OLDC, no later than September 1st.	YES	NO
The Senior Manager will save final copies of both CSBG and LIHEAP plans to OEO's shared drive and contact IT to have plans posted on the OEO website at the start of the program year.		
Other Model (State) Plan Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

LIHEAP Household Report Checklist

OEO LIHEAP Senior Manager will access the quarterly/annual LIHEAP Household Report via OLDC. The Senior Manager will work with the statewide database Help Desk to run queries to collect data and complete the report. The fiscal portion of the report should be completed by OEO's fiscal manager.	YES	NO
The OEO LIHEAP Senior Manager will route the Household Report for review from the OEO WAP Senior Manager, OEO fiscal manager, LIHEAP Program Coordinator and/or other appropriate staff.	YES	NO
The OEO LIHEAP Senior Manager will submit the final Household Report to HHS via the OLDC website. A final copy of the report should be saved to OEO's shared drive with support data.	YES	NO
Other LIHEAP Household Report Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

LIHEAP Performance Measures Checklist

To complete the LIHEAP Performance Measures, the LIHEAP Senior Manager must collect LIHEAP customer data from a subgroup of vendors statewide (ex. SCE&G, Duke, etc.). In **December**, The LIHEAP Manager will contact the database Help Desk to compile customer data to send to each vendor to complete. The LIHEAP Manager will send a secure email to identified utility vendors to complete information specific to the OEO-identified LIHEAP customers. Vendors will be given 30 days to complete and return LIHEAP customer information to OEO.	YES	NO
In **December,** The OEO LIHEAP Senior Manager will access the LIHEAP Performance Measures report via OLDC. The Senior Manager will work with the statewide database Help Desk to run queries to collect data and complete the report.	YES	NO
The OEO LIHEAP Senior Manager will distribute fiscal-related sections of the Grantee Survey to OEO's Fiscal manager and/or other appropriate OEO departments to complete the report.	YES	NO
The OEO LIHEAP Senior Manager will compile data from internal departments, the statewide database and utility vendors to complete the LIHEAP Performance Measures. Upon completion, the Senior Manager will route the report to OEO's WAP Senior Manager, Fiscal Manager, LIHEAP Program Coordinator and/or other appropriate staff for review.	YES	NO
The OEO LIHEAP Senior Manager will submit the final LIHEAP Performance Measures Report to HHS via the OLDC website. A final copy of the report should be saved to OEO's shared drive with support data.	YES	NO
Other LIHEAP Performance Measure Report Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

CSBG Annual Report

As needed: In **December**, the CSBG Senior Manager will plan a statewide workshop (to include reserving a hotel, meals and trainer(s)) to review the instructions and requirements to complete the Annual Report. The CSBG manager will notify the CAA network of the date, time and location via email.	YES	NO
No later than **January**, The CSBG Senior Manager will distribute links and smart forms (provided by HHS) to the CAA network to complete the Annual Report. Instructions and templates of forms can be accessed via the NASCSP website. All CSBG eligible entities must submit their Annual Report to OEO's CSBG Senior Manager and/or Program Coordinators no later than February 15.	YES	NO
The OEO CSBG Senior Manager will distribute fiscal-related sections of the Grantee Survey to OEO's Fiscal manager and/or other appropriate OEO departments to complete the report.	YES	NO
OEO's CSBG Senior Manager and CSBG Program Coordinators will review and/or enter each agency's data until all edits are made and variances are addressed. The State's submission will be reviewed by the Fiscal Manager, Director and/or other appropriate OEO staff.	YES	NO
OEO's CSBG Senior Manager will submit the final CSBG Annual report via the NASCSP submission website and the OLDC, no later than **March** 31 or the posted deadline).	YES	NO
Once HHS has provided feedback and accepted the state's revisions, the Senior Manager will email the State's report to the CAA network along with each agency's individual report. A copy of the final approved CSBG Annual Report will be saved to OEO's shared drive. All agency reports will be saved to OEO's shared drive.	YES	NO
Other CSBG Annual Report Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

SOUTH CAROLINA OFFICE of ECONOMIC OPPORTUNITY

CSBG/LIHEAP Administrative Guide

In **November**, the CSBG/LIHEAP Senior Manager, along with program coordinators, will draft/update the CSBG/LIHEAP Administrative Guide according to the approved State Plans for the upcoming program year. A **draft Administrative Guide** will be distributed to the CAA Network for review, edits and suggestions.	YES	NO
No later than **December 31st**, the CSBG/LIHEAP Senior Manager will distribute the **final Administrative Guide** to the CAA Network and save the final to OEO's shared drive.	YES	NO
Other Administrative Guide Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

SOUTH CAROLINA OFFICE of ECONOMIC OPPORTUNITY

Notice of Federal Poverty Levels

It is the responsibility of the CSBG/LIHEAP Senior Manager to be attentive to the Federal Poverty Level updates published in the Federal Register on the Department of Health and Human Services website (traditionally in mid-January).	YES	NO
The CSBG/LIHEAP Senior manager will update the State's poverty guidelines for CSBG, LIHEAP and WAP using the updated FPL information. This information is to be reviewed and signed-off by the WAP Senior Manager, CSBG/LIHEAP Program Coordinator and other appropriate staff.	YES	NO
Once OEO has completed its internal review and accuracy of guidelines (at 100%, 125%, 150% and 200%) the CSBG/LIHEAP Senior Manager will compose a memorandum and notify the CAA network and statewide database of the updated FPLs/SMIs and effective date. Note: The effective date should coincide with the database update.	YES	NO
The CSBG/LIHEAP Senior Manager will notify the statewide database via email of the updated FPLs and the effective date.	YES	NO
The Senior Manager will save a copy of the memorandum and FPLs to the shared OEO drive.	YES	NO
Other Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Travel Checklist

(Conference and Overnight Monitoring)

Travel Approval Travel pre-approval documents to be completed for all traveling staff to be for Admin approval. SUBMIT TRAVEL REQUEST AS EARLY AS POSSIBLE. Note: Forms saved to S:\OEO\PROGRAM MONITORS\Travel Forms. 1. **Conference/Training Request Form (AD-303A)**. Include the following costs per traveler for the entire trip: meals, conference registration, flights, baggage fees, airport parking, essential ground travel (ex. uber), hotel costs). 2. Conference Agenda with highlighted sessions (not needed for monitoring). 3. Conference Registration forms completed for each traveler. 4. Print flight schedule to and from for each traveler. 5. Pint GSA lodging per diems for the city of travel (Per diem rates | GSA). 6. Complete **Exceeds Per Diem request** form for Admin approval if hotel rates exceed the daily per diem. 7. Print detailed hotel selections/reservations for all travelers. 8. Print Uber route from airport to hotel (both ways) for ground travel 9. Complete **Admin Lodging Billing form (AD-305G)** per traveler to acknowledging traveler responsibilities. Once travel packet is complete, provide to manager and OEO director for review and signatures. A completed packet should be provided to OEO's Admin Assistant to submit to Admin Leadership for approval. **NOTE:** Submit all travel request as early as possible to allow ample time for approval. Travel is not approved until confirmation is received from Admin Leadership.	YES	NO
Travel Tips • Before travel, confirm hotel reservations and the proper credit card authorization form (charged to Admin) has been completed for each traveler. • Save and print all confirmations (registration, flights and hotel). • Save all detailed receipts for all travel reimbursements (except for meals) to include hotels, parking, uber, baggage, etc.	YES	NO
Travel Support Reimbursement To be reimbursed, travelers must submit the **Travel Support Reimbursement** form and attach all receipts as support. The manager and/or Director must sign-off on this request form before submission to OEO's Administrative Assistance.	YES	NO

All detailed hotel receipts showing a zero balance must be emailed to Kristi.Bishop@admin.sc.gov.		
Other Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

FISCAL GUIDANCE AND PROCEDURAL MANUAL

(January 2022)

Office of Economic Opportunity
1205 Pendleton Street, Suite 349
Columbia, SC 29201

1. Purpose. The Fiscal Guidance and Procedural Manual (manual) serves to document fiscal requirements and provide guidance to Subgrantees of federal grants administered by the Office of Economic Opportunity (OEO). Every effort has been made to ensure the accuracy of the material in this manual; however, if any discrepancy exists between the language in this manual and in any applicable statute, regulation, or policy issuance, please contact OEO for clarification. This manual establishes general and uniform standards for budgeting, financial reporting, procurement, grant compliance, internal controls, disposal of property and fiscal monitoring. This manual in conjunction with each grant's state plan, grant agreement, work plan, budget and/or all relevant federal and state statutes and regulations will apply to all OEO administered grants. OEO administers the following grants:

    - Community Services Block Grant (CSBG) made available under public law 106-133;
    - Low Income Home Energy Assistance program (LIHEAP) made available under Public Law 105-78;
    - Low Income Household Water Assistance Program (LIHWAP) made available under the American Rescue Plan Act of 2021 (PL 117-2) and the Consolidated Appropriations Act, 2021 (PL 116-260)
    - Weatherization Assistance Program (WAP) established under Title IV of the Energy Conservation and Production Act and amended by the National Energy Conservation Policy Act, the Energy Security Act, the Human Services Reauthorization Act of 1984, and the State Energy Efficiency Programs Improvement Act of 1990;
    - Emergency Solutions Grants Program (ESGP) authorized by Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, 42 USC 11301 (1988); and
    - Project Share funds.

2. Supersession. This manual supersedes all previous policy and procedural manuals distributed by OEO.

3. Applicability and Inclusion of Documents. All Subgrantees are required to adhere to the guidance set forth in this manual in conjunction with all federal, state and local regulations as it relates to each grant and executed grant agreement. Subgrantees shall also refer to the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost and Audit Requirements for Federal Awards, codified at 2 CFR Part 200 and made a part of this manual by reference.

    The U.S. Department of Health and Human Services adopted and codified the Omni Circular at 45 CFR Part 75. The U.S. Department of Energy (DOE) adopted the Omni Circular (see 2 CFR §910), but also chose to expand the definition of non-Federal entity to include for-profit organizations. Regulations specific to for-profit organizations found at 10 CFR part 600 remain applicable to for-profit entities. The U.S. Department of Housing and Urban Development (HUD) adopted 2 CFR Part 200, see 2 CFR §2400.101 and 24 CFR §84.1.

4. Contact Information. If you have any questions or concerns regarding this manual, please contact OEO at 1205 Pendleton Street, Columbia, SC 29201. Other contact information: phone number (803) 734-0662, web address http://oeo.sc.gov/.

5. Effective Date. The guidance and procedures established in this manual become effective January 2022.

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I. DEFINITIONS

1) **Accrual basis expenditures** are the sum of cash disbursements for direct charges for property and services; amount of indirect expense incurred; value of third-party in-kind contributions applied; net increase or decrease in the amounts owed by the subgrantee for goods and other property received; services performed by employees, contractors, subrecipients and other payees, and programs for which no current services or performance are required such as annuities, insurance claims or other benefit payments.

2) **Acquisition cost** is the net invoice price plus any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable. Taxes, transit insurance, freight and installation may be included or excluded in accordance with the Subgrantee's capitalization policy. (2 CFR § 200.2, 45 CFR § 75.2)

3) **Actual budget** refers to the actual federal award for the current program year and any re-allocated prior program year unexpended funds.

4) **Administrative costs** refer to all direct and indirect costs, including those of subgrantees and contractors, necessary to effectively manage the program. Administrative costs do not include direct costs of providing program services. Administrative costs may include costs which provide an indirect benefit to providing program services but are not required to provide program services. Examples of administrative costs include, but are not limited to:

    a) Salaries and benefits of staff performing administrative and coordination functions;
    b) Activities related to eligibility determinations;
    c) Preparation of program plans, budgets and schedules;
    d) Monitoring of programs and projects;
    e) Procurement activities;
    f) Services related to accounting, audits, payroll and personnel; and
    g) Costs for goods and services required for administration of the program such as the costs for supplies, equipment, travel, postage, utilities, and rental of office space and maintenance of office space.

5) **Applicable credits** are those receipts, or reduction of expenditures which operate to offset or reduce expense items that are allocable to awards as direct or indirect costs. Typical examples of such transactions are purchase discounts, rebates, or allowances, recoveries or indemnities on losses, insurance refunds, and adjustments of overpayments or erroneous charges. To the extent that such credits accruing or received by the Subgrantee relate to allowable cost, they shall be credited to the federal government either as a cost reduction or cash refund, as appropriate. (2 CFR § 200.406, 45 CFR § 75.406)

6) **Application budget** is the projected funding based on the prior program year's actual federal award used to develop the Subgrantee's initial budget.

7) **Award** means financial assistance that provides support or stimulation to accomplish a public purpose. Awards include grants and other agreements in the form of money or property in lieu of money, by the federal government to an eligible recipient. The term does not include technical assistance, which provides services instead of money; other assistance in the form of loans, loan guarantees, interest subsidies, or insurance; direct payments of any kind to individuals; or contracts which are required to be entered into and administered under procurement laws and regulations.

8) **Budget** means the financial plan for the project or program that either the federal awarding agency or pass-through entity approves during the award process or in subsequent amendments to the federal award. It may include federal and non-federal shares.

9) **Budget package** consists of all required budget forms as listed in the budget instructions found in DBA and all support documentation. A checklist is included in the budget instructions for Subgrantees to use to ensure completion of the budget package. Budget forms must be signed by the Subgrantee's Executive Director and Board Chair.

10) **Capital expenditure** is the acquisition cost of equipment or expenditures for capital improvements that materially increase the asset's value or useful life. (2 CFR § 200.13, 45 CFR § 75.2)

11) **Carry forward funds** are unused funds, which are transferred to the budget for the following year.

12) **Cash basis expenditures** are the sum of cash disbursements for direct charges for property and services; amount of indirect expense charged; value of third-party in-kind contributions applied and the amount of cash advance payments and payments made to subrecipients.

13) **Cash on hand** are funds that are immediately available for spending.

14) **Closeout** is the process by which a federal awarding agency determines that all applicable administrative actions and all required work of the award have been completed by the recipient and federal awarding agency.

15) **Computing devices** are machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or "peripherals") for printing, transmitting and receiving, or storing electronic information.

16) **Contract** refers to a procurement contract under an award or sub award, and a procurement subcontract under a recipient's or subrecipient's contract. A contract is generally an agreement between the Subgrantee and a vendor.

17) **Continuing resolution** is an agreement by both houses of Congress to allow the federal government to continue operating at current funding levels, generally through a fiscal year.

18) **DBA FACSPro™** is the proprietary non-profit audit software developed by DBA Technologies, LLC used by OEO for Subgrantee reporting.

19) **Depreciation** is a cost allocation that represents the physical deterioration of property due to age, wear or market conditions.

20) **De-obligation** of funds occurs when a subgrantee returns unspent funds to the state, thereby causing such funds to no longer be committed or obligated to the subgrantee.

21) **Direct costs** are those costs that can be specifically traced to a final cost objective, i.e., a particular award, project, service, or other direct activity of a Subgrantee. Some examples include:

a) Maintenance of membership rolls, subscriptions, publications, and related functions.

b) Providing services and information to members, legislative or administrative bodies, or the public.

c) Promotion, lobbying, and other forms of public relations.

d) Meetings and conferences except those held to conduct the general administration of the Subgrantee.

e) Maintenance, protection, and investment of special funds not used in operation of the Subgrantee.

f) Administration of group benefits on behalf of members or clients, including life and hospital insurance, annuity or retirement plans, financial aid, etc.

22) **Disallowed costs** are charges to an award that the federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable state and federal cost principles or other terms and conditions contained in the award or grant agreement.

23) **Equipment** means tangible, nonexpendable personal property, including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of $2,500 or more per unit. However, consistent with the Subgrantee's policy, lower limits may be established.

24) **Excess property** means property under the control of any federal awarding agency that, as determined by the head thereof, is no longer required for its needs or the discharge of its responsibilities.

25) **Expenditures** are charges incurred by the subgrantee during a given period requiring the provision of funds for: 1) goods and other tangible property received; 2) services performed by employees, contractors, subgrantees and other payees; and 3) other amounts becoming owed under programs for which no current services or performance is required. Expenditures may be reported on a cash or accrual basis as long as the methodology is disclosed and consistently applied.

26) **Federal Award Identification Number (FAIN)** is the unique number assigned to a federal award.

27) **Financial Status Report (FSR)** is the monthly revenue and expenditure report documenting the Subgrantee's use of grant funds.

28) **Fixed asset** may be a tangible or intangible nonexpendable property having a useful life of more than one year such as equipment, machinery, vehicles, furniture, and real property. (2 CFR § 200.12, 45 CFR § 75.2) For OEO purposes, a fixed asset has an acquisition cost equal to or greater than the lesser of $2,500 or the Subgrantee's capitalization policy threshold.

29) **General purpose equipment** is equipment, which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings,

modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

30) **High Risk status** refers to a Subgrantee experiencing financial instability, inadequate financial management systems, and/or is programmatically performing poorly.

31) **Indirect costs** are those costs that are incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. Indirect costs shall be classified as "Facilities" or "Administration." Facilities is defined as depreciation and use allowances on buildings, equipment and capital improvement, interest on debt associated with certain buildings, equipment and capital improvements, and operations and maintenance expenses. Administration is defined as general administration and general expenses such as the director's office, accounting, personnel, library expenses and all other types of expenditures not listed specifically under one of the subcategories of Facilities (including cross allocations from other pools, where applicable).

32) **Management decision** is the assessment of the audit findings and corrective action plan by the pass-through entity or federal awarding agency. The management decision must clearly state whether or not the audit finding is sustained, the reasons for the decision, and the expected auditee action to repay disallowed costs, make financial adjustments, or take other action.

33) **Merit/Cola/FB/IDC** refers to particular categories within a Subgrantee's budget (merit increase/adjustment, cost of living allowance, fringe benefits, and indirect costs).

34) **Modified Total Direct Costs (MTDC)** means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first $25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of $25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

35) **Non-federal entity** is a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit Subgrantee that carries out a federal award as a recipient/grantee or Subrecipient/Subgrantee. The Department of Energy expanded the non-federal definition to include for-profit entities, unless otherwise noted at 2 CFR § 910.

36) **OMB** refers to the Office of Management and Budget, which has the authority to issue guidelines for federal awards.

37) **Obligations** are a commited use of funds for a given period. The commitment is conditional as specified in the grant agreement used by the state to award and obligate funds to subgrantees. For a subgrantee, obligations may be in the form of orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the subgrantee during the same or a future period.

38) **Prior approval** refers to the requirement of obtaining written permission before the Subgrantee may undertake certain activities (whether performance of a new or modification of a previously approved activity), expend funds for specific direct costs, or exceed a certain aggregate dollar level.

39) **Professional services** are infrequent, technical, or unique functions performed by independent contractors or by consultants whose occupation is the rendering of such services. Costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of the agency, are allowable when reasonable in relation to the services rendered.

40) **Program costs** are costs not included in administrative costs, which are direct costs of providing program services such as providing diversion benefits and services, providing program information to clients, screening and assessments, development of employability plans, work activities, post-employment services, work supports, and case management. Salaries and benefits costs for staff provide program services and the direct administrative costs associated with providing the services such as the costs for supplies, equipment, travel, postage, utilities, rental of office space and maintenance of office space are also considered program costs.

41) **Program income** means gross income earned by the Subgrantee that is directly generated by a supported activity or earned as a result of the award. Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights, and interest on loans made with award funds.

42) **Project** is defined as the set of activities described in an application, state plan, or other document that is approved by DOE for financial assistance, whether such financial assistance represents all or only a portion of the support necessary to carry out those activities.

43) **Project costs** means all allowable costs, as set forth in the applicable federal cost principles, incurred by a Subgrantee and the value of the contributions made by third parties in accomplishing the objectives of the award during the project period.

44) **Project period** is the total period of time indicated in an award during which DOE expects to provide financial assistance. A project period may consist of one or more budget periods and may be extended by DOE. It is the total time for which federal support has been programmatically approved as shown in the Notice of Award; however, it does not constitute a commitment by the federal government to fund the entire period

45) **Project Share** is a program consisting of subscriber and corporate contributions from utility companies. These contributions provide funds to supplement the Low-Income Home Energy Assistance Program (LIHEAP).

46) **Protected personally identifiable information (Protected PII)** means an individual's first name or first initial and last name in combination with any one or more types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother's maiden name, criminal, medical and financial records, educational transcripts. This does not include personally identifiable information that is required to be disclosed by law.

47) **Reasonable costs** are costs, if in its nature or amount, do not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs. The reasonableness of specific costs must be scrutinized with

particular care in connection with the Subgrantee or separate divisions thereof which receive the preponderance of their support from awards made by federal agencies. See also Procurement, Policies and Procedures.

48) **Rental income** is income generated when equipment is rented out at the fair market rate. WAP is generally the main grant that produces rental income. Rental income should be recorded as program income (see program income).

49) **Severance Pay**, also commonly referred to as dismissal wages, is a payment in addition to regular salaries and wages, by Subgrantees to workers whose employment is being terminated.

50) **Single Audit** is the required audit of federal awards as described in 2 CFR § 200.514 and 45 CFR § 75.514, which includes the entity's financial statements and required schedules related to federal awards.

51) **Subgrantee** or **Subrecipient** means the legal entity, non-federal entity, or agency to which a subaward is made and which is accountable to the Subgrantee for the use of the funds provided. The term may include foreign or international Subgrantees (such as agencies of the United Nations) at the discretion of the federal awarding agency.

52) **Supplies** are all personal property, excluding equipment, intangible property, and debt instruments as defined in this section, and inventions of a contractor conceived or first actually reduced to practice in the performance of work under a funding agreement ("subject inventions"), as defined in 37 CFR part 401, "Rights to Inventions Made by Nonprofit Subgrantees and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements."

53) **Uniform Administrative Requirements, Cost Principles, and Audit Requirements** for federal awards codified at 2 CFR Part 200, which is OMB's guidance consolidating the A-21, A-87, A-89, A-102, A-110, A-122, A-133 and sections of A-50 Circulars. The U.S. Department of Health and Human Services and the U.S. Department of Energy codified this OMB guidance at 45 CFR § 75 et al and 2 CFR §900 et al, respectively. Unless there are significant differences between 45 CFR § 75, 2 CFR §900 and 2 CFR § 200, the citation in this manual will be directed to 2 CFR § 200.

II. Pre-Award

This section is intended to provide guidance on requirements that must be complied with prior to receiving any federal awards.

Budget Process

This section describes the grant budgeting process and OEO oversight of Subgrantee budgets for the CSBG, LIHEAP, LIHWAP and WAP grants.

Application and Actual Budgets

Generally, in the fall, the OEO develops a projected award budget based on information, including but not limited to, previous federal awards and any unused funds at the end of each program year. The projected budget is used to determine initial Subgrantee allocations for the new program year. The OEO fiscal staff will notify each Subgrantee of their funding level for the new program year, load the allocation into the DBA system, and inform the Subgrantees of the deadline for application budget submissions. No spending shall take place until the OEO receives the actual federal award notification from the federal funding source.

The OEO's projected award budget and application budget of Subgrantees are utilized until such time that the OEO receives notification of actual federal awards. Upon notice of actual federal awards, the OEO will revise its award budget and any allocations to Subgrantees. The OEO fiscal staff will notify each Subgrantee of their revised funding level for the program year, load the updated allocations into the DBA system and inform the Subgrantees of the deadline for actual budget submissions.

Budget Approval

A Subgrantee's Board of Directors must review the grant application and actual budget for each program year. The actual budget will be based on the actual award from the funding source and may include prior program year unexpended funds. A completed Community Action Agency Budget Approval Form must be submitted to OEO for documentation of the budget review and approval. The acknowledgement of the budget review will represent the total allocation of all awards budgeted, note specific approval of salary/wage increases, new positions, as well as procurements that require approval. The budget package submitted to OEO for approval must include all documents to support compliance with procedural requirements. The budget package must be submitted through DBA. This online budget submission process requires an authorized user with signature authority.

Salaries

Each Subgrantee is responsible for establishing employee salaries and any salary increases. Salary increases are to be based on each Subgrantee's available funds, sustainability, reasonableness, and documented board approval. Salary increases must be compliant with federal and state regulations, and with the agency's policies and procedures. This documentation, as well as position descriptions, must be maintained in accordance with the Subgrantee's approved policies and procedures. OEO's Fiscal Monitoring staff will review the Subgrantee's

approved policies and procedures during monitoring visits and may request a copy of them as needed.

All salary increases planned or anticipated for the new program year should be included in the Subgrantee's grant application. A detailed explanation supporting the proposed increase must also be presented. All salary and wage adjustments must be administered within the timeframe reflected in the approved budget. When OEO receives the actual federal award and subsequently notifies the Subgrantee of their actual award, the appropriate adjustments to the Salary and/or Merit/Cola/FB/IDC line items must be made using the actual award amounts. The Subgrantee will be permitted to amend the originally established Salary and/or Merit/Cola/FB/IDC line items for salary increases based on the actual award. However, only salary increases included in the grant application and application budget may be made retroactive to the beginning of the grant period. Documentation of Board approval must accompany the revised budget. Once the actual award has been received, wage and salary increases may be revised within the Merit/Cola/FB/IDC line items without additional OEO approval.

Documentation standards for personnel expenses are explicitly provided for at 2 CFR § 200.430 (i) and 45 CFR § 75.430 (i).

Subgrantees must:

1) Have a system of internal controls able to provide reasonable assurance that the charges for personnel expenses are accurate, allowable and properly allocated. This system must also be able to properly track, support and document the distribution of employee's salary or wages among specific activities or cost objectives if the employee works on more than one federal award and support whether the employee's salary or wages be classified as administrative costs or program costs;

2) Incorporate personnel expense records into the Subgrantee's official records;

3) Maintain records that account for the total activity for which employees are compensated by the Subgrantee and that are required in fulfillment of their obligations to the Subgrantee;

4) Comply with its established accounting policies and procedures; and

5) Provide after-the-fact determination of the actual activity of each employee. Budget estimates (i.e., estimates determined before services are performed) do not alone qualify as support for charges to federal awards.

OEO also requires that all charges to grants for salaries and wages have documented approval by an authorized personnel of the Subgrantee, regardless whether the charges are direct or indirect costs. Records reflecting the distribution of activity of each employee must be maintained for all staff members (professionals and nonprofessionals) whose compensation is charged, in whole or in part, directly to awards. In addition, in order to support the allocation of indirect costs, such records must also be maintained for other employees whose work involves two or more functions or activities if a distribution of their compensation between such functions or activities is needed in the determination of the Subgrantee's indirect cost rate(s).

All compensation related to employees performing administrative functions as defined in this manual must be appropriately included in the administrative portion of the budget. In addition, all compensation related to employees providing program services as defined in this manual must

be appropriately included in the program costs portion of the budget. An employee's duties determine whether compensation will be administrative costs, program costs, or a combination.

Cost of Severance

As provided for in 2 CFR § 200.431 (i) and 45 CFR § 75.431 (i), costs of severance pay are allowable only to the extent that in each case, it is required by:

1) Law;

2) Employer-employee agreements;

3) Established policy that constitutes, in effect, an implied agreement on the Subgrantee's part; or

4) Circumstances of the particular employment.

Severance payments are divided into two categories as follows:

1) Actual normal turnover severance payments shall be allocated to all activities; or, where the Subgrantee provides for a reserve for normal severances, such method will be acceptable if the charge to current operations is reasonable in light of payments actually made for normal severances over a representative past period, and if amounts charged are allocated to all activities of the Subgrantee.

2) Measurement of costs of abnormal or mass severance pay by means of an accrual will not achieve equity to both parties, which is why accruals for this purpose are not allowable. However, the federal government recognizes its obligation to participate, to the extent of its fair share, in any specific payment. Prior approval by the federal awarding agency or cognizant agency for indirect cost, as appropriate, is required.

Costs incurred in certain severance pay packages (commonly known as "a golden parachute" payment) which are in excess of the normal severance pay paid by the Subgrantee to an employee upon termination of employment and are paid to the employee contingent upon a change in management control over, or ownership of, the Subgrantee's assets are unallowable.

Fringe Benefits (2 CFR § 200.431, 45 CFR § 75.431)

Fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as vacation leave, sick leave, military leave, and the like, are allowable only when all of the following criteria are met:

1) They are provided under established written leave policies;

2) The costs are equitably allocated to all related activities, including federal awards; and

3) The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the Subgrantee or specified grouping of employees.

a. Under the cash basis of accounting, the cost of leave is recognized in the period that the leave is taken and paid for. Payment for unused leave when an employee retires or terminates employment is allowable in the year of payment.

b. Under the accrual basis of accounting, the allowable leave costs are the lesser of the amount accrued or the amount funded. The accrual basis may only be used for those types of leave for which a liability as defined by GAAP exists when the leave is earned.

Fringe benefits in the form of employer contributions or expenses for social security, employee insurance, workmen's compensation insurance, pension plan costs (see 2 CFR § 200.431 (g), 45 CFR § 75.431 (g)), and the like, are allowable, provided such benefits are granted in accordance with established written Subgrantee policies. Such benefits whether treated as indirect costs or as direct costs, shall be distributed to particular awards and other activities in a manner consistent with the pattern of benefits accruing to the individuals or group of employees whose salaries and wages are chargeable to such awards and other activities.

Provisions for a reserve under a self-insurance program for unemployment compensation or workers' compensation are allowable to the extent that the provisions represent reasonable estimates of the liabilities for such compensation, and the types of coverage, extent of coverage, and rates and premiums would have been allowable if the insurance was purchased to cover the risks. However, provisions for self-insured liabilities which do not become payable for more than one year after the provision is made shall not exceed the present value of the liability.

Where a Subgrantee follows a consistent policy of expensing actual payments to, or on behalf of, employees or former employees for unemployment compensation or workers' compensation, such payments are allowable in the year of payment with the prior approval of the awarding agency, provided they are allocated to all activities of the Subgrantee.

Low Income Household Water Assistance Program (LIHWAP)

The Low Income Household Water Assistance Program (LIHWAP) provides funds to assist low-income households with water and wastewater bills. The LIHWAP award was made available under the Consolidated Appropriations Act, 2021 (PL 116-260) and American Rescue Plan Act of 2021 (PL 117-2). This grant must be used in accordance with the LIHWAP specific Terms and Conditions and the general ACF mandatory Terms and Conditions. The CFDA and compliance supplement are being updated to include information about the LIHWAP program.

- **LIHWAP Administrative Cost**
  The LIHWAP program must adhere to the US Department of Health and Human Services' (HHS) definition of Administrative Costs, not OEO's or the CAA's definition. HHS defines administrative costs as expenses by the grantee and its sub-recipient service providers for a portion of general administration and general expenses, such as the salaries and expenses of executive officers, personnel administration, accounting, grants management, and reporting. As specified in the LIHWAP Terms and Conditions, administrative costs may not exceed 15 percent of the total award.

- **LIHWAP Budgetary Guidance**
  At this time, it has not been determined if the LIHWAP program will be a one-time grant or going concern. All agencies have been instructed to establish budgets that will remain in place for the duration of the first LIHWAP grant, 05/28/2021 to 09/30/2023. If an

agency wishes to make changes to their LIHWAP budget, they should notify OEO and will follow procedures similar to what is done to revise a CSBG/LIHEAP budget. If there is an impact to allocations (Admin, Program Operations, Outreach) then an Allocation Revision Form will also need to be completed.

LIHEAP Planning and Administration Cap

The Low-Income Home Energy Assistance Program (LIHEAP) funds for planning and administering the use of funds under the LIHEAP may not exceed 10% of the funds payable to the subgrantee. This limit is inclusive of funds received by the grantee for the LIHEAP Weatherization Program (LWAP). Furthermore, the subgrantee's written policies and procedures might include language regarding the non-federal funding source that will be used for planning and administration costs that exceed the earmark cap of 10%.

Budget Items to Review

Listed below are items to consider regarding your agency's budget:

- Are documents properly signed?
- Did the board review and approve the budget? Board review is required when submitting the application budget, actual budget and when funding is increased during the program year or if otherwise required by OEO.
- Were new positions listed on the completed Community Action Agency Budget Approval Form?
- Does the budget salary detail or Merit/Cola budget line items list all current salaries and planned/anticipated increases?
- Has all procurement requiring approval by the Board and/or Executive Director been properly documented for review and approval? (Also, refer to Procurement, page 24)
- Was the agency's allocation accurately budgeted and reflected on the completed Community Action Agency Budget Approval Form and/or Board minutes?
- Have all budgets, supporting documentation, and purchases requiring OEO approval been sent to the OEO Fiscal Services Department?
- Are the position titles and employee IDs and county of work of all employees charged to the grant listed on the Salary Detail Form, which must be included in the final approved budget?
- Are the non-personnel expense categories (all budget line items except salary/wages, fringes, and indirect costs) reported on FSR's within the fifteen (15) percent variance range? Variances of more than fifteen (15) percent may be permitted with OEO approval prior to the expenditure of funds.
- Are items budgeted as administrative costs and program costs appropriately classified?

NOTE: Any budget line-item variance must be offset by another non-personnel expense category and cannot cause the total budget to exceed the Subgrantee's total allocation or grant award. Additionally, Admin., T&TA, and Health and Safety cannot exceed approved budget allocations for the DOE Weatherization and LWAP programs.

- Are periodic reviews of budget line-item balances being conducted to ensure a budget revision is submitted when needed? See guidance on budget revisions on page 18.
- Have all the budget amendments been submitted to OEO prior to the last thirty (30) days of the program year?
- Have salary adjustments moving budget out of the Merit/Cola/FB/IDC line items and into the appropriate salary/wage detail been completed prior to the final budget submission for the program year?

Specific Conditions (2 CFR § 200.208, 45 CFR § 75.207)

OEO or the federal awarding agency may impose additional requirements on the Subgrantee as necessary. Such circumstances where additional requirements may be imposed include, but are not limited to, when the Subgrantee has a history of poor performance including findings reported in the Subgrantee's single audit or other available audits or monitoring reports, is not financially stable, has a management system that does not meet the standards prescribed in 2 CFR Part 200 or 45 CFR Part 75, or has not effectively implemented statutory, regulatory or other requirements imposed on the Subgrantee,

Special conditions that may be imposed include, but are not limited to the following:

1) Placing the Subgrantee under the cost reimbursement method of payment;
2) Requiring additional, more detailed financial reports;
3) Requiring additional project monitoring;
4) Requiring the Subgrantee to obtain technical or management assistance; or
5) Establishing additional prior approvals.

When special conditions are imposed, the Subgrantee will be informed of the following:

1) The nature of the additional requirements;
2) The reason why the additional requirements are being imposed;
3) The nature of the action needed to remove the additional requirements, if applicable;
4) The time allowed for completing the actions if applicable; and
5) The method for requesting reconsideration of the additional requirements imposed.

Conflict of Interest

Personnel and other officials connected with this Grant shall adhere to the requirements given below. Furthermore, Subgrantees are required to establish its own conflict of interest policies for federal awards incorporating these requirements (2 CFR § 200.112 and 45 CFR § 75.112).

1) Advice: No employee, officer, board member or agent of the Subgrantee may participate in the selection, award, or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, board member or agent, any member of his/her immediate family, his/her partner, or an Subgrantee which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, board members and agents of the Subgrantee may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, a Subgrantee may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, board members or agents of the Subgrantee.

   No official or employee of the state or a unit of local government or of non-government Grantees/Subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative grant, claim controversy, or other particular matter in which these funds are used, where to his knowledge their immediate family, partners, Subgrantee other than a public agency in which he is servicing as officer, director, trustee, board member, partner, or employee or any person or Subgrantee with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

2) Appearance: In the use of these grant funds, officials or employees of the state or a local unit of government and non-governmental Subgrantees shall avoid any action which might result in, or create the appearance of:

   a. Using an official position for private gain;

   b. Giving preferential treatment to any person;

   c. Losing complete independence or impartiality;

   d. Making an official decision outside official channels; or

   e. Affecting adversely the confidence of the public in the integrity of the government or the program.

3) Subgrantee conflict of interest: The Subgrantee shall avoid conflict of interest involving relationships with a parent company, affiliate, or subsidiary Subgrantee that could cause the Subgrantee to appear or act impartially.

Mandatory Disclosure (2 CFR § 200.113, 45 CFR § 75.113)

The Subgrantee **must disclose**, in a timely manner, in writing, to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described at 2 CFR § 200.339 or 45 CFR § 75.371.

The Subgrantee must also disclose, in a timely manner, in writing to OEO all potential or pending litigation involving the Subgrantee, which could potentially affect the award.

Nepotism

Subgrantees must comply with the South Carolina Ethics, Governmental Accountability and Campaign Reform Act of 1991 and are restricted from the hiring of relatives within the same office, program area, or the equivalent work unit.

1) No supervisory employee of the Subgrantee may cause the employment, appointment, promotion, transfer or advancement of a family member to a position in which the employee supervises or manages. Employees may also not participate in an action relating to discipline of their family members.

2) Definitions: The Ethics Act defines family member as an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild; or (b) a member of the individual's immediate family.

   Immediate family is further defined as:
   - A child residing in an employee's household;
   - The spouse of an employee;
   - An individual claimed by the employee or employee's spouse as a dependent for income tax purposes.

   Furthermore, for the purposes of this policy, OEO has defined a relative to be a spouse, parent, sibling, child, parent in-law, grandparent, grandchild, sibling in-law, grandparent in-law, step-grandchild, step-child, child in-law, aunt, uncle, niece, or nephew of the employee or a member of the employee's household. OEO and state recognizes common-law marriages and the relationships that are created as a result.

Employees are expected to disclose relationships covered by this policy to the agency Executive Director and supervisor whenever the relationships come into existence. Employees have up to ninety (90) days after marriage to find employment in either a suitable unit within the agency or outside the agency. An employee's failure to disclose such information will lead to discipline up to and including termination. Supervisors shall not recommend the hiring of an individual if it results in violation of this requirement.

III. Post Award Requirements

This section addresses the standards and requirements of a financial management system, payments, program income, budget revisions, and property and procurement.

Financial Management System

Per 2 CFR § 200.302 (b) and 45 CFR § 75.302 (b), a Subgrantee's financial management system is required to provide the following:

1) Identification, in its accounts, of all federal awards received and expended and the federal programs under which they were received. Federal program and federal award identification must include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and name of the pass-through entity, if any.

2) Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements set forth in 2 CFR §§ 200.328 - 200.329 and 45 CFR §§ 75.341 - 75.342.

3) Records that must adequately identify the source and application of funds for federally funded activities. These records must contain information pertaining to federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

4) Effective control over, and accountability for, all funds, property, and other assets. The non-federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. See 2 CFR § 200.303 and 45 CFR § 75.303.

5) Comparison of expenditures with budget amounts for each federal award.

6) Written procedures to implement the requirements of 2 CFR § 200.305 and 45 CFR § 75.305.

7) Written procedures for determining the allowability of costs in accordance with 2 CFR and 45 CFR Subpart E – Cost Principles.

Payments

OEO is required to comply with 2 CFR § 200.305 (a) and 45 CFR § 75.305 (a), which includes the Cash Management Improvement Act (CMIA). Payment guidelines are set forth in § 200.305 (b) and 45 CFR § 75.305 (b), for all Subgrantees. More specifically, payment methods must minimize the time elapsing between the transfer of funds from the OEO and the disbursement of funds by the Subgrantee.

During the program year, it is the Subgrantee's responsibility to track its expenditures and submit a Certification of Advancement of Funds requesting funds needed and the reason for the request through DBA. The Certification of Advancement of Funds must be signed and dated by the Subgrantee's Executive Director, Finance Officer, and Program Officer. A separate form is required for each grant. The OEO Senior Fiscal Manager must review the request, and if approved, a disbursement request will be submitted to Accounts Payable within the Department of Administration's Finance Office for processing. OEO maintains the right to request additional information from the Subgrantee prior to disbursing advance payments.

Payment requests may be submitted as frequently as biweekly but should be made at least monthly. In determining the payment request, Subgrantees should take into consideration:

- The amount of funds that have been obligated;
- Commitments and other funds needed to continue daily operations; and
- Time for the OEO to process and release funds requested. It ***may take up to thirty (30) days*** for OEO to process and release the requested disbursement.

Initial Disbursements

At the beginning of each program year, OEO will disburse payments as follows:

- For CSBG and LIHEAP, OEO will release a one-time advancement of funds as the initial disbursement for each grant. This advancement of funds is to cover the first two to four months of expenses of the grant, which will be calculated based on each Subgrantee's allocation and grant award for the respective program year.

- For WAP and LWAP, the amount of funds disbursed will be based on the request submitted by the Subgrantee, which must be in accordance with the actual, immediate cash requirements of the Subgrantee in carrying out the purpose of the weatherization program.

Initial disbursements are subject to change at the discretion of OEO, due to but not limited to, on-going federal funding concerns. A Subgrantee should request additional cash payments throughout the program year using the Certification of Advancement of Funds form.

Conditions of Payment

OEO will observe the following payment conditions in addition to other requirements set forth:

- If federal funding is awarded to the states based on a Continuing Resolution and/or federal authority is withheld, OEO will calculate advance payments to Subgrantees based on the amount of the federal authority received.

- Prior to the disbursement of any funds, Subgrantees must have an executed grant agreement, approved work plan and an approved current budget.

- Disbursements may be delayed until OEO has received a Subgrantee's approved budget revision based on the current program allocation.

- Payments will be made in compliance with all conditions of each grant and in compliance with all applicable state and federal statutes and regulations.

- Subgrantees placed on "High-Risk" status may be subject to additional payment conditions.

- The state's fiscal year ends on June 30, which may cause delays in processing June and/or July disbursements.

Emergency Solutions Grant (ESG) Program Disbursements

The ESG Program is a cost-reimbursement grant. As such, Subgrantees must submit a Request for Reimbursement (RFR) to the OEO ESG Program Coordinator along with all supporting

documentation. The Program Coordinator will review the RFR and request additional supporting documentation, information, and adjustments if necessary. The RFR must be signed and dated by the Subgrantee's Executive Director or authorized staff.

ESG Program (HUD) Matching Requirement

a) **Required amount of matching contributions.**
The applicant must make dollar for dollar matching contributions to supplement its ESG Program. Matching contributions must equal the total ESG funds awarded by OEO.

b) **Eligible sources of matching contributions**.
Matching contributions may be obtained from any source, including any federal source other than the ESG program, as well as state, local, and private sources. However, the following requirements apply to matching contributions from a federal source of funds:

1) The Subgrantee must ensure the laws governing any funds to be used as matching contributions do not prohibit those funds from being used to match ESG funds.

2) If ESG funds are used to satisfy the matching requirements of another federal program, then funding from that program may not be used to satisfy the matching requirements under this section.

3) Cash contributions. Cash deposits received and subsequently expended on allowable costs per 2 CFR Part 200 Subpart E: Cost Principles and that are also ESG eligible expenditures.

4) Noncash contributions. The value of any donated property, equipment, goods, or services contributed to the Subgrantee's ESG program, provided that if the Subgrantee had to pay for them with grant funds, the costs would have been allowable. Noncash contributions may also include the purchase value of any donated building.

c) **Recognition of matching contributions**.

1) To meet the matching requirement, matching contributions must be compliant with all requirements applicable to the ESG funds provided by HUD, except for the expenditure limits in 24 CFR § 576.100.

2) Matching contributions must be provided during the program year for which they apply. Contributions used to match a previous ESG grant may not be used to match a subsequent ESG grant.

3) To count toward the required match for the Subgrantee's fiscal year grant, cash contributions must be expended within the grant period, and noncash contributions must be made within the grant period.

4) Contributions that have been or will be counted as satisfying a matching requirement of another federal grant or award may not count as satisfying the matching requirement of this section.

Note: The Subgrantee must maintain records and supporting documentation for such contributions e.g. logs, volunteer reports, letters, appraisals, etc. OEO will require support

documentation to determine whether such match contributions and expenditures are eligible and compliant with all applicable requirements.

d) **Calculating the amount of non-cash contributions**.

1) To determine the value of any donated material or building, or of any lease, the Subgrantee must use a method reasonably calculated to establish the fair market value. Fair market value is allowed; however, equity cannot be used as match.

2) Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work employed by the Subgrantee. If the Subgrantee does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

3) Some noncash contributions are real property, equipment, goods, or services that, if the Subgrantee had to pay for them with grant funds, the payments would have been indirect costs. Matching credit for these contributions must be given only if the Subgrantee has established, along with its regular indirect cost rate, a special rate for allocating to individual projects or programs the value of those contributions.

The above referenced payment procedures may require modification and payments may vary when extenuating circumstances occur.

Re-Allocation of Undisbursed Program Funds

1) **CSBG – US HHS**

RECAPTURE PROVISION - P.L. 108-447 mandates, that to the extent Community Services Block grant funds are distributed as grant funds by a state to an eligible entity, that is provided under the (CSBG) Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes. However, unspent funds awarded as discretionary funds shall not be carried over and must be returned to OEO.
Thus, Subgrantees are allowed at the beginning of the grant period to retain funds from the close of the previous grant period (unless instructed otherwise). Agencies are allowed to expend against prior year unexpended funds (cash on hand). Expenditures must comply with the agency's most current program year's approved work plan, budget, and signed grant agreement. This should ease the burden on agencies to sustain programs during periods of delayed federal awards and allow the immediate expending against prior year funds (cash on hand.) Prior year unexpended funds will be incorporated into the current program year in the Actual Allocation and will be based on the fund balance represented on the final FSR.

2) **ESG – US HUD**

All ESG funds are distributed using the cost reimbursement payment method. All ESG funds must be obligated and expended in the program year they were intended to qualify for reimbursement. All unallowable reimbursed funds must be returned to OEO, which may be refunded to HUD. All unexpended and unobligated ESG funds must be refunded

to HUD and/or retained by HUD. Subgrantees are required to submit their final request for reimbursement and matching support documentation by close of business on August 15.

Interest Income (2 CFR §200.305(b)(8) and (9) and 45 CFR §75.305(b)(8) and (9))

Funds **advanced from OEO to Subgrantees must be placed in an interest-bearing account**. The procedures regarding the monitoring, reporting and use of interest are as follows:

1) Confirm that all federal funds are placed in an interest-bearing account.

2) The first $500 of interest earned on federal funds per Subgrantee per year (**not per grant**) may be retained to offset administrative costs in the program year the interest was earned. Per 2 CFR § 200.305 (b)(5) and 45 CFR § 75.305 (b)(5), Subgrantees must utilize interest earned before requesting additional cash payments.

3) All interest earned over $500 is required to be tracked on financial documents in an account separate from OEO grant revenue and other program income.

4) Interest earned over the allowable $500 to be retained by the Subgrantee must be remitted to the U.S. Department of Health and Human Services Payment Management System using either the Automated Clearing House network or a Fedwire Funds Service payment. Refer to 2 CFR §200.305 (b)(9) and 45 CFR §75.305(b)(9) for more detailed instructions. Proof of administrative cost offset may be requested by OEO and reviewed as part of OEO's monitoring activities.

Program Income

Costs attributed to the generation of program income may be deducted from gross income if allowed by the federal award or federal regulations. This is generally performed when calculating program income, on the condition that such costs were not already charged to the federal award.

If the use of program income is not addressed in the federal awarding agency's regulations, terms and conditions of the federal award, or the federal awarding agency does not give prior approval, program income must be deducted from current costs. Program income not anticipated at the time of the federal award must be used to reduce the federal award and the Subgrantee's contributions rather than increase the funds committed to the project or program objectives. Program income must be accounted for separately in the Subgrantee's financial records.

Moreover, per the Department of Energy (DOE) Weatherization Program Notice 07-1, section 1.6 – Program Income, income generated must be used to complete dwelling units in accordance with DOE Rules. This should be incorporated in the appropriate section of the updated WAP budget (budget narrative only).

OEO may sample program income to ensure revenue is properly recorded, supported with adequate documentation and is compliant with OEO procedures, grant agreement, budget and FSR requirements. While the Subgrantee is encouraged to earn program income to defray costs, the Subgrantee must retain separate records for program income generated and the costs that are offset. As such, program income is to be identified in the chart of accounts and financial documentation (trial balance).

Equipment purchased with program income and subsequently disposed of will be handled in accordance with current OEO disposal procedures.

Equipment purchased with federal funds may not be rented out at a rate less than what a private company would normally charge (rental income) for such equipment rental unless otherwise authorized by federal statute. (2 CFR § 200.313 (c)(3), 45 CFR § 75.320 (c)(3))

Refunds

Subgrantees should be documenting the following information for all client refunds received from vendors:

1. Vendor Name
2. Client Name and/or Account Number
3. Refund Amount
4. Date of Benefit/Voucher
5. Federal Fiscal Year funds were used to issue the benefit (source of funds)
6. Date refund received by the subgrantee
7. Check number

When a Subgrantee receives a refund from a vendor for direct assistance and/or client services provided with prior federal fiscal year funding, in a prior program year, the refund must be returned to OEO. See Appendix A for the Client Refund Form. Subgrantee must contact OEO if further assistance is needed.

Program Changes

During the program year, the Subgrantee may need to make revisions affecting the initial work plan approved by OEO. In these instances, Subgrantees are required to submit a written request for a program change, in advance, to the appropriate OEO Senior Program Manager for review and written approval. As part of this review process, OEO may request additional information, supporting documents or justification associated with the requested program change(s). If approved, the OEO Senior Program Manager will then provide written notification of approval to OEO Fiscal Services to coordinate the program changes with the Subgrantee's budget revision.

If these procedures are not followed, the expenditures associated with the program change shall be disallowed.

Budget Revisions

A Subgrantee is required to report deviations from budget and program plans and request prior approval for revisions to the Subgrantee's budget and program plan. A request for approval of changes must be submitted to OEO prior to any revisions being implemented. Examples of changes include, but are not limited to the following:

1) Changes in the scope or the objective of the grant's project or program, which also require prior written approval when revising the work plan and the budget;

2) Changes to comply with the fifteen (15) percent line-item variance allowed on certain budget line items;

NOTE: Any budget line-item variance must be offset by another non-personnel expense category and cannot cause the total budget to exceed the Subgrantee's total allocation or grant award, or cause any caps to be exceeded such as the 10% administrative cap on LIHEAP. Additionally, Admin., T&TA, and Health and Safety cannot exceed approved budget allocations for the DOE Weatherization and LWAP programs.

3) Changes due to funding level adjustments;

4) Change in key personnel specified in the application or the federal award;

5) Disengagement from the project for more than three (3) months, or a twenty-five (25) percent reduction in time devoted to the project, by the approved project director or principal investigator;

6) The transfer of funds budgeted for participant support costs, as defined at 2 CFR § 200.75 and 45 CFR § 75.2, to other categories of expense; and

7) The inclusion of costs that require prior approval, as specified in 2 CFR Part 200 and 45 CFR Part 75, Subpart E: Cost Principles.

All changes to a Subgrantee's approved work plan for CSBG, LIHEAP and WAP requiring OEO approval must be submitted to the appropriate OEO Senior Program Manager. OEO Fiscal Services will coordinate the program changes with the Subgrantee's budget revision. Should a Subgrantee's revision request impact their allocation as it is presently loaded in the DBA system, the Subgrantee will be required to complete an Allocation Revision Form and return it to the OEO prior to completing any revisions. Subgrantees must contact OEO Fiscal Services to obtain an Allocation Revision Form as it will vary by grant.

Property Standards

The following policies are established to address the acquisition, identification, assignment, usage and maintenance of vehicles/property. Through these policies, OEO seeks to achieve maximum cost-effective management of property purchased in support of the Subgrantee's performance targets and objectives for OEO funded programs. OEO also seeks to eliminate unofficial and unauthorized use of grant vehicles/property.

a) **Acquisition**

- **Approval**: Provide a copy of the signed Community Action Agency Budget Approval Form and/or board minutes listing the vehicles/property purchase information.

- **Justification**: Provide criteria and cost analysis based on how the vehicles/property will be utilized for grant purposes and indicate the number of program operators. The justification will document how the vehicles/property will clearly benefit the grant's intent and will ensure compliance with all federal, state and local regulations.

- **Purchase**: Agencies will follow all procurement procedures and maintain adequate insurance.

b) **Identification**
The Subgrantee will maintain a current inventory of OEO funded property, which will indicate the make, model, acquisition date and cost, the manufacturer's identifying serial number, location, and estimated disposal date. The Subgrantee will ensure that all OEO funded vehicles are clearly identified by the use of affixed license plates and seal decals. Vehicle identification will not be removed until the vehicle is processed for disposal. Decals must be replaced if they become unrecognizable. No OEO funded vehicle shall be exempt from this identification requirement.

c) **Assignment**
The Subgrantee will develop policies and procedures that ensure vehicle/property are used in the most cost-effective manner. Vehicles/properties purchased with OEO funds are not for personal use and assigned based on the following criteria:

1) Vehicles/properties are only authorized for use in the performance of program related tasks necessary to accomplish program objectives.

2) Subgrantee employee has received document approval for the use of the vehicle/property.

Assignment of a Subgrantee vehicle/property purchased with OEO funds is prohibited as a prerequisite of employment.

d) **Usage**
Vehicles are intended for Subgrantee employees required to travel in the performance of official program related business. All Subgrantee employees utilizing vehicles will log each trip on a form providing the following information: date of travel, staff traveling in vehicle, beginning and ending odometer reading, purpose of trip, and specific program related function performed. Refer to the Record Retention section of this manual for a more detailed discussion on the required retention period of vehicle logs. Current program year logs are to include the beginning and ending odometer reading for the program year and are to be maintained in an active file and readily available upon request during OEO Fiscal and Program Monitoring visits.

- Any mileage incurred for personal use is prohibited. An employee "on-call" does not justify personal use or sole use of an OEO funded vehicle.

- Official miles must be appropriate for the program related travel.

- The recipient of federal funds will not use equipment, vehicles, and property acquired with federal funds to provide services or use by non-federal outside Subgrantees. If federally acquired equipment/vehicles/property are allowed to be utilized by outside Subgrantees, a fee, that is not less than the fee a private company would charge (market rate) for the equal service, must be collected. The fees earned for the use of equipment/vehicles/property acquired with federal funds must be classified as Program Income in the grant of the original acquisition.

e) **Maintenance**
OEO will monitor the cost-effectiveness of OEO funded vehicles/property. The Subgrantee will provide records, which supply sufficient and accurate maintenance information to evaluate compliance when and if requested by OEO.

Equipment/Asset Disposal (Surplus Property)

Subgrantees must obtain OEO's approval prior to disposing any equipment or asset purchased with OEO funds. Subgrantees may use the old equipment as trade-in or dispose of it through the state's Surplus Property Office. A written request must be submitted to the OEO Senior Manager for Fiscal Monitoring explaining the reason for requesting the disposal of the equipment and the means by which the Subgrantee wishes to dispose of the equipment (trade-in or Surplus Property Office).

When disposing of computing devices, the Subgrantee is required to sanitize or destroy the hard drive to ensure that all protected PII are properly erased. This includes all copiers that have a hard drive. The Subgrantee must maintain sanitization records for a minimum of three (3) years.

As the administering agent, OEO is authorized to utilize the State of South Carolina's Office of General Services for disposal of surplus property. The following are procedures for disposing of property:

1) The Subgrantee will submit a written request to dispose of property, including supplies such as insulation, to the OEO Senior Manager for Fiscal Monitoring. The written request must include the condition of the asset, reason for disposal, location of the property, description of property with serial number, year purchased, quantity, and acquisition cost per unit. In addition to the preceding list, the written request must include the date and method of sanitization, and who performed the sanitization for all computing devices. For vehicles, the written request must include the condition of the asset, photos of the asset, acquisition cost, reason for disposal, year purchased, VIN number, mileage, book value and market value when desiring to transfer property.

2) The Subgrantee must complete a Turn-In Document (TID) and submit the completed form to OEO. The form will then be forwarded to the Office of General Services, Surplus Property Office. OEO will retain a copy of this document for tracking purposes. Questions regarding a request to surplus property should be directed to OEO Senior Manager for Fiscal Monitoring.

3) The Surplus Property Office will review the TID and send a screener out to determine if the property is of any value. They will arrange for pick-up of the property and determine if the property will be sold at public auction or by competitive sealed bid. Please note, agencies are allowed to stipulate a minimum amount required before a bid will be accepted.

4) The Office of General Services will send the proceeds from the sale less the expense of the sale to OEO. OEO will then forward the proceeds to the Subgrantee designating the account to deposit the funds.

When liquidation occurs for any property purchased with federal funds, (for example, an insurance check for a totaled vehicle) proceeds must be returned to the source of funds from which the property was originally purchased to offset the purchase of replacement property. If the Surplus Property Office determines that OEO program inventory is of no resale value, the Subgrantee must then assume responsibility for timely and proper disposal.

Once a final determination is reached and the Subgrantee is notified by the Surplus Property Office, within ten (10) working days, the Subgrantee's Executive Director must inform OEO Senior Manager for Fiscal Monitoring in writing of the final disposal.

Asset Rules and Regulations

These procedures were developed to assist the Subgrantees in establishing proper procedures for obtaining effective internal control and record maintenance for assets (capitalized-fixed and non-capitalized assets) purchased with OEO funds. The Subgrantee must be able to account for all property whether sold or traded.

1) **Assets Management Standards**
   Titles shall vest with the Subgrantee on the condition the Subgrantee uses the assets for the authorized purpose of the project as long as is needed. In compliance with OEO grant agreement, Subgrantee's management systems shall provide for effective control over and accountability for all funds, property and other assets. The Subgrantee shall adequately safeguard all such assets and assure they are used solely for authorized purposes. Adequate written procedures must be in place to determine the reasonableness and allowability of costs and to guard against loss, damage and theft. Loss, damage and/or theft are to be reported immediately to OEO (OEO notification applies to fixed assets and computing devices).

2) **Insurance Coverage**
   The Subgrantee shall provide adequate insurance coverage for all assets/property acquired with federal funds in compliance with 2 CFR § 200.310 and 45 CFR § 75.317 and as outlined in OEO procurement procedures, see page 32. The Subgrantee shall terminate insurance coverage once the Subgrantee has properly disposed of the insured assets in accordance with OEO surplus property and equipment disposal procedures.

3) **Other Use**
   A Subgrantee may make all assets available for use to other projects that have purposes consistent with those authorized by the Subgrantee (see 2 CFR § 200.313 (c)(1) - (4) and 45 CFR § 75.320 (c)(1) - (4)). Preference shall be given first to other OEO-sponsored projects and programs, then to other federally funded programs and lastly to non-federal programs/Subgrantees whose purpose is consistent with those authorized by the Subgrantee. A Subgrantee must obtain OEO's written approval prior to using an asset for trade-in purposes, disposing of the asset and prior to transferring asset(s) to other federally sponsored programs (approval applies to fixed assets and computing devices).

   Other CAA's and non-federal programs and Subgrantees shall be charged a fee equal to that charged by private companies for similar services. These fees are to be charged as "Program Income" and accounted for separately from OEO disbursed "grant revenue" on financial records. This revenue is to be returned and/or used solely for OEO program for which the equipment/property was initially purchased.

4) **Asset/Inventory Records**

   The Subgrantee must maintain records to verify the existence and current utilization of all OEO-funded assets for all periods in which the asset is in use and to account for all assets sold or traded-in in compliance with OEO grant agreement and 2 CFR § 200.313 (d)(1) - (5) and 45 CFR § 75.320 (d)(1) - (5). Records shall be retained in compliance with 2 CFR §§ 200.334, 200.335, and 200.336 and 45 CFR §§ 75.361, 75.363 and 75.364.

   The Subgrantee must ensure that asset records contain the following information: asset description, serial and model number, FAIN, acquisition date and cost, depreciation method and useful life (for fixed assets), asset location, condition, disposal date and

revenue generated from said disposal, in compliance with 2 CFR § 200.313 (d)(1) - (4) and 45 CFR § 75.320 (d)(1) - (4). Assets are to be capitalized according to 2 CFR § 200.439, 45 CFR § 75.439 and the Subgrantee's capitalization policy.

In accordance with OEO procedures, based in part on 2 CFR §§ 200.313 - 200.314 and 45 CFR §§ 75.320 - 75.321, the Subgrantee must conduct an annual physical inventory of computing devices and capitalized (fixed) assets, document the asset's location and condition, and reconcile the results as of the end of the Subgrantee's fiscal year. **Subgrantees must submit the final inventory list to OEO no later than April 30**. Subgrantees must also track and monitor non-capitalized assets that are purchased in the current period (i.e. printers, office furniture, and tools). OEO requires that all assets with an acquisition value of $2,500 or greater be included on the inventory listing unless the Subgrantee's policies and procedures require a lower limit. **OEO also requires that all computing devices be recorded and tracked, regardless of the amount of acquisition.** The final inventory list will be compared to the depreciation schedule prepared as part of the Subgrantee's external audit (at Subgrantee's fiscal year end, for fixed assets only). Any differences shall be documented and explained in the Subgrantee's fixed asset reconciliation. OEO reserves the right to inspect non-capitalized assets on this listing to ensure the listing's accuracy.

All computing devices, regardless of the amount of acquisition, must be recorded and tracked.

OEO requires the Subgrantee to maintain the following supporting documents, including but not limited to:

- Copy of depreciation schedule;
- Copy of documented asset locations and conditions;
- Asset reconciliation sheet;
- Documents to support asset purchases; and
- Documents to support asset disposals.

Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the federal awarding agency or pass-through entity.

5) **Depreciation**
Depreciation computation shall be based on the asset's acquisition cost (invoice price) and directly attributable costs necessary to bring the asset into working condition. Adequate depreciation records must be maintained indicating the amount of depreciation taken each period and the total amount of accumulated depreciation (2 CFR § 200.436 (e), 45 CFR § 75.436 (e)). OEO requests that a copy of the depreciation schedule be provided to OEO once the Subgrantee's single audit is completed.

6) **Intangible Property**
The federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the patent or copyright for federal purposes, and to authorize others to do so when such property was developed or ownership was acquired under a federal award.

Procurement

Policies and Procedures

It is the intent of OEO to maximize program efficiency, ensure the application of appropriate procedures, and maintain the integrity of grant funds. These guidelines will assist Executive Directors, Board of Directors and Subgrantee personnel in conducting procurement transactions in a timely manner and in maximizing each Subgrantee's purchasing effectiveness. Subgrantees must comply with all applicable federal and state statutes and regulations.

Prices must be considered reasonable and in determining the reasonableness of a given cost, consideration shall be given to:

1) Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the Subgrantee or the performance of the award;

2) The restraints or requirements imposed by such factors as generally accepted sound business practices, arms-length bargaining, federal and state laws and regulations, and terms and conditions of the award;

3) Whether the individuals concerned acted with prudence in the circumstances, considering their responsibilities to the Subgrantee, its members, employees, clients, the public at large, and the federal government;

4) Significant deviations from the established practices of the Subgrantee, which may unjustifiably increase the award costs; and

5) Market prices for comparable goods or services for the geographical area.

Below are procurement policies and procedural guidelines for Subgrantees:

1) Additional fees charged to items or services purchased for administrative operations due to late payments are unallowable costs to OEO federal grant awards.

2) Procurement documentation of equipment, furniture and fixtures, supplies and services will be based upon clear and accurate written descriptions, including any applicable technical specifications.

3) Notify OEO of all professional/consultant services in excess of $600 prior to entering into a contract.

4) Where possible, priority should be given to services from vendors who are selected from the current State Procurement Contract database, which can be found at http://procurement.sc.gov/PS/PS-index.phtm.

5) All procurement expenditures must be adequately documented with a voucher/check, invoice, endorsed delivery receipt, requisition/purchase order for each transaction and applicable approval as may be required within the Subgrantee's procedures.

6) The Subgrantee must incorporate these guidelines into its respective procurement procedures.

7) OEO Fiscal Monitoring Department will review the Subgrantee's procurement procedures and purchases during the fiscal monitoring. Inconsistencies and non-compliance issues will be noted for corrective action.

8) OEO may request, at any time, justification and documentation supporting any purchase as a direct cost of OEO funded programs.

9) Agencies must ensure that all transactions associated with OEO grant funds are in compliance with conflict of interest requirements, including but not limited to: using an official position for private gain, giving preferential treatment to any person or vendor, losing complete independence or impartiality, making official decisions outside official channels, or adversely affecting the confidence of the public in the integrity of the government or the program.

10) Agencies must ensure that all officers, employees and agents neither solicit nor accept gratuities, favor, or anything of monetary value from contractors, or parties to the Subgrantee.

11) All property and equipment acquired with OEO award funds must have adequate insurance coverage that safeguards against loss and/or damage.

12) All items budgeted and processed as an obligation/encumbrance against program funds must be received, earned and/or completed by the end of the programs grant period.

13) Sound accounting principles will be practiced when establishing accruals at the end of each program. Expenditures being accrued such as salaries, utilities, and travel must be transactions within the program year, based on clear and justifiable documentation, and paid to the vendor when “normally due” or within 30 days from the close of the grant.

WAP subcontractor agreements and contracts are required to follow the above referenced procurement guidelines. (Also, refer to Weatherization Contractor Procurement on page 27 and Contractor/Subcontractor Payments (WAP Only) on page 34 for requirements specific to the weatherization program.)

Factors Affecting Allowability of Costs

Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under OEO administered grant awards:

- Be necessary and reasonable for the performance of the federal award and be allocable thereto under these principles.

- Conform to any limitations or exclusions set forth in these principles or in the federal award as to types or amount of cost items.

- Be consistent with policies and procedures that apply uniformly to both federally financed and other activities of the non-federal entity.

- Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a federal award as an indirect cost.

- Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.

- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.

- Be adequately documented.

- DOE and HHS have established additional guidelines regarding weatherization measures that may be paid for, and the types and composition of materials that are allowable within the weatherization program. Information on these items is available in the SC Weatherization Assistance Program State Plan, LIHEAP State Plan, South Carolina Weatherization Assistance Program Policies and Procedures Manual, and the DOE Weatherization web site (https://energy.gov/eere/wap/weatherization-assistance-program). In addition, the DOE portion of the weatherization grant agreement is governed by 10 CFR Part 440 – Weatherization Assistance for Low-Income Persons.

Purchases

Subgrantee shall establish written procurement procedures in accordance with federal and state procurement regulations, including written standards for conduct covering conflicts of interest and governing the actions of employees, officers and agents.

S.C. Code Ann. §11-35-1550 shall be utilized in conducting procurements up to $150,000 unless the proposed purchase is from a vendor who is selected from the current State Procurement Contract, which must be verified through the State's Materials Management Office (MMO). OEO reserves the right to question any procurement during fiscal and/or programmatic monitoring that it considers to be unreasonable. OEO staff may approve the purchase or may request additional information to assist with clarifying the justification of the purchase as it relates to program need. Larger purchases of like goods or services may not be subdivided in order to circumvent procurement requirements.

1) Small Purchases

a. No Competition.
Small purchases not exceeding $10,000 may be accomplished without securing competitive quotations if the prices are considered reasonable. The purchasing office must annotate the purchase requisition: "Price is fair and reasonable" and sign. The purchases must be distributed equitably among qualified suppliers. When practical, a quotation must be solicited from other than the previous supplier before placing a repeat order. The administrative cost of verifying the reasonableness of the price of purchase "not in excess of" may more than offset potential savings in detecting instances of overpricing. Action to verify the reasonableness of the price need be taken only when the procurement officer suspects that the price may not be reasonable, comparison to previous price paid, or personal knowledge of the item involved.

b. Three Written Quotes
Written request for written quotes from a minimum of three qualified sources of supply may be made and, unless adequate public notice is provided in the South

Carolina Business Opportunities (SCBO), documentation of at least three bona fide, responsive and responsible quotes must be attached to the purchase requisition for a small purchase not in excess of $25,000, or for a small purchase of commercially available off-the-shelf products not in excess of $100,000, or for a small purchase of construction not in excess of $100,000. The award must be made to the lowest responsible and responsible sources. The request for quotes must include a purchase description. Requests must be distributed equitably among qualified supplies unless advertised as provided above.

c. Advertised Small Purchase

Written solicitation of written quotes, bids or proposals may be made for a small purchase, other than a small purchase of construction, not in excess of $100,000. The procurement must be advertised at least once in the SCBO publication. A copy of the written solicitation and written quotes must be attached to the purchase requisition. The award must be made to the lowest responsible and responsible source or, when a request for proposal process is used, the highest ranking offeror.

d. Advertising Threshold

Except for procurement of either commercially available off-the-shelf products or construction, if conducted pursuant to item 2) Three Written Quotes above, all competitive procurements above $25,000 must be advertised at least once in the SCBO publication.

2) Competitive Sealed Bidding

Contracts must be awarded by competitive sealed bidding as described in S.C. Code Ann. § 11-35-1520 except as otherwise provided for in S.C. Code Ann. § 11-35-1510. In addition, prior OEO approval and a cost or price analysis are required for purchases of over $150,000 (2 CFR § 200.324, 45 CFR § 75.332). The Subgrantee must also make an independent estimate before receiving bids or proposals, and make available upon request, pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates for procurements over $150,000 (2 CFR § 200.325, 45 CFR § 75.333).

3) Sole Source

Sole source contracts are highly discouraged. However, when there is only one source for a supply, service, information technology, or construction item without competition, a sole source procurement may be transacted. In cases of reasonable doubt, competition must be solicited to support the sole source decision. A written explanation as to why no other vendor will be suitable or acceptable to meet the need, in addition to supporting documents, must be forwarded to OEO for review and approval prior to entering into a sole source contract. Except for contracts with a total potential value of $50,000 or less, adequate public notice of the intent to award without competition must be posted in SCBO, except that public notice is not required if the appropriate chief procurement officer in consultation with the Executive Director determines in writing that award without such notice is in the interest of the organization. Notice must contain a statement of the right to protest and must be posted at least five business days before entering into a contract. For contracts with a total potential value greater than $250,000, such notice must be posted at least 10 business days before entering into a contract.

4) Purchases Using Gift Cards

Gift cards are a financing tool. Money loaded on the card cannot be recognized as expenditure in an OEO administered grant until the money is actually exchanged for goods

or services. Receipts from purchases with a gift card must be retained as documentation of expenditures. Purchases using a gift card are required to comply with allowable cost and procurement policies. Records must be maintained to document the employee issued the card, when the card was issued and transaction/balance detail.

5) **Emergency Procurements**
Procurement may be made when there is an immediate threat to public health, welfare, critical economy or efficiency, or safety, and provided that such an emergency procurement is made with as much competition as is practical under the circumstances. A written report signed by the Executive Director documenting the basis of the emergency and the selection of the vendor must be kept on file with the procurement documentation.

6) **Weatherization Contractor Procurement**
When procuring contractors to provide weatherization services, Subgrantees will follow S.C. Code Ann. §11-35-1525 competitive fixed price bidding. Public notice shall be given through the South Carolina Business Opportunities. This notice does not require a closing date to allow additional participants throughout the grant cycle. This contract is eligible for multiple renewal periods. Eligible contractors must provide appropriate license and insurance as required by the Department of Energy and OEO. In addition, prior to awarding a contract to the vendor, the Subgrantee is required to have the vendor complete the Certification Regarding Debarment, Suspension and Other Responsibility Matters Primary Covered Transactions form (SBA Form 1623) found at Appendix B. The Subgrantee is required to verify the subcontracts having any active exclusion through the federal government's System for Awards Management (SAM) at www.SAM.gov.

All procurement transactions must be conducted in a manner to provide, to the maximum extent practicable, open and free competition. The Subgrantee shall be alert to Subgrantee conflicts of interest and noncompetitive contract practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, invitation for bids and/or requests for proposals shall be excluded from competing for such procurements. (2 CFR § 200.319, 45 CFR § 75.328) Solicitations shall clearly set forth all requirements that the bidder or offer shall fulfill. Any and all bids or offers may be rejected by the Subgrantee when it is in the Subgrantee's interest to do so. Also, refer to the Conflict of Interest section on page 11 of this manual.

Annual Equipment, Furniture & Fixtures Budget Requirements

Allowable "equipment" is tangible non-expendable personal property charged directly to the federal award. Equipment should be documented as either capitalized or non-capitalized, have a useful life of more than one (1) year and with a unit acquisition cost equal to or greater than two thousand five hundred dollars ($2,500). If the Subgrantee's policy requires a lower amount, the Subgrantee will adhere to the lower amount. Examples of equipment are vehicles, copiers, phone systems, etc. Furniture and fixtures are moveable items such as desks, chairs, storage cabinets, lighting, copiers, fax machines, computers, printers and telephones. In addition, the WAP grant may require additional items such as blower doors, generators, trailers, etc. For the purpose of OEO funded grants, all purchases of the items listed above are to be listed on the Annual Equipment, Furniture & Fixtures Budget form if the acquisition cost is equal to or greater than $2,500 per unit.

This form is a budgeting tool, which assists the OEO Fiscal Monitoring Department in monitoring assets purchased with OEO administered grant funds. The items listed on the Annual Equipment,

Furniture and Fixtures Budget form may not be representative of your Subgrantee's capitalization policy for fixed assets. Proper inventory records of both non-capitalized and capitalized assets purchased with OEO grant funds will be reviewed during OEO Fiscal Monitoring field visits. During the site visit, OEO will also require an inventory of tangible property purchased with OEO grant funds that do not meet the $2,500 (classified as supplies) budget threshold.

When submitting a program budget, all anticipated purchases for the program year will be listed on the Annual Equipment, Furniture & Fixtures Budget form. Items listed will require procurement documentation, specifications, bid/quotes and justification upon the submission of the budget when procurement guidelines require or OEO requests supporting documentation. Subgrantees must obtain board approval when required. When OEO approves a Subgrantee's budget, the identified items will be reviewed and approved for procurement within the program year. Once this process is accomplished and all provisions are satisfied, the Subgrantee is ready to complete the procurement, which must be executed and items received prior to the close of the grant period.

Certification of Cost Allocation Plan or Indirect (F&A) Cost Rate Proposal

Each proposal to establish a cost allocation plan or an indirect (F&A) cost rate must be certified by the Subgrantee using the Certificate of Cost Allocation Plan or Certificate of Indirect Costs as set forth in Appendix IV of 2 CFR Part 200 and 45 CFR Part 75. The certificate must be signed by an individual at a level no lower than vice president or chief financial officer of the Subgrantee. If the Subgrantee does not receive any direct funding from any federal agency, the pass-through entity is responsible for the negotiation of the indirect cost rates in accordance with 2 CFR § 200.332(a)(4) and 45 CFR § 75.352. See Negotiation and Approval of Indirect Cost Rates for more detail.

A Subgrantee that has never received a negotiated indirect cost rate and does not have a current negotiated or provisional indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in 2 CFR § 200.403 and 45 CFR § 75.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all federal awards until such time as a non-federal entity chooses to negotiate for a rate, which the non-federal entity may apply to do at any time. See 2 CFR §200.414(f) and 45 CFR §75.414(f) for more detail.

Indirect Costs

A cost that benefits more than one cost objective, is incurred for a common or joint purpose, and is not readily assignable to a final cost objective that specifically benefited from it without undue effort is considered an indirect cost. Examples of indirect costs include depreciation or use allowances on buildings and equipment, the costs of operating and maintaining facilities, and general administration and general expenses, such as the salaries and expenses of executive officers, personnel administration, and accounting.

No revisions to the FINAL (Closeout) FSR will be allowed after the closeout period due to federal reporting requirements. Any changes to fund balance after the closeout period due to indirect cost over-recoveries and/or disallowed cost will be determined by OEO Fiscal Monitoring and collected from the Subgrantee during the Fiscal Monitoring process.

Negotiation and Approval of Indirect Cost Rates

The cognizant agency for indirect costs is the federal agency with the largest dollar value of awards with a Subgrantee, unless a different arrangement is made with the federal agencies concerned. The assigned cognizant agency for indirect costs to a Subgrantee will not change unless there is a change in the dollar volume of federal awards to the Subgrantee for at least three (3) years. When the Subgrantee receives an approved federally negotiated indirect cost rate from its cognizant agency, the Subgrantee must provide OEO Fiscal Services and OEO Fiscal Monitoring a copy of the negotiated rate document within thirty (30) days.

In certain situations, OEO may become the cognizant agency for indirect costs for the Subgrantee. As such, the Subgrantee must submit its indirect cost rate proposal to OEO for approval. The Subgrantee must also refer to Appendix IV of 2 CFR Part 200 and 45 CFR Part 75 for instructions on methods in calculating the indirect cost rate. Indirect costs must comply with 2 CFR §§ 200.403 - 200.405 and 45 CFR §§ 75.403 - 75.405 regarding reasonableness and allowability. The dollar amount of indirect costs allocable to a grant will be determined by multiplying the approved indirect cost rate by the applicable financial base of the grant period.

Indirect Cost Rate Adjustments

Adjustments to rates due to disallowed costs are adjusted as follows:

1) For rates covering a future fiscal year of the non-federal entity, the unallowable costs will be removed from the indirect (F&A) cost pools and the rates appropriately adjusted.

2) For rates covering past fiscal years, the federal share of the disallowed costs will be calculated and refund sent to OEO.

3) For rates covering the current fiscal period, the method of adjustment is decided by the cognizant agency.

Subgrantees are advised to review the Subgrantee's indirect costs on a quarterly basis. At the end of an OEO program year, indirect costs on the final FSR are to be adjusted to the most current indirect cost rate.

Direct Costs

When a cost benefits two or more projects or activities and can be allocated to the project or activity based on the proportional benefit without undue effort or cost, it is a direct cost and should be allocated to all programs benefitted. The direct cost must be allocated based on the proportional benefit to the project or activity. If the proportions of the direct cost cannot be determined because of the interrelationship of the work involved, the cost may be allocated or transferred to the projects that benefitted from the cost based on any reasonable documented basis. This should not be done, however, to overcome fund deficiencies, avoid restrictions imposed by federal statues, regulations, or terms and conditions of the federal award or grant agreement, or for other reasons. (2 CFR § 200.405 (c) - (d), 45 CFR § 75.405 (c) - (d)) Where the purchase of equipment or other capital asset is specifically authorized under a federal award, such costs must be charged direct to the federal award regardless of the use that may be made of the equipment or other capital asset involved when no longer needed for the purpose for which it was originally required.

A cost may not be assigned to an award as a direct cost if similar cost in other programs incurred for the same purpose, in like circumstance, has been allocated to an award as an indirect cost. Costs identified specifically with other final cost objectives of the Subgrantee are direct costs of those cost objectives and are not to be assigned to other awards directly or indirectly.

The costs of certain activities are not allowable as charges to federal awards. However, all direct costs regardless of whether chargeable or not to a federal award must be treated as direct costs to determine the indirect cost rate of the Subgrantee and to allocate the Subgrantee's share of indirect costs if they represent activities which include the salaries of personnel, occupy space, or benefit from the Subgrantee's indirect costs. (2 CFR § 200.413 (e), 45 CFR § 75.413 (e)) Direct costs of minor amounts may be treated as indirect costs under the conditions described at 2 CFR § 200.413 (d) and 45 CFR § 75.413 (d).

After direct costs have been determined and assigned directly to awards or other work as appropriate, indirect costs are those remaining to be allocated to benefiting cost objectives. A cost may not be allocated to an award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to an award as a direct cost.

Specific Expenditures

There are certain expenditures that Subgrantees must pay close attention to as there are certain requirements that must be met in order for these expenditures to be supported and justified. This section addresses such expenditures and explains the various requirements that the Subgrantee must adhere to or have in place. Subgrantees must be aware that this is not an all-inclusive list.

Per Diem/Travel Rates

If a Subgrantee does not have its own written travel policy, the following rates apply, which are the rates established by the State of South Carolina.

1) Mileage

   Every year the South Carolina Office of Comptroller General updates the mileage rate in effect for the year. The memorandum issued by the Comptroller General may be found at the Office of Comptroller General's website. The link is provided below for your convenience.

   https://cg.sc.gov/guidance-and-forms-state-agencies/travel-forms-and-mileage-rate

   It is the Subgrantee's responsibility to ensure that the rate in effect during the time of travel is applied.

2) Meals

   Refer to the regulations promulgated by the South Carolina Office of Comptroller General under Disbursement Regulations, Regulations for Reimbursement and Subsistence Expenses found at this link:

   https://cg.sc.gov/guidance-and-forms-state-agencies/cgs-accounting-policies-and-procedures

It is the Subgrantee's responsibility to ensure that the rates in effect at the time of travel are applied.

3) Lodging

Refer to the U.S. General Services Administration website at www.gsa.gov for applicable rates.

If a Subgrantee chooses to develop its own travel policy, travel costs may be charged based on actual costs, on a per diem or mileage basis, or on a combination of the two. The method applied must result in charges consistent with those normally allowed by the Subgrantee in its regular operations regardless of whether the travel costs incurred are associated with federal or non-federal activities (2 CFR § 200.475 (a), 45 CFR § 75.474 (a)). Rates adopted by a Subgrantee in its travel policy must not exceed the federal per diem rates. It is the responsibility of the Executive Director as the head of the agency to ensure that charges for lodging follow maximum lodging rates established by the U.S. General Services Administration. However, exceptions may be made, with the written approval of the Executive Director, when extenuating circumstances occur. The location and purpose of travel in addition to the extenuating circumstances must be documented. The Subgrantee must include language in its written travel policy allowing for such exceptions if it chooses to allow exceptions for extenuating circumstances.

All travel costs charged to OEO administered grants must be reasonable and properly documented, directly benefit the program, and follow established policies.

Rent

Rent paid for administrative or program activities must:

- Be reasonable and comparable to other available properties in the same market area.
- Notify OEO in writing prior to entering into a rental or lease agreement on space charging $500 or more per month. Subgrantee must provide OEO with supporting documentation of comparable properties.
- Include a termination clause in all rental and/or lease agreements.
- Shall be charged in a cost allocation method according to program requirements. Refer to individual grant agreements.
- See 2 CFR § 200.465 and 45 CFR § 75.465 for additional guidance.

Insurance

At a minimum, Subgrantees shall provide insurance coverage for real property and equipment acquired or improved with federal funds equivalent to the insurance coverage the Subgrantee provides its own property (2 CFR § 200.310, 45 CFR § 75.317) and ensure sufficient coverage of officers.

- Types of insurance coverage are Building & Personal Property, Data Processing, Automobile Liability and Collision, General Liability and Workers' Compensation and Employee Health.

- Fidelity (Tort) coverage is required to insure against financial loss.
- WAP requires Pollution Occurrence Insurance.
- All subcontractors must provide agencies and OEO with certificates of insurance representing adequate general liability coverage and when applicable, workers' compensation coverage.
- Insurance rates and premiums should be reasonable.
- Insurance, including Employee Health, will comply with procurement standards.

Contractual/Professional Services

Costs for contractual/professional and consultant services rendered by a person who possesses a special skill (excluding maintenance or repair agreements) and who is not an officer or employee of the Subgrantee are allowable. (2 CFR § 200.459, 45 CFR § 75.459) Subgrantees are required to notify OEO of all professional/consultant services contracted in excess of $600. Factors to consider in determining the allowability of costs for contractual/professional services include, but are not limited to:

- The rate of compensation must be reasonable in relation to the service.
- The service must be necessary and the agency unable to provide said service.
- See Section VI. Audit of this manual for the selection of Auditors when obtaining audit services.
- How the service was accomplished in prior grant periods.
- Whether the service can be performed more economically internally rather than through a contract.

Whenever possible, the Subgrantee is encouraged to make positive efforts to utilize small businesses, minority-owned firms, women's business enterprises, and labor surplus area firms (2 CFR § 200.321, 45 CFR § 75.330). Contracts and/or agreements must include a termination provision and be in compliance with applicable procurement policies. Supporting documentation of the contract should support all of the above.

Stipends and Staff Training

Stipends are considered participant support costs. (2 CFR § 200.75, 45 CFR § 75.2) Participant support costs are costs paid to or on behalf of a participant or trainee, not an employee, for conferences or training project. Other types of participant support costs include subsistence allowances, travel allowances and registration fees. Subgrantees must obtain prior approval from OEO in order for stipends to be an allowable cost.

OEO, as the administering agency for CSBG (Youth Leadership Program), agrees to allow stipends that are directly related to the purpose and strategies of the grant program. All proposed stipends and/or wages must be submitted with the work plan to the CSBG Senior Program

Manager in writing, clearly justifying the relevance to program success (e.g. Employment Skills Training/Internships). OEO will approve the stipend and/or wages with the approval of the work plan. Each client file must provide adequate documentation to support these expenditures. Clients must not be paid simply for participating in the program, attending classes. CSBG funds may not be used to reward or provide gifts or other comparable items to clients.

Training and education costs for employee development are allowable per 2 CFR § 200.473 and 45 CFR § 75.472. To be approved, OEO requires the agency to demonstrate that all staff training and education costs are directly related to the program requirements and are designed to increase the employee's effectiveness within the program.

The following information must be submitted to OEO for prior approval if stipends are being charged:

1) Identify eligibility criteria;

2) Define who is eligible;

3) Explain how you arrived at the stipend figure; and

4) Explain why the stipend is being offered (stipends are allowed for childcare, transportation, or time lost from a job to attend sessions and must be justified with receipts).

The following information must be submitted to OEO for approval if internships are being charged:

1) Must be outlined in agency's policies and procedures manual;

2) Identify eligibility criteria;

3) Define who's eligible;

4) Explain how you arrived at the hourly rate;

5) Memorandum of Understanding is required between agency and employer and must include termination policy (termination should occur as soon as possible if internship is not working appropriately); and

6) 1099 Forms must be provided to each student receiving more than a total of $600 per year for income tax purposes and tax regulations must be adhered to.

CSBG funds may not be used to pay rewards, gift cards, and/or gift certificates. Failure to comply with this section may result in a disallowance of costs incurred.

Contractor/Subcontractor Payments (WAP Only)

Prior to paying a contractor/subcontractor invoice under the WAP grant, a copy of the completed QCI Final Inspection Certification Form (see Appendix C) or OEO approved substitute form must be attached to the invoice submitted to the Subgrantee's finance/accounting department for payment. As part of OEO's fiscal monitoring, payments to WAP contractors/subcontractors and the cost center report identifying the source of funds will be reviewed to ensure compliance with this requirement.

With the implementation of NEAT/MHEA, the Subgrantee must record the **total cost** of the assistance provided regardless of how the Subgrantee is billed by the contractor or subcontractor. OEO will be reviewing Subgrantee records to ensure that the total cost of a project/assistance provided matches the total cost assigned to the project/assistance via NEAT/MHEA.

Materials Inventory (WAP Only)

To ensure inventory costs are recorded in the program year which receives the benefit, Subgrantees are to comply with the following procedures. For cumulative residual materials inventory at program year-end that is:

- Less than $5,000: The Subgrantee is to provide an itemized listing identifying the material, quantity, unit price and total costs. The total dollar amount should agree with the financial documentation (trial balance).

- Greater than $5,000: The Subgrantee is required to buy the inventory from the program with non-state, non-federal funds. Once spending is authorized for the subsequent program year, the Subgrantee can use current year program funds to repurchase the inventory. The agency buy back is to be supported by a computer-generated copy of the journal entry.

IV. Reports and Records

OEO uses the DBA FACSPro™ for budget and Financial Status Reports. Generally, reports required by OEO's Fiscal Services Department are available on DBA. Online reporting requirements must be followed.

Access to DBA FACSPro™ (DBA)

DBA is the database system used by the state for all OEO administered grants, except for ESG. Only authorized users in good standing may access DBA.

Subgrantees must submit a completed DBA FACSPro Employee & Volunteer Account Request Form and DBA FACSPro User Confidentiality Agreement for all new users and volunteers needing access to DBA. The DBA FACSPro Employee & Volunteer Account Request Form must also be completed for any account modifications or deactivation. All correspondence regarding DBA account access should be sent to DBA@admin.sc.gov. The DBA forms mentioned are available on DBA. Once processed and if access is granted, the new user will be notified via email of the new user's access credentials.

All users are required to recertify compliance with confidentiality requirements by renewing the DBA FACSPro User Confidentiality Agreement annually. The DBA FACSPro User Confidentiality Agreement must be uploaded into the employee's electronic file in DBA every January 31 of the new year. Users who do not submit recertification may have their DBA access suspended until such time that they become compliant with these requirements. Only a DBA System Administrator may lift the suspension when an account is suspended for noncompliance with the recertification requirement.

OEO may monitor compliance with these requirements through a desk monitoring or during the on-site monitoring visit.

Certification

The annual and final financial status reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the Subgrantee, which reads as follows: "By submitting this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812)." (2 CFR § 200.415 (a), 45 CFR § 75.415 (a))

Financial Status Report (FSR)

All FSRs and required supporting documents (Summary of Expenditures, General Ledger Report, Trial Balance, support for journal entries and voided transactions) must be submitted by the fifteenth (15th) of the month following the reporting period unless instructed otherwise. Also refer to the Submission Policy on page 36. FSRs must be accurate, complete and submitted timely for the Subgrantee to be compliant with this reporting requirement. The final FSR requires the signature of both the Subgrantee's Executive Director and authorized representative of the finance department.

General Procedures:

1) OEO allows for a fifteen (15) percent variance in expenditures from the budget on budget line items not related to Salaries, Fringes and Indirect Cost. Variances of more than fifteen (15) percent may be permitted with OEO approval prior to the expenditure of funds.

   NOTE: Any budget line item variance must be offset by another non-personnel expense category and cannot cause the total budget to exceed the Subgrantee's total allocation or grant award. Additionally, Admin., T&TA, and Health and Safety cannot exceed approved budget allocations for the DOE Weatherization and LWAP programs.

2) It is the responsibility of the Subgrantee to ensure upon the submission of the final FSR that Indirect Cost is properly expended and reported. This may result in a negative balance, which must be approved by OEO before submission of final FSR.

3) The Total Administration fund balance of any OEO grant cannot reflect a negative balance.

4) A program closeout memo will be issued for each OEO grant. This memo will instruct Subgrantees to retain or refund the fund balance at the time of the closeout. If a refund is required, the Subgrantee should send payment with the FINAL (Closeout) FSR. If a Subgrantee is instructed to retain the fund balance, these funds will be included in the Actual Allocation for the subsequent program year.

5) If the Subgrantee has over expended the Subgrantee's allocation, the Subgrantee must not transfer revenue from another restricted source to offset the over expenditure. The

Subgrantee may, however, move expenditures out to another source of funds. (2 CFR § 200.405 (c), 45 CFR § 75.405 (c))

6) No revisions in the Final (Closeout) FSR will be allowed after the closeout period. Any changes to fund balance after the closeout period will be reviewed during OEO's Fiscal Monitoring process and combined with any other disallowed cost.

7) In addition to the WAP closeout FSR, OEO requires submission of the Materials Inventory Report or copy of the journal entry transferring the value of the inventory on hand at the close of the grant period in line with materials inventory procedures identified on page 34 of this manual.

8) The final WAP FSR has been updated to include the reporting of program income.

9) All obligations of grant funds should be paid by the grant closeout. Therefore, there should be no obligations listed on the final FSR. If obligations exist, they must be supported by agency accounting system generated A/P ledger and clearly identified why they remain outstanding.

10) OEO maintains the right to request additional information from the Subgrantee.

Submission Policy

Effective July 2018, the calendar feature in DBA was replaced with a Submit FSR feature, which when clicked, automatically time-stamps the date of submission.

With the implementation of this submit feature, FSRs may no longer be retroactively dated. As such, any FSR submitted after 11:59 pm on the 15th of the month will be indicated in the FSR Status column as Submitted Late.

Un-Submit Feature

Located directly beside the Submit FSR button, Subgrantees will find an Un-Submit button. Subgrantees may utilize this feature should they wish to add or edit information after an FSR was submitted. This feature will be available for Subgrantees to use without requiring OEO approval until such time that an OEO employee begins to review the FSR. This will be denoted in DBA FACSPro in the FSR status column as “Under Review.” After a review of the FSR has begun, the Un-Submit button will be unavailable.

When the Un-Submit button feature is utilized, a “Notes” box will appear and requires that Subgrantees detail all the intended changes in writing prior to making any changes to the FSR. Subgrantees are encouraged to enter thorough notes.

Rejection Policy

The OEO maintains the ability to reject an FSR. If the OEO rejects an FSR, it will require notes be included detailing the reason for rejection. To ensure complete and accurate information be submitted, DBA FACSPro will prevent a Subgrantee from submitting an FSR if the prior month’s FSR is rejected.

Non-Receipt and Request for Additional Information

As a recipient of federal funds, OEO is required to ensure that appropriate fiscal controls and program procedures are in place to assure proper accounting, timely and effective disbursal of public funds. OEO state plans and grant agreements outline specific provisions for Subgrantee responsibilities and reporting requirements, and those include: Financial Status Reports (FSR), Household Reports, Program Status Reports (PSR), IS Reports, ROMA Reports, program budgets and budget narratives.

Notice of Non-Receipt

When OEO has not received a budget by the date indicated in the program allocation letters or for FSRs by the fifteenth (15th) of each month of the FINAL FSR by the closeout period, a written Notice of Non-Receipt will be sent to the Subgrantee's Executive Director and authorized representative of the finance department.

Request for Additional Information

When OEO receives an incomplete budget or FSR, a Request for Additional Information Notice will be issued and the report will be considered pending until corrections are received. OEO remains committed to continuing a review of internal policies to assist in the elimination of unnecessary delays to accelerate reporting and the approval processes. We respectfully request each Subgrantee's assistance in improving this process at the Subgrantee level by assuring timely, complete and accurate reporting. Moreover, the information provided is what OEO uses to prepare its reports to the federal grantor agency, which may affect appropriations and program services.
Failure of a Subgrantee to submit the FSRs when due, or provide additional documents as requested may be considered noncompliant, which may result in OEO imposing special conditions on the Subgrantee. See section V. Corrective Action, Special Conditions of this manual.

Closeout

Subgrantees are required to perform a closeout for all grants, including Project Share. A closeout is performed when the Subgrantee performed all applicable administrative actions and required work pertinent to the federal award. The dates when the closeout documents are due to OEO are listed below:

Grant	Date Closeout Due to OEO
CSBG (ending December 31)	February 15
LIHEAP (ending December 31)	February 15
WAP (ending March 31)	May 15
Project Share (ending June 30)	August 15
LWAP (ending March 31)	May 15

Failure to adhere to the due dates above may result in noncompliance. Moreover, it is imperative that Subgrantees submit their respective closeout documents on time as this affects when OEO is subsequently able to report the information to the federal awarding agency.

The closeout process does not affect a federal agency's or OEO's right to disallow costs and recover funds based on later fiscal monitoring or other reviews. (2 CFR § 200.345, 45 CFR § 75.386)

Review Procedures for Program Year Closeouts

A fiscal closeout package includes:

1) Completed FSR: The FSR must be completed for the full program year. The final allocation, revenue received and approved budget should be included in the report. The year-to-date expenditures and revenue must agree with all previously reported expenditures and revenue to the financial system reports provided as support. The Final FSR must be signed by the Subgrantee's Executive Director and an authorized representative of the finance department (i.e., Director of Finance, Chief Finance Officer, etc.).

   When completing the FSR, the Subgrantee must consider certain conditions including, but not limited to, the following:

   a) Total administration expenses must not be a negative amount;

   b) Expenditures should not exceed the fifteen percent (15%) allowable variance in non-personnel line items;

      NOTE: Any budget line-item variance must be offset by another non-personnel expense category and cannot cause the total budget to exceed the Subgrantee's total allocation or grant award. Additionally, Admin., T&TA, and Health and Safety cannot exceed approved budget allocations for the DOE Weatherization and LWAP programs.

   c) Expenditures should not exceed funding levels.

   d) The Final FSR should not include any obligations.

   e) Salaries and salary related line items should not exceed the approved budget.

   f) The total clients served must be reported.

2) Supporting Financial Documents: These include, but are not limited to, the Subgrantee's trial balance, general ledger detail, supporting documents for journal entries and voided transactions, accounts payable report, and Carry-Forward Funds Closeout Form. In gathering all supporting financial documents, the Subgrantee must consider the following:

   a) The revenue must agree with the actual funds received from OEO for the program year.

   b) The Subgrantee must practice sound accounting principles when establishing accruals at the end of each program year. The expenditure must have been incurred within the program year and supported by appropriate documentation.

c) No listing of “Due To” or “Due From” (represents a type of loan, which is not allowed) – all transactions will be complete by the submission of the final FSR.

d) All accounts payable items should be supported by an itemized list identifying the vendor invoice, dates, amounts and justification.

e) Financial documents will represent the year-to-date expenditures on the FSR.

f) A reconciliation is required if multiple financial documents are submitted to calculate the year-to-date expenditures.

g) The cash balance on the financial documents must agree with the unexpended funds amount reported on the FSR. If not, the Subgrantee must provide a detailed reconciliation of the cash balance.

h) Indirect costs will be properly charged by the closeout and the expense to the grant will represent the most current applicable rate to the grant period.

3) Program Reports: The required program report(s) will depend on the federal award being closed out. Examples of required program reports are Household, PSR, ROMA, IS, etc.

4) Check for the program fund balance made payable to the Office of Economic Opportunity.

5) WAP Requirements: WAP dwellings must be completed prior to the close of the WAP grant. The FSR must also include the number of dwellings completed for the program year. A materials inventory recap report and a copy of the journal entry transferring the value of inventory must be provided.

To assist with the closeout process, a copy of the review procedures will be provided with each program closeout memorandum.

Record Retention

Subgrantee must retain all records (financial and statistical records, supporting documents, etc.) related to a federal award for a period of three years from the date of approval of the final expenditure report. Exceptions to these requirements include, but are not limited to, the following:

- If a litigation, claim or audit is started before the expiration of the three-year period, please contact OEO for retention period requirements.

- All records of real property and equipment purchased with federal funds must be retained for three years after the final disposition.

- The three year retention period does not apply to the Subgrantee if records are transferred to or maintained by the federal awarding agency or the pass-through entity.

- The Subgrantee may be notified in writing to extend the retention period by the federal awarding agency, OEO, or cognizant agency.

- If a Subgrantee is required to report program income after the period of performance, the retention period for program income records begins at the end of the Subgrantee's fiscal year in which the program income was earned.

Refer to 2 CFR § 200.334 and 45 CFR § 75.361 for more information regarding record retention requirements.

Subgrantees are required to maintain sanitization records of computing devices for a minimum of three (3) years from the date of disposal of the computing device. Refer to Equipment/Asset Disposal (Surplus Property) on page 20.

V. Corrective Actions, Special Conditions

As the pass-through entity, OEO has the discretion to place a Subgrantee under corrective action and impose additional conditions to the grant.

Administrative Enforcement

Administrative Enforcement remedies do not preclude the Subgrantee from being subject to "Debarment and Suspension" or Termination. In administering the following, the Grantee has adopted Administrative Requirements for Governments; often referred to as the "Common Rule" (Tab 300, Sec. 43). Administrative enforcement will begin when a Subgrantee: (a) fails to comply with the terms of the award, whether stated in local, state, or federal law and/or regulations, the state plan, the grant agreement or any other Memoranda relied upon and distributed by Grantee; and/or (b) work products are not submitted within the required time frame; and/or (c) reporting is not completed in accordance with generally accepted accounting principles; and/or (d) performance is not consistent with the approved budget, work plan and/or grant agreement; and/or (e) when a Subgrantee:

1) Sustains a documented history of unsatisfactory performance over at least two (2) Grantee Monitoring's;

2) Experiences an adverse material change in financial condition at any time during the term of this agreement that affects the Subgrantee's ability to perform any portion of this agreement;

3) Exhibits a lack of internal management controls;

4) Provides any representation to Grantee that shall at any time be false or misleading in any respect;

5) Does not submit required reports timely or reports are submitted with incorrect, incomplete or insufficient information;

6) Fails to complete in a timely manner any of the approved services, goals and objectives outlined in the work plan;

As the unsatisfactory performance and non-compliances persist, the Grantee may exercise one or more of the following options, as appropriate to the circumstances:

1) Conduct comprehensive Grantee Team monitoring on-site and interim project monitoring that may be announced and/or unannounced;

2) Require the Subgrantee to obtain additional technical and/or management assistance;

3) Establish additional prior approvals from Grantee;

4) Require additional financial reports and/or data;

5) Place the Subgrantee on "High Risk" status;

6) Wholly or partly suspend the current grant agreement;

7) Issue payment to the Subgrantee on a reimbursement basis;

8) Require reimbursement of Grant funds expended contrary to the terms of this agreement, the work plan, the state plan, local, state and/or federal laws and regulations, and/or memorandum relied upon and distributed by Grantee, from non-state, non-federal funds;

9) Require the Subgrantee to develop a corrective action plan, which must be approved by the Grantee and include a timeframe for completing the corrective action(s);

10) Require Board acknowledgement of agency's status; and/or

11) Establish additional constraints Grantee deems to be necessary and appropriate under the circumstances.

If the Grantee decides to impose such special grant conditions, the Grantee will notify the Subgrantee as early as possible, of the following:

1) The nature of and reason for the special conditions and/or restrictions;

2) The method of appeal for reconsideration of the imposed conditions/restrictions; and

3) If appropriate, the training and technical assistance the Grantee is offering to the Subgrantee to help correct the deficiency.

4) If training and technical assistance are not appropriate, the Grantee will detail the reason why.

Cost Reimbursement Method of Funding

The following instructions were developed by OEO to assist Subgrantees who have been placed on the Cost Reimbursement method of funding. These instructions must be followed for every Payment Request/Invoice submitted to OEO Fiscal Services Department for reimbursement.

Under the Cost Reimbursement method of funding, the ***Subgrantee is required to finance its operations with its own working capital***. OEO payments to the Subgrantee shall serve as reimbursement for the Subgrantee's actual cash disbursements supported by adequate documentation. Costs shall only be reimbursed when incurred costs were paid by the Subgrantee. If the Subgrantee does not follow these requirements, OEO will be unable to review and process

the submitted reimbursement request(s) and the entire package will be returned to the Subgrantee.

All Payment Requests with appropriate documentation must be submitted to the Office of Economic Opportunity – Fiscal Services Department 1205 Pendleton Street, Columbia, SC 29201. Please contact OEO Fiscal Services Department at (803) 734-0662 if you have any questions.

Reimbursement Guidelines

To efficiently process the Subgrantee's Payment Request for reimbursement, it is essential that Subgrantees follow the specific guidelines provided below.

1) Payment Request/Invoice
   All Subgrantees on Cost Reimbursement are required to submit a separate Payment Request or Invoice (see Attachment A) for each subsequent grant when requesting reimbursement. Payment Request(s)/Invoice(s) can be submitted as often as weekly, but not less than biweekly. Please allow a minimum of two weeks (from the received date of the Invoice) for OEO to complete the approval process and disburse the requested funds.

2) Summary Cover Sheet
   Accompanying each Payment Request should be a Summary Cover Sheet. This summary page should include the following information: check number(s); date of check(s); payee and amount of expense claimed; the type of supporting documentation attached (invoice, receipt, contract, support for personnel compensation, etc.); and a brief explanation of the purpose of the expense.

   Summary Cover Sheets must be complete, accurate, and well organized. Pages should be numbered or grouped to facilitate cross-referencing of checks and supporting documentation. For the first Payment Request submitted by a Subgrantee, the initial number of transactions documented should be small so that any deficiencies in the submission that are identified by the reviewer can be corrected with the minimum amount of effort.

   - Listing of Cancelled Checks/Charges – each cancelled check/charge should be listed sequentially by check number.
   - Date Check Written/Charge Incurred – provide the date that the check was written or the charge was incurred.
   - Payee – identify to whom the check was written.
   - Total Amount of Expenses – the total amount of the expenses reflected in the corresponding check. An explanation in the form of a footnote must be provided if the total amount of the check is different than the amount used in the supporting documentation.
   - Forms of Documentation – identify the type of supporting documentation (i.e. invoice, contract, receipt, etc.).

- Explanation – provide a brief explanation of the purposes for which the costs were incurred (if not self-evident by the payee).

- Signatures – the Summary Cover Sheet must be signed and dated by both the preparer and the authorizing official (Executive Director). The preparer should ensure that the Summary Cover Sheet and supporting documentation are organized and easy to follow.

3) Appropriate Forms of Documentation
To be reimbursed for allowable expenses, the Subgrantee must provide evidence that costs were incurred and paid. Payment Request(s) must be supported by appropriate documentation for the allowable expenditures incurred and paid on the grant. If you are unsure whether a particular expenditure is allowable; consult your approved budget and/or the appropriate section of 2 CFR Part 200 and 45 CFR Part 75.

The appropriate forms of documentation include copies of the following: approved vendor invoice(s); receipt(s); bank statement(s); electronic reference(s); or contract(s). All documentation must be supported by a check copy. All forms of supporting documentation for each expense must be legible, approved by an authorizing official (i.e. Program Manager, Finance Manager, and Executive Director), coded to reflect the corresponding grant(s) and the information must be arranged in the same order as the checks identified on the Summary Cover Sheet.

4) Personnel
For reimbursement of personnel costs, salaries and wages are required to be supported by records documenting the work performed. (2 CFR § 200.430 (i), 45 CFR § 75.430 (i)) Subgrantees must have an internal control system in place providing reasonable assurance that personnel charges are allowable, accurate, and appropriately allocated. Supporting documents must reasonably capture all work performed by the Subgrantee's employees for all work performed compensated by both federal and non-federal funds. Subgrantees may use budget estimates for interim accounting purposes, however, such budget estimates will not suffice as supporting documentation for personnel charges to federal grants.

Subgrantees are no longer required to provide personnel activity reports, but may choose to do so. What is required, however, is that the supporting documentation of personnel costs comply with 2 CFR § 200.430 (i) and 45 CFR § 75.430 (i).

Please be certain that the personnel documentation indicates the total amount of wages and fringe benefits, the net amount of the paycheck, and the amount of wages and fringe benefits applicable to the corresponding grant.

Please submit copies of payroll registers or payroll reports indicating the gross salary and wage amounts or additional amounts paid related to FICA, retirement, and health insurance. OEO may require additional information if the supporting documents provided are determined to be insufficient and/or require additional support.

5) Travel
Reimbursement of a Subgrantee's travel expenses that directly benefit the program will require copies of travel vouchers reporting the dates, points of travel, conference agenda and the purpose for the travel. A separate travel voucher must be completed and signed by each person traveling during the reimbursement period. Copies of receipts must be

submitted for hotel bills and common carriers (i.e. airlines). Receipts are not required for meal reimbursement by Subgrantee employees in travel status. Refer to Per Diem/Travel Rates on page 30.

6) Supplies
Provide copies of approved invoices and receiving reports for purchase of all supplies.

7) Equipment
Provide copies of approved invoices for equipment rental or purchases.

8) Contractual
Actual expenditures for program speakers and consultants must be documented by providing copies of contractual agreements. In addition, documentation of the time, date, location and meeting agenda must also be provided. Sign-in list(s) should be completed during seminars or meetings and a copy of the list(s) must be submitted with the contractual documentation.

9) Other
Other costs such as room rent, postage, and utilities should be documented by the Subgrantee by providing copies of rental agreements, postage receipts and utility bills. Additionally, a credit card statement is not a valid form of documentation for reimbursement. The corresponding receipts need to be attached to support all valid purchases listed on the relevant credit card statement(s).

VI. Audit and Monitoring

This guidance is to set forth the standards as required by federal regulations and to adhere to the CSBG Organizational Standards established by HHS on January 26, 2015 in Transmittal No. 138. This was done in conjunction with §6788 of the CSBG Act. The CSBG Organizational Standards 7 and 8 are attached as part of this manual at Appendix D.

Community Action Agencies must adhere to the following:

Standard 8.1 The organization's annual audit is completed by a Certified Public Accountant on time in accordance with federal regulations.

Standard 8.2 All findings from the prior year's annual audit have been assessed by the organization and addressed where the governing board has deemed it appropriate.

Standard 8.3 The organization's auditor presents the audit to the governing board.

Standard 8.4 The governing board formally receives and accepts the audit.

Standard 8.5 The organization has solicited bids for its audit within the past five (5) years.

For additional guidance on the annual audit report, refer to 2 CFR §§ 200.501 - 200.521 and 45 CFR §§ 75.501 - 75.521.

Single Audit

A. Audit Requirements
Subgrantees are required to have a single or program-specific audit conducted when federal award expenditures equal or exceed $750,000 per fiscal year as noted at 2 CFR § 200.501 (a) and 45 CFR § 75.501 (a). The single audit performed must be compliant with the requirements set forth at 2 CFR § 200.514 and 45 CFR § 75.514. Moreover, OEO is given the authority to pursue remedies for noncompliance as provided for in 2 CFR § 200.339 and 45 CFR § 75.371. Refer to 2 CFR § 200.501 (c) and 45 CFR § 75.501 (c) for program-specific audits.

Subgrantees must give the auditor access to personnel, accounts, books, records, supporting documentation and other information as needed for the auditor to perform the required audit. (2 CFR § 200.508 (d) and 45 CFR § 75.508 (d))

B. Audit Costs
Professional fees associated with audits are allowable charges if made in compliance with 2 CFR § 200.425 and 45 CFR § 75.425 and may be allocated as an indirect cost.

C. Selection of Auditors
The Subgrantee's objective in procuring audit services should be to obtain high-quality audits. The Subgrantee must solicit bids for audit services at least every five (5) years per CSBG Organizational Standard 8.5. Subgrantees must also:

1) Adhere to its own documented procurement policies, which must incorporate applicable state and local laws and regulations;
2) Clearly state the objectives and scope of the audit in its request for proposal;
3) Obtain a copy of the auditor's peer review report per 2 CFR § 200.509 (a) and 45 CFR § 75.509 (a);
4) Consider such factors as the auditor's relevant experience, professional qualifications and technical skills of the auditor's available staff, results of the peer review and any external quality control review, and price;
5) Take positive efforts to procure audit services from small businesses, minority-owned firms, and women's business enterprises.

At a minimum, procurement of audit services shall include advertisement of the Request for Proposal in the South Carolina Business Opportunities newsletter (https://scbo.sc.gov/online-edition), published by the State Fiscal Accountability Authority Division of Procurement Services, and the newsletter of the South Carolina Association of Certified Public Accountants. If an auditor prepares the Subgrantee's indirect cost proposal or cost allocation plan, and the Subgrantee's indirect costs recovered from the prior year exceed $1 million, the same auditor may not be utilized to perform audit services.

In line with the Sarbanes-Oxley Act of 2002 Sec. 203, an incumbent auditor can submit bids for consecutive subsequent periods; however, the lead auditor or audit partner responsible for reviewing the audit may provide such services for no more than five (5) consecutive fiscal years. After such time, a new lead auditor or audit partner shall be appointed.

D. Financial Statements & Schedule of Expenditures of Federal Awards
Subgrantees are required to prepare financial statements reflecting the Subgrantee's financial position, results of operations or changes in net assets, and, where appropriate, cash flows for the fiscal year audited. Subgrantees are also required to prepare a schedule of expenditures of federal awards (SEFA) for the same fiscal period. The SEFA must list the total federal awards expended as determined in accordance with 2 CFR § 200.502 and 45 CFR § 75.502.

E. Independent Audit Report Submission
It is the Subgrantee's responsibility to ensure that the audit report, data collection form (Form SF-SAC) and reporting package are complete and submitted to the Federal Audit Clearinghouse (FAC) within the earlier of thirty (30) calendar days after receipt of the auditor's report, or nine (9) months after the end of the Subgrantee's fiscal year end. This requirement is not met so long as the FAC has not accepted the Subgrantee's filing. The FAC will notify the Subgrantee via email as to the status of its submission. If the FAC rejected the submission for any reason, the Subgrantee must immediately resolve the issue. The requirement of a Subgrantee to submit the reporting package to the FAC is met only when the FAC has accepted the Subgrantee's submission.

The reporting package must include the following:

1) Financial statements and SEFA (see 2 CFR § 200.510 and 45 CFR § 75.510);

2) Summary schedule of prior audit findings (2 CFR § 200.511 (b) and 45 § 75.511 (b));
3) Auditor's report(s) (2 CFR § 200.515 and 45 CFR § 75.515); and

4) Corrective action plan (2 CFR § 200.511 (c) and 45 CFR § 75.511 (c)).

It is the Subgrantee's responsibility to ensure that personally protected identifiable information is omitted from the reporting package. The data collection form must be completed and signed by a Subgrantee senior level representative (i.e. director of finance, chief executive officer, or chief financial officer) and the auditor where applicable. Refer to 2 CFR § 200.512 and 45 CFR § 75.512 for more information.

All Subgrantees should notify OEO upon acceptance of the reporting package by the FAC.

F. Independent Audit Report
The audit report must specifically state that the audit was conducted in accordance with 2 CFR § 200.515 and 45 CFR § 75.515 and shall include the following:

1) An opinion or disclaimer of opinion as to whether the financial statements are presented fairly in all material respects in accordance with GAAP and an opinion or disclaimer of opinion as to whether the SEFA is fairly stated in all material respects in relation to the financial statements as a whole.

2) A report on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements. The report must describe the scope of testing of internal control and compliance and the results of the tests, and where applicable, it will refer to the separate schedule of findings and questioned costs described at 2 CFR § 200.515 (d) and 45 § 75.515 (d).

3) A report on compliance for each major program and a report on internal control over compliance. The report must describe the scope of testing of internal control over compliance, include an opinion or disclaimer of opinion as to whether the auditee complied with federal statutes, regulations, and the terms and conditions of federal awards which could have a direct and material effect on each major program and refer to the separate schedule of findings and questioned costs described at 2 CFR § 200.515 (d) and 45 § 75.515 (d).

4) A schedule of findings and questioned costs, which must include the following (refer to 2 CFR § 200.515(d) and 45 § 75.515 (d) for more detail):

    a) A summary of the auditor's results;

    b) Findings relating to the financial statements which are required to be reported in accordance with GAGAS; and

    c) Findings and questioned costs for federal awards which must include audit findings as defined at 2 CFR § 200.516 and 45 § 75.516.

The audit report need not follow the order or format listed above. However, the information and statements identified above must be included in the audit report.
The Subgrantee is required to include a summary schedule of prior audit findings. All prior audit findings must be included in the list. Corrected prior audit findings must still be listed stating that corrective action was taken. Prior audit findings not corrected or only partially corrected must include an explanation as to why the findings recurred and the Subgrantee's planned corrective action in addition to any partial corrective action already taken. An explanation is required when the corrective action taken differs significantly from the previously reported corrective action plan. (2 CFR § 200.511 (b)(2) and 45 § 75.511 (b)(2))

The auditee is required to prepare a corrective action plan for all findings identified by the auditor. The corrective action plan must include the following (see 2 CFR § 200.511 (c) and 45 § 75.511 (c)):

1) The name of the contact person responsible for the corrective action;

2) The corrective action planned;

3) The anticipated completion date; and

4) An explanation and specific reason(s) as to why the auditee does not agree with the audit findings or believes that a corrective action is not required, if applicable.

OEO Monitoring

As a pass-through agency of federal awards, OEO and/or its authorized representative(s) perform fiscal monitoring activities to ensure that a Subgrantee's expenditures of federal awards comply with applicable laws, regulations, grant agreement provisions, and any other applicable requirements for the expenditure of federal awards. Part of OEO's fiscal monitoring activities include, but are not limited to, a desk review of the Subgrantee's single audit report, a review of whether the Subgrantee has taken appropriate and timely corrective action on any issues

identified, a follow up on prior year's fiscal monitoring findings, and a review of expenditures reported on FSRs submitted to OEO. Refer to 2 CFR § 200.332 and 45 CFR § 75.352 for more information regarding OEO's responsibilities as a pass-through entity.

OEO will perform fiscal monitoring on-site visits at least once every three years. OEO may or may not give advance notice of an on-site visit. A fiscal monitoring report will be issued at the conclusion of an on-site monitoring visit. All Subgrantees are required to provide OEO access to documents, papers, or other records of the Subgrantee that OEO requests which are pertinent to the federal award(s) under review. This access must also be afforded to any authorized representative of OEO, such as a firm engaged to perform fiscal monitoring activities on behalf of OEO. (2 CFR § 200.337 and 45 § 75.364)

Desk Review of Single Audit

All single audit reports submitted to OEO undergo a desk review. The desk review is an assessment of whether the audit and federal expenditures of OEO administered grants are compliant with 2 CFR § 200.500 et al, 45 CFR § 75.500 et al, Government Auditing Standards, generally accepted auditing standards, generally accepted accounting principles, and all applicable laws, regulations, contracts and grant agreements. OEO will determine audit acceptability, ascertain Subgrantee compliance, examine questioned costs and findings reported, determine grant agreement violations, determine any fund balances due to OEO and identify any areas of concern that OEO may potentially address with monitoring activities. For each audit finding related to OEO administered grants, OEO will issue a management decision. (2 CFR § 200.521 and 45 CFR § 75.521) Additional information or documentation may be requested at any time during the desk review, and OEO may perform additional work as deemed necessary.

The desk review will be performed and any management decisions necessary will be issued within six (6) months upon acceptance of the audit report by the FAC, or the MDL Start Date noted on the Federal Audit Clearinghouse website. All Subgrantees should notify OEO Fiscal Monitoring when the Subgrantee receives confirmation of the FAC acceptance of its reporting package when filed. Analysis of program variances will be performed for completed program years while partial year program variances considered material may be subject to sampling.

Questioned costs identified in the single audit will be reviewed. OEO may require additional information from the Subgrantee to address questioned costs. OEO may also perform additional work to determine whether the issues associated with the questioned costs have been appropriately corrected and addressed by the Subgrantee. The report will identify whether each questioned cost is an allowed or disallowed cost, the amount of funds involved, if any, and the total sum in question for each OEO program.

Results of the desk review, management decisions will be communicated and addressed to the Executive Director, unless otherwise requested, in writing, by the Subgrantee's Board of Directors. If issues or areas of concern are identified requiring a response from the Subgrantee, the Executive Director will have thirty (30) days from the date of the letter and/or report to respond to OEO, unless otherwise stated. If OEO does not receive a response from the Subgrantee within the timeframe given, the Subgrantee will be considered noncompliant and OEO may take corrective action measures including, but not limited to, suspension of future funding.

Fiscal Monitoring

OEO will perform fiscal monitoring at least:

- once every three years for CSBG and LIHEAP;
- once a year for WAP; and
- continuous monitoring (cost reimbursement method) for ESGP.

The purpose of fiscal monitoring is to ensure that all Subgrantees are compliant with applicable federal and state fiscal requirements, and that Subgrantees are proper stewards of federal funds. See 2 CFR § 200.332 and 45 CFR §75.352 for more detailed information.

This section documents normal fiscal monitoring activities. However, OEO reserves the right to revise fiscal monitoring activities during the program year in response to extenuating circumstances.

Desk Monitoring

A Subgrantee may be randomly selected during the year for a desk monitoring. This additional form of monitoring was implemented to assist OEO with its monitoring requirements and identify potential needs for training and technical assistance. Desk monitorings may also potentially shorten a Subgrantee's on-site monitoring visit.

OEO Fiscal Monitoring Staff will inform the Subgrantee of the desk monitoring and provide a list of documents that must be provided to OEO. The Request for Additional Information is the form used by OEO listing the documents needed. A sample Request for Additional Information is provided at Appendix E. **Documents containing protected personally identifiable information (protected PII), defined at page 5, should not be emailed to OEO.** The items reviewed in the desk monitoring may include, but are not limited to cash, revenue, indirect cost and expenditures. Supporting documentation that may be requested before or during a desk monitoring may include, but are not limited to invoices, journal entries, trial balance, check register, bank reconciliation (see Appendix F for a sample summary bank reconciliation) and bank statement. Items selected for review may be randomly or judgmentally selected from the Subgrantee's general ledger detail.

It is OEO's intent to finalize the desk monitoring within 15 days once all requested documentation and information is received from the Subgrantee. The results of the desk monitoring will be communicated with the Subgrantee via written correspondence (memorandum) and will be incorporated with the on-site monitoring and the compiled monitoring report.

On-site Monitoring

OEO on-site fiscal monitoring objectives include, but are not limited to, an assessment of the Subgrantee's internal controls, cash management, ensuring assets have the proper documentation and are properly maintained, accruals are properly supported, balance sheet and income statement accounts are used in a consistent manner to ensure comparability, client assistance eligibility, proper procurement standards and a review of human resources policies and procedures. OEO will sample expenditures to ensure payments are adequately supported with the proper documentation and that payments are compliant with OEO grant agreements, budget requirements and applicable laws, regulations, policies and procedures.

OEO will send a notification letter to the Executive Director of OEO's scheduled on-site monitoring with a list of documents and information the Subgrantee must provide prior to the on-site visit

and/or be made readily available upon arrival. Additional documents may be requested as needed during and after the on-site visit.

An entrance conference with the Subgrantee's Executive Director and other staff determined by the Subgrantee may be performed upon arrival or via conference call.

At the conclusion of the monitoring, OEO staff will conduct an exit conference with the Subgrantee's Executive Director, as well as other staff as determined by the Subgrantee. This conference may be held in person or by phone. The preliminary results of the monitoring will be discussed, which may include the following:

- Agency strengths;
- Items the Executive Director should be made aware of as determined by OEO;
- Documents the Agency still needs to provide to OEO;
- Items found during the monitoring visit that need to be addressed by the Subgrantee; and
- Items that may not rise to the level of concern, but that OEO determines must be addressed by the Subgrantee.

It is OEO's intent to discuss all items at the exit conference to promote transparency prior to the issuance of the monitoring report. However, items not discussed at the exit conference may still be included in the monitoring report due to further analysis of data or new information obtained after the exit conference.
OEO may perform on-site fiscal monitoring activities without notifying the Subgrantee prior to the visit. In such instances, OEO will inform the Executive Director upon arrival at the Subgrantee's premises.

Subgrantee Fiscal Monitoring Responsibilities

The Subgrantee is responsible for preparing all documents requested, responding within the required timeframe and developing a corrective action plan and/or quality improvement plan as needed. Access to personnel, documents, books, accounts, papers, and any records requested by OEO or any of its authorized representatives in order to perform fiscal monitoring activities is required. If access is denied or any documents or records are not provided, the Subgrantee may be considered noncompliant, which may result in OEO taking corrective measures.

The results of the monitoring will be communicated to the Executive Director and Board Chairperson of the Subgrantee. The Executive Director must submit to OEO the required documentation (supporting documents, corrective action plan, or quality improvement plan) noted in the monitoring report to address the findings and/or issues identified in the report. The required timeline for submission of such document(s) will be noted in the monitoring report. The corrective action plan and/or quality improvement plan must be submitted to OEO within the timeframe identified in the monitoring report, unless otherwise noted in the report. The corrective action plan and/or quality improvement plan must include the name(s) of the contact person(s) responsible for the corrective action, the corrective action planned, and the anticipated completion date. Follow-up fiscal monitoring may occur depending on the Subgrantee's response to the fiscal monitoring report.

Payments of Disallowed Cost

Disallowed costs shall be payable to OEO within 30 days from the date of the correspondence identifying disallowed costs or as instructed in the correspondence. Only non-federal, non-state funds may be used to satisfy disallowed costs. If costs are disallowed during the grant period, non-federal or non-state funds must be used to return the funds to the grant. Payment methods permitted to satisfy disallowed costs are as follows:

1) Lump-sum Payment
   OEO must receive the total disallowed amount within the aforementioned period. If the Subgrantee is financially unable to make full payment within this time frame, the Subgrantee must inform the OEO Director in writing within 15 business days of the date of the correspondence identifying the disallowed costs. The Subgrantee will be subject to an OEO Fiscal Monitoring to document the non-federal/non-state funds available for repayment of delinquent debt.

2) Installment Payments
   Subsequent to verification of the Subgrantee's inability to repay in lump-sum, OEO may establish a written agreement binding the Subgrantee to the terms and methods outlined. The standard repayment period is 12 months, not to exceed a 36 month maximum time allowance. Monthly payments will be due to OEO by the fifteenth (15th) of each month. Quarterly payments will be due to OEO by the fifteenth (15th) day of the last month in the quarter.

3) Delinquent Payments
   If a Subgrantee fails to repay funds within the required timeframe, and the requirements set forth in 2 CFR Part 200, 45 CFR Part 74, and 4 CFR Chapter 11-Federal Claims Collection Standards (General Accounting Office – Department of Justice) may be exercised in the collection of delinquent debt.

CLIENT REFUND FORM

Agency Name: _____ **Date:** _____
Street Address: _____
City, State, Zip Code: _____

Client Name:	System ID#:	Date of Benefit/Voucher:	Vendor:	Federal Award ID#:	Check #:	Refund Amount:
					Total:	$ 0.00

Preparer's Signature **Date:**

Executive Director's Signature **Date:**

Reason for Refund and/or Additional Refund Disclosures:

Please include the 'Customer Report' printout from DBA with all Client Refunds.
Please make all checks payable to the "Office of Economic Opportunity".

Certification Regarding
Debarment, Suspension, and Other Responsibility Matters
Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 13 CFR Part 145. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211). Copies of the regulations are available from local offices of the U.S. Small Business Administration.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:

(a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective primary participant shall attach an explanation to this proposal.

Business Name _____

Date _____ By _____
Name and Title of Authorized Representative

_____
Signature of Authorized Representative

This form was electronically produced by Elite Federal Forms, Inc.

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If is is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is submitted for assistance in obtaining a copy of those regulations (13 CFR Part 145).

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the ineligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

South Carolina
QCI Final Inspection
Certification Form

This form certifies that the dwelling had a final inspection by a certified QCI and that all work met the required standards.

QC Inspector's Name: _____ Agency: _____

Client Name / Address: _____

Date: _____

The QCI:

1) ____ **Verified** worker compliance with safety rules.

2) ____ **Evaluated** client satisfaction with in-process and final work:

3) ____ **Reviewed** the client file structure, ensuring that approved forms were completed and signed appropriately.

4) ____ **Assured** that the work order and specifications provided adequate guidance and were understood by the retrofit installers.

5) ____ **Assured** that the work order was implemented as recommended by the dwelling assessment and incorporated the diagnostics.

6) ____ **Assured** that any unusual situations were appropriately addressed and that sufficient documentation was provided to support any changes.

7) ____ **Determined** Pass/Fail of the work, assuring that the installation and materials followed building and safety codes, 10 CFR 440 Appendix A, SWS, and the SC Field Guide.

8) ____ **Confirmed** the proper allocation and documentation of source of funds.

Comments: _____

_____

_____

Signature of Certified QCI _____

Standard 7.1 • private The organization has written personnel policies that have been reviewed by an attorney and approved by the governing board within the past 5 years.

Standard 7.2 • private The organization makes available the employee handbook (or personnel policies in cases without a handbook) to all staff and notifies staff of any changes.

Standard 7.3 • private The organization has written job descriptions for all positions, which have been updated within the past 5 years.

Standard 7.4 • private The governing board conducts a performance appraisal of the CEO/executive director within each calendar year.

Standard 7.5 • private The governing board reviews and approves CEO/executive director compensation within every calendar year.

Standard 7.6 • private The organization has a policy in place for regular written evaluation of employees by their supervisors.

Standard 7.7 • private The organization has a whistleblower policy that has been approved by the governing board.

Standard 7.8 • private All staff participate in a new employee orientation within 60 days of hire.

Standard 7.9 • private The organization conducts or makes available staff development/training (including ROMA) on an ongoing basis.

Standard 8.1 • private The organization's annual audit (or audited financial statements) is completed by a Certified Public Accountant on time in accordance with Title 2 of the Code of Federal Regulations, Uniform Administrative Requirements, Cost Principles, and Audit Requirement (if applicable) and/or State audit threshold requirements.

Standard 8.2 • private All findings from the prior year's annual audit have been assessed by the organization and addressed where the governing board has deemed it appropriate.

Standard 8.3 • private The organization's auditor presents the audit to the governing board.

Standard 8.4 • private The governing board formally receives and accepts the audit.

Standard 8.5 • private The organization has solicited bids for its audit within the past 5 years.

Standard 8.6 • private The IRS Form 990 is completed annually and made available to the governing board for review.

Standard 8.7 • private The governing board receives financial reports at each regular meeting that include the following:

1. Organization-wide report on revenue and expenditures that compares budget to actual, categorized by program; and
2. Balance sheet/statement of financial position.

Standard 8.8 • private All required filings and payments related to payroll withholdings are completed on time.

Standard 8.9 • private The governing board annually approves an organization-wide budget.

Standard 8.10 • private The fiscal policies have been reviewed by staff within the past 2 years, updated as necessary, with changes approved by the governing board.

Standard 8.11 • private A written procurement policy is in place and has been reviewed by the governing board within the past 5 years.

Standard 8.12 • private The organization documents how it allocates shared costs through an indirect cost rate or through a written cost allocation plan.

Standard 8.13 • private The organization has a written policy in place for record retention and destruction.

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
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803.734.0356 Fax

admin
THE SOUTH CAROLINA DEPARTMENT *of* ADMINISTRATION

Office of Economic Opportunity
Request for Additional Information

Date Request Issued: 7/17/2017 **Date Received:** _____

Deadline for Request: 7/24/2017 **Request Issued by:** Andrew Walsh

Agency: XYZ CAP Inc. **Program/Year:** CSBG/LIHEAP/WAP 2017

Director: _____ **Reference:** Desk Review

Preparer _____ **Period of Review:** May & June 2017

Requested Information		
	Report Type	**Description**
X	Bank Reconciliation	May & June 2017
X	Bank Statement	May & June 2017
X	Check Register	May & June 2017
	Journal Entries	See Attached list
X	Trial Balance	May & June 2017
	OTHER:	
X		Travel & Vehicle Logs for all OEO Programs for May & June 2017
X		Sample Invoices-See Attached list
X		Current Fixed Asset Inventory Listing

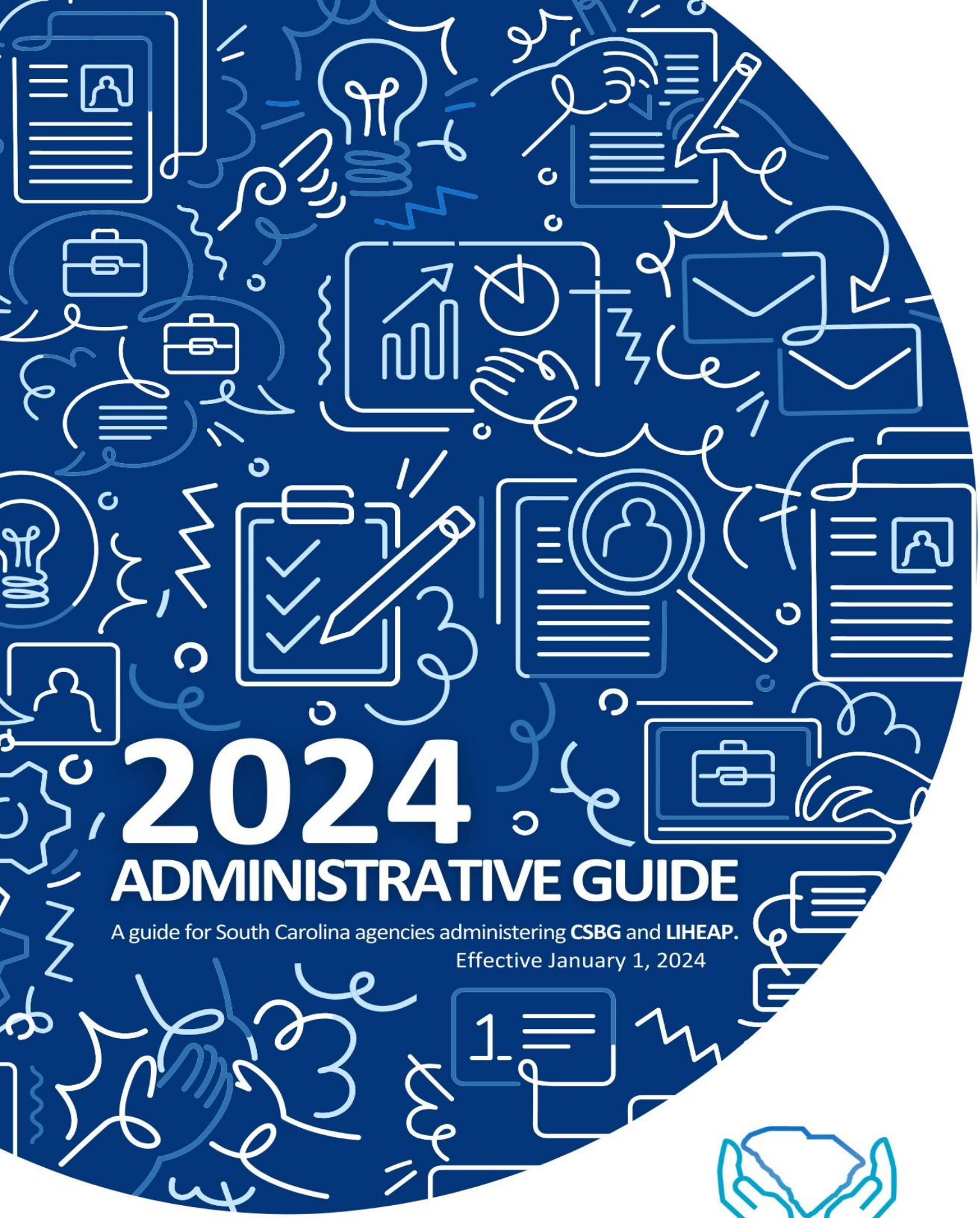
Correspondence (for OEO use only)	
Date	**Comments**

SAMPLE

Sample CAA
Bank Reconciliation
At July 31, 2016

Balance per bank	$ 666,368
Less outstanding checks	(166,105)
Plus outstanding deposits	125
Ending cash balance	$ 500,388

Balance per GL	
CSBG	$ 150,943
LIHEAP	248,300
DOE WAP	25,400
LWAP	75,000
SCE&G Project Share	745
	$ 500,388



2024 ADMINISTRATIVE GUIDE

A guide for South Carolina agencies administering **CSBG** and **LIHEAP.**

Effective January 1, 2024

SOUTH CAROLINA OFFICE *of*
ECONOMIC OPPORTUNITY

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Section 1

IMPORTANT: Mandatory OEO Policies for CSBG and LIHEAP Block Grants

Use of the Statewide Application & Database

Each eligible entity shall use the statewide application (customer report) generated by DBA **in its entirety** to determine eligibility for OEO administered grants. The following documents are included as part of the mandatory statewide application:

- Notice of Fair Hearing and Appeals (which shall be provided to all customers)
- DBA Application (customer report) signed by the customer and agency staff
- DBA Customer Voucher (to include the statewide Notice of Fair Hearing and Appeals)
- DBA Vendor Voucher/Internal Transmittal
- Notice of Denial (when applicable)

The OEO prohibits any practice of pre-screening, preapplication and other barriers to service. Failure to use the full OEO application as intended by the State may result in consequences against the eligible entity.

Step 1: Customer Application

Each eligible entity shall use the statewide application generated by (DBA) **in its entirety** to determine eligibility for OEO administered grants.

Step 2: Eligibility Determination

CAAs should utilize a timestamping method to notate the date the application was received by the CAA. Except for emergencies, all nonemergency applications must be processed within 10 business days from the applicant's date of submission.

Step 3: Customer and Vendor Notification

Based on the information provided, CAAs should either approve the customer's application and confirm receipt of assistance by way of the DBA customer voucher or issue a notice of denial to the applicant.

One-Time Income Verification

- Income eligibility will be determined once during the program year considering the household's previous 30-day gross income at the time of application.

- If the household meets the income guidelines, the household will be considered eligible for all qualifying grants for the remainder of the program year.

- If the customer returns for additional services throughout the program year, the household does not have to be reassessed for income eligibility, but **the CAA must complete a new DBA application (customer report) to reflect the service and have the applicant sign the DBA application (customer report)**.

- The appropriate applicant and agency staff signatures must appear on **ALL** required documents for application. **Signature waivers will no longer be allowed. Electronic signatures shall not be recycled for future use by the agency.**

- Households may be reassessed every 30 days if the household was deemed ineligible due to income for assistance.

Timeframes to Process Applications

From the applicant's submission date, the CAA has 10 business days to process applications to determine eligibility. However, each CAA must have an internal procedure to expedite emergencies.

- CSBG emergencies must be resolved within 72-hours of the household being determined eligible.

- LIHEAP life-threatening emergencies must be resolved within 18 hours of the household being determined eligible.

- General LIHEAP emergencies must be resolved within 48 hours of the household being determined eligible.

- **All other nonemergency applications must be processed within 10 business days of the household being determined eligible.**

Mandatory Use of the DBA Voucher for Customers and Vendors

CAAs must provide the customer a copy of the customer voucher generated by DBA to include the Notice of Fair Hearing and Appeals.

The vendor must also be provided a copy of the voucher generated by DBA as notification of the benefit amount being paid on the customer's behalf. **Note: CAAs shall not require vendors to review and return a copy of the customer voucher to the CAA for any purpose.**

Notice of Denial for Ineligible Applicants

For applicants/households deemed ineligible, CAA intake staff should select the **"Service Not Received"** option in the statewide database to properly account for ineligible and incomplete applications.

A **Notice of Denial form** is available for print when "Service Not Received" is selected. The agency must notify the applicant of their reason for denial as outlined on the form:

☐ Applicant/household did not meet the program eligibility requirements.

☐ Applicant failed to provide sufficient evidence regarding their application to determine eligibility.

☐ Other

Application Retention

OEO eligible entities are required to fully utilize the statewide database (DBA FACSPro) and must enter and account for all customer applications in DBA, whether the household/customer is assisted or not. Not retaining or destroying applications submitted to a local agency violates 45 CFR §75, Retention requirements for records.

IMPORTANT: Undue Hardships & Barriers to Service

- CAAs **shall not** require the applicant to complete additional steps before **any LIHEAP** service or **emergency CSBG** service is rendered.

  For example, the applicant shall not be required to complete a budgeting class to receive assistance.

- CAAs **shall not** require customers to pay fees deemed allowable by federal and state guidelines.

  For example, the applicant shall not be required to contribute to a portion of their bill to prove financial responsibility.

- CAAs **shall not** require the vendor to sign and return customer assistance vouchers as part of the agency's internal procedures.

  For example, CAAs shall not require energy vendors to verify customer account numbers and addresses and sign the voucher before rendering service. This adds to the vendors workload and is considered an undue hardship to the vendor. Billing information should be verified on the customer's bill during intake by agency staff.

- CAAs **shall** provide customers a copy of the assistance voucher, notice of denial and appeals process.

  For example, regardless of how the customer applies, it is the CAAs responsibility to notify the customer in writing of their approved benefit amount or denial, and their

right to appeal. Therefore, it is mandatory to use the full statewide DBA application (customer report) as the verbiage and forms included achieve federal and statewide requirements.

Statewide LIHEAP Vendor Agreement

South Carolina's statewide LIHEAP vendor agreement should be executed by the local CAA and the participating energy vendor to provide LIHEAP benefits to low-income households for the purpose of supplying energy to cool, heat, deliver fuel, pay energy deposits or other heating/cooling-related costs.

Before a household can receive LIHEAP assistance and the energy vendor can be paid, the CAA and the energy vendor must execute the current statewide LIHEAP Vendor Agreement agreeing to the terms of the grant.

When executing the LIHEAP vendor agreement with the CAA, the participating LIHEAP vendor agrees to accept the LIHEAP energy voucher in exchange for payment. The terms of the grant do not require the vendor to be knowledgeable of allowable and disallowed LIHEAP costs or have a system in place to separate and apply charges accordingly. This is the responsibility of the CAA.

The CAA is responsible for determining the household's LIHEAP energy benefit based on the state and federal definition of allowable LIHEAP energy-related costs. Reference "LIHEAP Allowable and Unallowable Charges" on page 43.

OUTREACH for Federal Grants

Outreach is the process of making information about grants available to eligible and potentially eligible households.

Program Costs

Outreach activities should be charged as program costs under a separate line item on the agency's financial status report (FSR) labeled "outreach."

Outreach Maximums

CAAs may not allocate more than $10,000 per grant for the duration of the program year for outreach unless otherwise approved by OEO. Costs should be shared accordingly.

Allowable Activities

Media advertisements, printing of flyers and printed materials, early applications, and neighborhood canvassing, etc. promoting only the grant, not the CAA.

Media Advertisements

Copy of all media advertisements (to include billboard, radio and television commercials) must be submitted to OEO with monthly FSRs to justify costs.

Outreach Plan

CAAs must submit a detailed "outreach plan" explaining targeted outreach efforts, purchases, and a detailed budget. OEO must be notified of all outreach activities efforts.

Disallowed Outreach Activities for Federal Grants

Grant funds shall not be used to purchase promotional items when they are not a necessary expense. Promotional items include but are not limited to: clothing and commemorative items such as pens, mugs/cups, folders/folios, lanyards, conference bags/totes, gifts, prizes, etc.

Justification for any outreach expense deemed necessary must be in writing, explaining why the purchase is necessary and a reasonable expense critical to the mission of the grant. Reference [78 FR 76808, Dec. 26, 2013, as amended at 85 FR 49564, Aug. 13, 2020].

Section 2

Community Services Block Grant Federal Overview

The Community Services Block Grant (CSBG), administered by states, provides core funding to local agencies to reduce poverty, revitalize low-income communities and to empower low-income families to become self-sufficient. The CSBG is currently authorized under the 1998 CSBG Act.

Eligible entities in the CSBG network are **Community Action Agencies** (CAAs), created through the Economic Opportunity Act, a predecessor of the CSBG. Community representation and accountability are hallmarks of the CSBG network, where agencies are governed by a tri-partite board. This board structure consists of elected public official, representatives of the low-income community, and appointed leaders of the private sector. Allocations for CSBG subgrantees is calculated based on the 10-year United States Census poverty rates of the county(s) served by the sub-grantee.

CSBG is not required to implement verification requirements, therefore, **"Non-citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs"** (CSBG IM No. 30, US Department of HHS for Children and Families Office of Community Services Division of State Assistance).

The federal income eligibility is based on a household's earnings/contributions and must not exceed 200% of the federal poverty level (FPL).

CSBG State Overview



CSBG services shall seek to promote social and economic self-sufficiency through the achievement and development of knowledge, skills and abilities that will enable low-income individuals to effectively respond to and manage those life circumstances that negatively impact their well-being and accomplishment of life goals. Through the strengthening of individual and family competencies, services shall enable low-income persons to mobilize the resources and support necessary to deal with existing problems, needs and future aspirations.

Linkages will be developed with local entities to fill identified gaps in services through the provision of information, referrals, case management and follow-up consultations. Funds made available to eligible entities will be coordinated with other public and private resources and may be used to support innovative community and neighborhood-based initiatives with the goal of strengthening families.

State Community Service Programs include:

- Employment
- Education
- Income Management
- Housing
- Emergency Services
- Nutrition
- Self-Sufficiency
- Health

Community Needs Assessment

OEO will secure from each eligible entity, a **current community-needs assessment** for the areas served (to include each county) which may also be coordinated with community-needs assessments conducted for other programs. OEO requires a comprehensive needs assessment once every three (3) years. The needs assessment should be updated, as needed, during the interim years. The next comprehensive needs assessment is due to OEO in **August 2025 with the submission of the program year (PY) 2026 Community Action Plan.**

Results Oriented Management and Accountability (ROMA) System

Eligible entities will participate in and comply with the ROMA System, which the Secretary facilitated development of pursuant to Section 678E, utilizing SCROMA and provide a description of specific measures to be used to substantiate the outcomes of each funded program and eligible entity (CAA) performance in promoting self-sufficiency, family stability, and community revitalization.

Grant Award Disbursements

Agencies will receive the grant award(s) based upon OEO's receipt of the federal notice of award(s), the timely completion, receipt and final OEO approval of the agency's CSBG Community Action Plan and application budget.

CSBG Fund Limitations

Section 678F(a)(1) of the CSBG Act (Limitations on use of funds) does not allow the State or any other person with which the State decides, to use CSBG funds for the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or facility. The use of CSBG funds to secure rental properties for programs requires Logic Model approval to demonstrate community benefit.

Mandatory use of the Statewide Database

Subgrantees must fully utilize the DBA FACSPro database system to include the DBA application

(customer report) for customer intake as arranged by the South Carolina OEO.

Each eligible entity shall use the statewide application generated by (DBA) **in its entirety** to determine eligibility for OEO administered grants. The following documents are included as part of the mandatory statewide application:

- Notice of Fair Hearing and Appeals (which shall be provided to all customers)
- DBA Application (customer report) signed by the customer and agency staff.
- DBA Customer Voucher (to include the statewide Notice of Fair Hearing and Appeals)
- DBA Vendor Voucher
- Notice of Denial (when applicable)

The OEO prohibits any practice of pre-screening or preapplication. Failure to use the full OEO application as intended by the State may result in consequences against the eligible entity.

Application Retention

OEO eligible entities are required to fully utilize the statewide database (DBA FACSPro) and must enter and account for all customer applications in DBA, whether the household/customer is assisted or not. Not retaining or destroying applications submitted to a local agency violates 45 CFR §75, Retention requirements for records.

New! Timeframes to Process Customer Applications

With the exception of emergencies, OEO requires eligible entities to process all nonemergency customer applications, regardless of the method of intake, within **10 business days** from the date of submission, and to notify each applicant of their approval, denial or when additional information is required to determine eligibility.

When does the application process begin?

Each agency should have a process in place to timestamp applications submitted to the agency. If not, OEO will consider the date on the customer's original application to determine compliance with the 10 business days allowed to process applications.

***New!* How to Serve Households Relocating**

When providing a service to a household relocating outside of the CAA's service territory, **it is the responsibility of the CAA where the household currently lives to provide the service**.

Example: The CAA may provide rental assistance to an eligible household to move to a location outside of the agency's service area.

Note: Some agencies may have a policy to not pay rental deposits. This should be notated in the local agency's accepted logic models.

Notice of Denial for Ineligible Applicants

For applicants/households deemed ineligible, CAA intake staff should select the "Service Not Received" option in the statewide database to properly account for ineligible and incomplete applications.

A **Notice of Denial form** will automatically print when "Service Not Received" is selected. The agency must notify the applicant of their reason for denial as outlined on the form:

☐ Applicant/household did not meet the program eligibility requirements.

☐ Applicant failed to provide sufficient evidence regarding their application to determine eligibility.

☐ Other

CSBG Federal Income Guidelines

FAMILY SIZE	200% Monthly Poverty Guideline	200% Annual Poverty Guideline
1	$2,430.00	$29,160.00
2	$3,286.67	$39,440.00
3	$4,143.33	$49,720.00
4	$5,000.00	$60,000.00
5	$5,856.67	$70,280.00
6	$6,713.33	$80,560.00
7	$7,570.00	$90,840.00
8	$8,426.67	$101,120.00
For each additional person, add	$856.67	$10,280.00

FIGURE 1.1 Federal Poverty Income Guidelines are in effect as of January 19, 2023. The 2024 HHS poverty guidelines will be updated once published in the Federal Register and can be referenced at http://aspe.hhs.gov/poverty-guidelines.

Income Eligibility

Applicants must apply in their designated service area based on the county in which they live. The Federal Poverty Guidelines must be used as the primary criterion in determining income eligibility. To receive assistance under any CSBG project involving direct services an applicant's total household income must not exceed the federal poverty level. Household is defined by the Bureau of Census as consisting of all persons who occupy a housing unit (i.e., house or apartment), whether they are related to each other or not. Total household income is based on the gross income of adult household members (age 18 and older) at the time of application.

One-time Income Verification

The purpose of the income determination is to establish the household's eligibility for service in accordance with the statutory definition of poverty level. The goal is to implement program services that will enhance and promote self-sufficiency, and not to penalize low-income persons as they move from poverty to self-sufficiency.



Income eligibility will be determined once during a program year considering the household's 30-day income at the time of the initial application. If the household meets the income guidelines, the household will be considered eligible for all qualifying grants for the remainder of the program year. If the individual/household seeks additional assistance during the same program year, the CAA must complete a new DBA application (customer report) for each additional service and have the applicant sign the application for

every service. The applicant and agency staff signatures must appear on ALL required documents for application The applicant will only be required to present a current bill and supporting documentation. Households may be reassessed if the household was deemed ineligible for assistance. **Note:** Agencies may choose to reassess households more frequently.

How to Calculate Income

When calculating total household income, include all income (use actual amount; do not round) for **the last 30 days** (include the date of application). Calculate the **"gross"** income to determine eligibility.

Income & Contribution Frequencies

Income/contributions should be entered in the statewide database (DBA) based on the frequency of pay using gross amounts: when an applicant or household member is paid weekly throughout the 30-day period, enter the income as "weekly"; if paid bi-weekly (every two weeks or 14 days) enter income as "bi-weekly; if paid semi-monthly (twice per month) enter as semi-monthly; if monthly (paid once each month) enter as monthly.

To determine the accurate 30-day income to be entered into DBA, the calculations are as follows:

- **Weekly:** (((amount 1 + amount 2 + amount 3 + amount 4) /4) * 4.33)
- **Bi-Weekly:** ((amount 1 +amount 2) /2)*2.165
- **Semi-Monthly** (amount 1 + amount 2)
- **Monthly** (monthly income x 12)

Individuals with Wages

When an applicant or member of the household has earned only one paycheck in the 30-day period, enter it based on the frequency of payroll period, also. SC ROMA (DBA FACSPRO) will provide the calculations to determine eligibility.



Self-Employed Individuals/Tax Filings

When an individual is self-employed and operating a business outside of the home, use the "net" profit. An individual must provide a current signed and **accepted** Federal Tax Form in its entirety pertaining to the business (e.g. 1040 Schedule C of Profit or Loss or 1040 Schedule C-EZ). For Form 1040 schedule C, use total from line 31(Net Profit), divide it by 12 = monthly income amount.

If using form 1040 schedule C-EZ, line #3 should be used. Other IRS forms include Form 1065 Partnership Return of Income (request Tax Schedule K-1 Form 1065 Partner's Share of Income, Deductions, Credits), Form 1120S (request Tax Schedule K-1, Form 1120S). When an individual is self-employed, operating an in-home business, such as childcare, use the "gross" income.

If a loss is reflected on the customer's tax document, income should be considered zero.

When only recently self-employed, an individual must provide quarterly, or monthly tax statements provided by the South Carolina Department of Revenue. If the self-employed individual does not file his/her taxes quarterly and does not have a business license, complete a Declaration of Zero Income form.

Tax form 1065 Partnership Return of Income

The schedule K-1 is a tax document used to report the income/losses of a business partners in a shared company. Use the income recorded on line 14A. Self-employment earnings (loss).

How to calculate quarterly taxes: Divide the most recent quarterly tax amount by 3 = average monthly income amount. Appointment books should not be used to verify income. When an individual's business has been terminated, verification of termination is required (e.g. state certification verifying termination).

- **Gig Economy Jobs**

When determining the income of contracted employment such as **Uber, Lyft, Grub Hub, etc.**, collect all wages (including tips) received within 30 days of the date of application and calculate income using the **gross** monthly frequency.

Gig workers' income may be evaluated for eligibility in the following ways:

- **Monthly Wages**
  The customer's employment documentation must clearly display the business name (Ex: Uber), their first and last name, gross earnings for the entire month and indicate the month the wages were earned. Note: Gross amounts may include fees.

- **Day Laborers**
  When determining the income of **day laborers**, collect all wages received within 30 days of the date of application and calculate income using the monthly pay frequency.

- **NEW! Declaration of Zero Income Form with Unemployment Printout**

The Declaration of Zero Income form should be used as a last resort, when all efforts have been exhausted to provide sufficient documentation.

Persons reporting no earned income or having no source of a monthly benefit (such as Social Security) must complete the Declaration of Zero Income form **accompanied by an employment/unemployment printout from the Department of Employment and Workforce (DEW) to prove no receipt of wages from an employer within the required timeframe.**

Persons who are in the process of seeking disability benefits who report no income must provide a letter from the Social Security Administration verifying that they have an open case that is dated within the last 30days instead of an unemployment printout.

If an adult member of the household is receiving funds from an outside source to contribute toward household bills, determine the monetary amounts toward food, shelter, and utilities, and enter the average monthly income total in DBA as "contributions" or "miscellaneous income". Items that may be captured on the Declaration of Zero Income form include: child support (contributions in care of a child that is not court-ordered), utility check or other monetary assistance provided to the household that is not employment. **Be sure not to enter the same income twice.**

If a youth (under age 18) provides finances to the adult household member for food, shelter or utility expenses, the amount must be included as income to the adult under miscellaneous/cash contributions on the Declaration of Zero Income form.

- **Award Letters** (Social Security, Supplemental Security Income, VA Benefits, Pensions, etc.)

The Social Security Administration (SSA) announced that benefits will increase 3.2% in 2024.

Source: https://www.ssa.gov/cola/

A current year's award letter (only the pages that reflect gross income) may be used to verify income, using the gross amount.

Proof of disability is to be provided from a current or prior year's award letter from the Social Security Administration (SSA), a current year's letter from Vocational Rehabilitation or the Veterans Administration, disability income check, or an official handicapped sticker bearing the appropriate photograph. Disability may be temporary or permanent.

"Disabled" describes an individual who has a physical or mental impairment that prohibits one from working at any substantial employment that otherwise s/he would reasonably be able to perform and that will probably continue for an indefinite period of at least 12 months or who has been certified as permanently and totally disabled by a state or federal agency qualified to render that decision. Short-term disability and workman's compensation are also recognized as a form of disability.

A spouse or child receiving Social Security benefits is not necessarily disabled. There are three types of social security payments: (1) retirement payments as early as age 62, (2) survivor payments made at any age, and (3) disability payments made to disabled persons under the age of 65. The medical standards for disability are the same for Social Security (SS) as for Supplemental Security Income (SSI) for individuals age 18 or older. There is a separate definition of disability for SSI children under age 18.

SSI payments are made in three categories: (1) to aged individuals – 65 or older, (2) to disabled persons under 65 who have an impairment so severe the person cannot do any substantial work, and the impairment will last 12 months or result in death, and 3) to blind individuals under age 65 and legally blind. Children may receive SSI payments if blind or disabled, based upon the parent(s) resources and income.

If you have questions, contact your local Social Security office or call 1-800-772-1213. Note: The SSA has asked that CAAs contact them at the number above or your local SSA office if documents are required to service customers, rather than sending customers to their office for documents. "Understanding SSI" is available online at www.socialsecurity.gov/ and https://www.ssa.gov/ssi/text-understanding-ssi.htm.

- **Child Support**

When calculating child support to determine applicant eligibility, add all payments made within 30 days, to include the date of application, and enter the total "gross" amount into DBA using the monthly pay frequency. Include amount on Declaration of Zero Income Form if no other record is attainable.

- **Families with Foster Children**

A foster child is a child placed with a foster parent(s) by judgment, court order, or an authorized placement agency (state or local government organization).

When serving households with state-placed foster children, the foster child should **not** be included as a member of the household. These children are considered wards of the state. A DSS placement letter is required in the file. Monthly allowances made to foster parent(s) as reimbursement for the cost of caring for the

child should not be counted as income. However, separate wages paid to the parent should be included as income, as these funds are considered payment to the temporary caretaker.

- **Utility Checks**

When determining income, **utility checks made payable to and issued directly to the customer should be calculated as income** since the customer is not required to remit/forward this payment to the utility vendor as payment for service.

Utility checks issued directly to vendors monthly on behalf of applicants who reside in subsidized housing are benefits to subsidize the already very low-income status of those households. In these instances, benefits **are not to be counted as income** on the application.

Contributions/Income to Exclude

The following categories of contributions and income should not be counted when determining eligibility.

- **Temporary Assistance for Needy Families (TANF)**

TANF should not be counted as income.

- **Contributions from Nonprofits**

Contributions/donations from non-profits should not be included as income unless the funds are given directly to the customer. Funds paid directly to the vendor on behalf of the customer should not be counted as income.

- **COVID-19 Contributions**

No contributions or pay related to COVID-19 should be counted as income. Ex. COVID-19 Stimulus check, or benefit for essential workers.

- **Income Tax Refunds**

Tax Refunds should not be included as income (refer to US HHS IM 119 or LIHEAP Memorandum No. L08-05 for additional information).

- **Income from Minors**

Income is not calculated for persons under age 18 (to determine income eligibility); however, if the youth provides finances to the adult household member for household expenses, the amount must be included as income to the adult under miscellaneous/cash contributions. If household members under 18 receive Social Security or Disability income, the gross amount must be included as income under the payee or custodial adult's name living in the household.

Please note**: The current DSS printout may not be used to verify members of the household, or earned income**; however, it may be used to verify utility check and child support amounts if listed on the printout.

- **Student loans**

Student loan refunds should be included as income if funds are used to help sustain the household.

- **Disaster Assistance**

Income from disaster relief assistance, such as FEMA, should not be included as income.

PROGRAM ELIGIBILITY

Once an applicant has been determined to be income eligible, program eligibility must be established in accordance with the Office of Economic Opportunity's approved CSBG State Plan, the CAA's approved CSBG Community Action Plan and/or federal and state laws, policies and procedures.

South Carolina Identification

All customer documents must be current and accurate at the time of application to determine program eligibility.



The applicant must provide a copy of his/her current official (state-issued) pictured identification such as a South Carolina identification card or driver's license. Eligible residents may obtain a SC identification card from the SC Department of Motor Vehicles.

All information provided for income and program eligibility must be consistent. If a client's address listed on the application or bill does not match the address listed on their driver's license/ID, their address may be changed and printed online (https://www.scdmvonline.com/Driver-Services/Drivers-License/Address-or-Name-Change.) If the online process cannot be accomplished, the customer is responsible for providing the current driver's license/ID.

NEW! Serving Homebound Applicants with Expired South Carolina Identification

A homebound person is defined as one who is unable to leave his/her home due to:
(1) advanced age (75+);
(2) disability; or
(3) illness
AND requires the help of another person or medical equipment to leave the home, or a doctor believes that a person's health or illness could get worse if he/she leaves the home.

A homebound individual who has an expired ID may be assisted with a clarifying statement of his/her homebound status.

CAAs must defer to their agency's internal procedures to serve homebound individuals. Homebound assistance will allow staff to verify the applicant's identity and billing address.

South Carolina Identification for Immigrants

The SC Department of Motor Vehicles requires eligible residents to present originals or government-issued copies to prove (1) South Carolina residency, (2) identity, date and place of birth, authorized length of stay in US and (3) legal documents supporting name change(s).

If an immigrant is denied a South Carolina ID, the CAA should contact OEO for further guidance.

Serving Undocumented Immigrants

CSBG does not require proof of citizenship (ex. Social Security card) to be eligible for assistance, therefore, "non-citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs" (CSBG IM No. 30, US Department of HHS for Children and Families Office of Community Services Division of State Assistance). Therefore, agencies should not require Social Security cards to determine eligibility.

Serving Agency-Related Parties

There is no rule against an eligible entity providing CSBG-funded services/benefits to members of its tripartite board, its staff or members of their families who apply for services/benefits, provided that:

(1) The applicant meets all applicable eligibility criteria for the services/benefits;
(2) The applicant does not receive preferential treatment in receiving the services/benefits due to his or her connection with the eligible entity; and
(3) The services/ benefits are provided on terms similar to those provided to individuals who are not so connected to the entity.

Neither the applicant nor a member of his/her family should make the determination of whether the applicant is eligible for the CSBG-funded services/benefits. Furthermore, **The Executive Director must approve all agency employee, board member and employees of**

other CAAs applications for assistance by signing and dating the application BEFORE payment is rendered.

Visit CAPLAW for more information.

Frequency of CSBG Services
The frequency of CSBG services is determined by the eligible entity (CAA) and approved by OEO through the agency's annual Community Action Plan.

Maximum Allowance of Services
The maximum amount of CSBG funds allocated per household is determined by the eligible entity (CAA) and approved by OEO through the agency's annual Community Action Plan.

Local Initiative Projects

The specific projects for a given service area shall be determined by the local community action agency through a community needs assessment process. Therefore, anti-poverty strategies shall be based on locally defined needs and must involve services which are based on a community's own analysis of the poverty related problems.

Local initiative projects shall include those services and activities which address the anti-poverty goals as set forth in Section 676 of the CSBG Act and may include projects in the areas of employment, education, income management, housing, nutrition, or other areas in which there may be obstacles which hinder the achievement of social and economic self-sufficiency by low-income persons.

NOTE: The purchase and distribution of gift cards by local CAAs is disallowed, unless otherwise approved by OEO.

Frequency of Service
The frequency of service for local initiative projects is determined by the eligible entity (CAA) and approved by OEO through the agency's annual Community Action Plan.

Maximum Allowance
The maximum amount of CSBG funds allocated per household for various local initiative projects is determined by the eligible entity (CAA) and approved by OEO through the agency's annual Community Action Plan.

Community Initiatives

Community-level initiatives are projects that have a clearly defined purpose or goal to create measurable community-level change in a specific area. The goal of a community-level initiative is to change the conditions and/or environment for a targeted low-income population chosen by the eligible entity (CAA). These initiatives are to be guided by the Community Needs Assessment.

As an option, South Carolina will allow CAAs to target income-eligible communities based on evidence and/or research that proves the targeted population qualifies for CSBG programs. Agencies should establish a memorandum of understanding (MOU) with partners outlining the agreement between parties and mutual expectations.

Maximum Allowance
The maximum amount of CSBG funds allocated for community-level projects is determined by the agency and approved by OEO.

Reporting
CAAs should complete the **Community Initiative Status Form** for the agency's initiatives intended to achieve community level outcomes. This form should be utilized to report the status and progress of a single community initiative that started, continued, or ended during the current reporting period.

G E A P (General Emergency Assistance Program)



The Office of Economic Opportunity requires each eligible entity to provide an emergency assistance program referred to in the State of South Carolina as the General Emergency Assistance Program (GEAP).

An emergency is defined as a sudden, urgent, unexpected occurrence or occasion requiring immediate action; a state, especially of need for help or relief, created by some unexpected event; an unforeseen combination of circumstances or the resulting state that calls for immediate action; or an unexpected situation that poses an immediate risk that requires urgent intervention. **An emergency is never planned.**

Timeframes for Emergency Response

The purpose of this project is to assist low-income persons in meeting the emergency needs confronting them within 72 hours or sooner (42 U.S.C. § 9908(b)(1)(A)(vi); PY 2024 CSBG State Plan). The timeframe required to address emergency services begins once the agency collects all documents necessary to determine the household's eligibility.

The U.S. Department of Health and Human Services has stated that agencies are to have mechanisms in place to resolve emergencies over weekends and holidays. This may include a 24-hour contact name and number or may provide for staff to work weekend hours in case of fires, life threatening temperatures and/or acts of God. Carefully document files in these situations.

GEAP Customer Assistance

The applicant must reside at the address stated on the lease/bill; however, when the lease/bill is in the name of a household member other than the applicant, the applicant must provide proof s/he resides at that address, relationship to applicant (if applicable) and approval to access that account. Husband and wife living in the same household do not need approval to access the account.

A lease/bill will no longer be accepted if the person whose name appeared on the lease/bill has been deceased longer than 12 months (proof needed), lease/bill is in a minor child's name, or lease/bill is in non-household adult's name.

When the bill is in the name of the landlord, the landlord must provide a statement indicating that the applicant is permitted to access that account, to include making payment on the account. The file must include this documentation. Customer must provide a current Lease Agreement indicating the account is in the landlord's name, but the bill is the responsibility of the tenant.

GEAP funds should not be used to pay utility bills in 2024 unless the total allocations for **LIHEAP and Project Share** funds have been exhausted for the program year, by county, or the household includes an undocumented immigrant facing a home heating/cooling emergency. **This must be proven during monitoring.**

IMPORTANT: CAAs shall not require the applicant to complete additional steps before emergency CSBG service is rendered (Ex. budgeting class).

Updated! EXAMPLES OF GEAP EMERGENCIES

NOTE: This list is not inclusive of all allowable emergencies

- Current **Eviction** or **Threat of Eviction**
- Temporary housing or relocation resulting from an **act of God** (Burnout, tornado, hurricane, earthquakes, ice storm or flood) resulting in the need for temporary housing/shelter or relocation.
- Job Loss (within 90 days), proven medical emergency that caused proven financial hardship, proven reduction in income (more than 40%) or death of primary income provider/wage earner.
- **Medical emergencies**
- **Food assistance**
- Undocumented immigrant(s) in need of heating/cooling assistance may be served with GEAP funds.

GEAP Allowable and Unallowable Charges

GEAP funds **may** be used to pay:

- Emergency rent (to include deposits)
- Eviction/court costs
- Late Fees
- Emergency Mortgage Assistance
- Lot Rent
- Water
- Sewer
- Mandatory and/or regulated fees required for service
- Other emergencies approved by OEO

GEAP funds **may not** be used to pay:

- Security systems, **HOA fees**, returned check fees, meter tampering charges or any other illegal charges.

NOTE

All unallowable charges MUST be paid prior to service or deducted from the maximum award benefit. A letter from the vendor will suffice as proof that the merchant will work with the customer on the outstanding amount of unallowable charges.

Past Due Customer Charges

It is OEO's intent to offer customers the greatest benefit to eliminate their immediate emergency. Therefore, **there are no restrictions on how far back an agency can pay towards the customer's expenses, regardless of when the debt was accrued, if expenses are allowable and in accordance with the grant/approved program.**

Example: When serving a customer with a 2024 bill, allowable charges accrued at any time in 2023 or prior, may be paid up to the maximum dollar amount.

- The applicant or household member's name must be listed on all bills.
- Information in the file must correspond (Ex. Physical addresses and/or names).
- The agency may not exceed the approved maximum benefit per household, as approved by OEO.

GEAP Customer Checklist

Each customer file must contain current, accurate and legible documents to include:

- ☐ Completed, signed application reflecting the FPL and all household members
- ☐ Proof of income for all household members age 18 and older
- ☐ Photo identification of the applicant
- ☐ Lease or bill

- ☐ Agency input sources (DBA Action Plan, income screen(s), unallowable cost calculations)
- ☐ Proof of agency's commitment (voucher, check number)
- ☐ Other pertinent information/documents

Referrals: Evidence of referrals, as outlined in the approved Community Action Plan, must be documented in client files, when applicable.

CSBG Housing Assistance



CAAs have the flexibility to create local initiative programs based on their assessment of poverty related problems, outlined in their community needs assessment, that do not duplicate the current efforts of another local organization. Assistance may be provided to eligible households to address issues related to housing.

A clearly defined policy for service delivery must be included in the agency's Community Action Plan submitted to OEO. The frequency of service delivery and maximum benefit per household is determined by the agency and approved by OEO.

NEW! Mortgage Assistance

CSBG funds may be utilized to provide mortgage assistance including taxes, insurance, and interest (Federal CSBG-IM-2022-163), Mortgage Payment Assistance. Each eligible entity will determine the maximum amount allowed per household for mortgage assistance, in accordance with the cost of housing in their service area(s) and the frequency of assistance for the program year.

Proof of emergency and proper documentation is required. The applicant must be the primary residence at the address stated on the mortgage bill/title/deed; however, when the mortgage bill/title/deed is in the name of a household member other than the applicant, the applicant must provide proof s/he resides at that address, relationship to applicant (if applicable) and approval to access that account. Spouses living in the same household do not need approval to access the account.

Note: Security systems, HOA fees, returned check fees, meter tampering charges or any other illegal charges.

CSBG Nutrition Assistance

In correspondence with the top needs identified with the CAA's community needs assessment, initiatives that address barriers to obtain sufficient and healthy food for low-income families may be provided.



A clearly defined policy for service delivery should be outlined in the agency's Community Action Plan submitted to OEO to include program qualifications and the dollar amount provided to a household based on household size.

Agencies should establish a memorandum of understanding (MOU) when partnering with local grocers. Purchases shall not include alcohol or tobacco. Receipt of purchase must be in the customer file.

Tips: provide information on how to budget and plan for healthy meals.

All services and/or value of service must be entered in DBA and tracked by way of a customer award.

CSBG Employment and Education

To address barriers to employment and help increase an individual's wages, CAAs may choose to partner with local employers or educational institutions.

- Agencies should establish a memorandum of understanding (MOU) when partnering with organizations that outlines an agreement between parties and mutual expectations.
- CAAs may purchase necessary items for participant success to include books, uniforms, and other supplies.
- **IMPORTANT: Agencies should only pay for expenses not already covered by the student's financial aid.**
- At a minimum, consistent case management and follow-up should be conducted monthly through the completion of the program. Tip: As a best practice, follow-up with participants beyond program enrollment to track success.
- Consider providing additional supports to ensure the participant is successful (assistance with childcare, transportation, or other household bills as an incentive to complete the program).

The frequency of service delivery and maximum benefit per individual is determined by the agency and approved by OEO.

All services and/or value of service must be entered in DBA and tracked by way of a customer award.

Youth Leadership Program (YLP)



In accordance with section 676(b)(1)(B), the statewide youth leadership program will provide income-eligible **elementary, middle** and **high school students** educational opportunities targeting individual improvements in academic, behavioral and social achievement, resulting in increased self-sufficiency.

Youth Leadership Activities

Youth leadership activities should encourage youth development in a way that prepares young people to navigate adolescence and realize their potential as an adult. An important aspect of youth development is leadership programming.

Youth leadership programs should focus on youth developing the following:

- The ability to analyze strengths and weaknesses
- Set personal and educational/career goals, and have the self-esteem, confidence, motivation, and abilities to carry them out (including the ability to establish support networks in order to fully participate in community life and effect positive social change).

While **youth development programs** meet basic physical, developmental, and social needs, **leadership programs** seek to position youth as leaders in their community, to take positions of leadership in companies, organizations and professional associations. Through youth leadership programs, young people gain the skills and knowledge to lead civic engagement, education reform, and community organizing activities. Youth leadership is both an internal and an external process (National Collaborative on Workforce and Disability for Youth, 2005).

Youth Leadership Enrollment

- ☐ Each parent/student must complete a DBA application each program year (January 1 – December 31) for enrollment to determine/verify eligibility.
- ☐ The CAA should provide a master list of eligible recipients entering the YLP, include date enrolled, date completed or date and reason the student discontinued the program.
- ☐ Document that each eligible student qualifies by verifying the student's

household is within the CSBG income guidelines.

- ☐ A pre- and post-assessment must be documented in each student's file. The pre-assessment is to be completed upon a student's acceptance/enrollment to YLP. Document each student's post-assessment with actual outcomes (i.e. personal and academic achievements, improvements in life skills).
- ☐ Document each student's attendance with attendance logs, including the student's signature, date and time in attendance, with the coordinator's signatures and date.
- ☐ Document each scheduled workshop with coordinator's activity report, include in the report, the date, time and place of each workshop, activities performed, and coordinator's signature and date.
- ☐ Document field trips with signed parental permission, Disclosure Authorization and Release Form, field trip permission slip, approval attendance logs, costs, and activity report signed and dated by the coordinator. **Note: All students enrolled in the YLP, regardless of age, must have parental consent.**
- ☐ Document supplies or other materials distributed with student's signature, date and purpose of activity.
- ☐ **All services and/or value of service must be entered in DBA and tracked by way of a customer award.**

Enrolling Foster Children

Because foster children are not included as members of the household when determining eligibility, the CAA should complete a DBA application with the child listed as the only member in the household. The child's guardian must sign the application. Proof of income is not required for children under the age of 18. A student ID may be included in the file.

Youth Leadership Internships

The following information must be submitted to OEO for approval if internships are being charged to CSBG:

1. Must be outlined in agency's policies and procedures manual (copy required with Community Action Plan);
2. Identify eligibility criteria;
3. Define who's eligible;
4. Explain how you arrived at the hourly rate;
5. Memorandum of Understanding is required between agency and employer and must include termination policy (termination should occur as soon as possible if internship is not working appropriately); and
6. 1099 Forms must be provided to each student receiving more than a total of $600 per year for income tax purposes and tax regulations must be adhered to.

Important: Youth leadership interns should only be compensated for jobsite work-related activities. Interns should not be paid when they are absent from work, regardless of if the absence is related to him/her attending field trips or other statewide youth leadership activities.

Youth Leadership Stipends

OMB Omni Circular states, "Participant support costs are direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with meetings, conferences, symposia, or training projects. These costs are allowable with the prior approval of the awarding agency."

All proposed stipends for CSBG programs must be sent to OEO in writing, clearly justifying the stipends relative to the programs' success. OEO will send a written notification of approval for

the stipend. Each participant's file must provide adequate documentation to support these expenditures.

The following information must be submitted to OEO for approval if stipends are charged to CSBG:

1. Identify eligibility criteria;
2. Define who's eligible;
3. Explain how you arrived at the stipend figure; and
4. Explain why the stipend is being offered (stipends are allowed for childcare, transportation, or time lost from a job to attend sessions and must be justified with receipts)

Youth Leadership Inventory Purchases

The agency must provide an itemized listing of merchandise/products purchased, the unit price, total costs, and a list of students in receipt of the inventory. Proper documentation, to include procurement and receipts must be in the agency's master youth leadership file.

If there is any remaining inventory at the end of the program year, once spending is authorized for the following year, the agency should use current year YLP funds to purchase the inventory from the prior program year and ensure the inventory is recorded in the current program period. The previous year's inventory must be cleared out prior to submission of the final FSR.

Laptops for Graduating Youth Leadership Participants, Only. OEO will no longer allow the purchase of laptops for all youth leadership participants.

Laptops may only be purchased for graduating youth enrolled in the CAAs youth leadership program who have been accepted and plan to attend college, technical or vocational school.

Proper documentation to include procurement and receipts for all technology purchases must be in the student's file. The purchase of laptops must be included in the CAAs logic model and Youth Leadership/CSBG budget accepted by OEO.



Youth Leadership Staff training

The OMB Omni Circular (§200.472) emphasizes that staff training, and education costs are allowable expenditures. To be approved, OEO requires the agency to demonstrate that staff training and education costs are directly related to the program requirements and are designed to increase the employee's effectiveness within the youth leadership program.

To reduce staffing costs, CAAs may hire youth leadership staff (excluding full-time agency staff) on a contractual basis. **Note:** Agency must refer to the OEO Fiscal Guidance and Procedural Manual prior to contracting for professional consultant services.

Subgrantees must expend all YLP grant funds during the period January 1 – December 31. All unexpended YLP funds and State CAP Association funds must be remitted to OEO at the close out of the grant period (by February 15th along with the final FSR).

CSBG Program Inventory

Items purchased to be distributed as part of a service should be accounted for and tracked in DBA by way of award. For example: Food boxes, health kits, laptops, etc. If there is remaining inventory and the end of the program year, the CAA should purchase the inventory with new grant year funds and ensure the inventory is recorded in the current program year period.

CSBG Program Reporting



Logic Model Targeting & Projections

A logic model (also known as a logical framework, theory of change, or program matrix) is a tool used by funders, managers, and evaluators of programs to evaluate the effectiveness of a program. They can also be used during planning and implementation.

The GPRA legislation (Government Performance and Results Act of 1993/ Modernization Act of 2010) refers to "performance plans" and "performance goals," which both relate to the concept of planning for specific results. This references two kinds of targets: the number of people who are expected to be served and the number of people (of those served) who are expected to achieve an outcome. These targets are identified in planning, so they can be assessed in the evaluation phase.

To improve program targeting, OEO allows agencies the flexibility to adjust program projections as the state receives updated notices of funding. Subgrantees will have a maximum of ten (10) business days following South Carolina's notice of CSBG Awards to update services and/or projections on the ROMA logic model. **Logic model targeting should not be altered after the state's final award has been received for the program year.** Instead, targeting variances should be explained in the annual report when prompted (Ex. Anticipated funding was reduced; therefore, participant enrollment was limited).

Final logic models reporting the achievement of results (column 5, Actual Results) are due to OEO no later than January 15, 2024.

CSBG ROMA Outcome Measures Report

The CSBG ROMA Outcome Measures Report is due to OEO quarterly on the 15th day following each quarter, for the first through third quarters. Each agency's Annual Report submission (due to OEO no later than February 15th) will serve as the agency's 4th quarter report.

All reports must be submitted in a timely manner; timeliness will be reported on risk assessments.

Certified ROMA Trainer/Implementer Tracking Report

Each Nationally Certified ROMA Trainer (NCRT) is required to conduct at least one full Introduction to ROMA training each year (this applies to every year that you are an active NCRT), and provide a report of your training activities to the national office (via http://www.roma-nptp.org/training_info.html).

To assure on-going competence as a ROMA Professional, National Peer to Peer Training (NPTP) requires NCRTs attend the In-service Continuing Education Program (ICEP) at least once in each recertification period. Due to the

pandemic, all participating NCRTs must complete a minimum of 5 hours of web-based training each year.

If you have been certified as a ROMA Implementer during this period (making you dually certified), or if you became a Master Trainer during this period, you can use this certification in place of either of these two afore-mentioned items. Make a note in the appropriate text box.

ROMA Recertification Measurement Tools

Each of the items listed above has specific "tool" to demonstrate that the requirement has been met.

- **Trainers:** To document provision of training, go to http://www.roma-nptp.org/training_info.html and enter details of upcoming training. Enter follow up after training.
- **Implementers:** To document agency ROMA implementation, update ROMA Audit and the Impact Pathways Plan each year using the recertification application. All NCRPs will be asked to produce correctly developed logic models and demonstrate other competencies in the recertification application.

NOTE: Without recertification, NCRTs will become inactive.

To comply with the requirements to maintain one's ROMA certification, OEO will monitor each ROMA Trainer/Implementer to ensure the accomplishment of applied training hours. **The tracking report will be due to OEO quarterly on the 15th day following each quarter.**

Board Meeting Minutes

To assure board compliance (as outlined in South Carolina's 2024 CSBG State Plan), **eligible entities shall provide the OEO, through DBA's Board Pro, a current board of director's roster and completed and signed board composition forms with the necessary attachments.**

Changes in composition are to be reported to the OEO within thirty (30) days of the change. Additionally, Subgrantees shall upload executed minutes to Board Pro for each board meeting no later than thirty (30) days following the approval of the minutes in DBA.

Organizational Standards

Information memorandum (IM) #138 provides guidance and describes State and Federal roles and responsibilities for the establishment of organizational standards as a component of a larger performance management and accountability system for CSBG.

OCS required States, no later than FY 2016, to establish and report on their organizational standards for CSBG eligible entities.

The requirement of organizational standards for South Carolina's eligible entities became effective January 1, 2016. All 58 standards were to be achieved no later than December 31, 2016, and maintained according to the Calendar of Required Actions.

To ensure the consistent achievement of the 58 Organizational Standards as required by OCS, OEO requires each CSBG eligible entity to upload and maintain all standards in DBA for approval.

Organizational Standards must be accomplished according to the Calendar of Required Actions, no later than December 31st each program year. Each state's achievement of standards is reported to HHS on an annual basis.

In 2024, standards listed in the following categories of the Calendar of Required Actions are due: maintained, more frequent than annual/as needed, annually, and every three years.

To view the Calendar of Required Actions visit CSBG Organizational Standards: Calendar of Required Actions | National CAP (communityactionpartnership.com)

Appendix A

GEAP Checklist

DBA APPLICATION (Customer Report)	YES	NO
ACTION PLAN COMPLETED	YES	NO
CURRENT LEASE AGREEMENT (Emergency Rental Assistance)	YES	NO
FOLLOW-UP COMPLETED (If Applicable)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Semi-monthly/Monthly)	YES	NO
LEGIBLE SOUTH CAROLINA PICTURE ID	YES	NO
CURRENT PROOF OF EMERGENCY LIST: _____ (EX: EVICTION NOTICE/ FIRE REPORT/ PRESCRIPTIONS)	YES	NO
PROOF OF COLLABORATIVE EFFORTS (IF BALANCE WAS NOT PAID IN FULL) EX: CUSTOMER CONTRIBUTION, REFERALS, PARTNERSHIPS, ETC.	YES	NO
RENTAL AFFIDAVIT/MORTGAGE STATEMENT	YES	NO
MANDATORY DBA VOUCHER / CHECK NUMBER	YES	NO
REFERRAL FORM (If Applicable)	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE:_____

Appendix B

Local Initiative Project Checklist

DBA APPLICATION (Customer Report)	YES	NO
ACTION PLAN COMPLETED	YES	NO
FOLLOW-UP COMPLETED (If Applicable)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Semi-Monthly/Monthly)	YES	NO
LEGIBLE SOUTH CAROLINA PICTURE ID	YES	NO
MANDATORY DBA VOUCHER/ CHECK NUMBER	YES	NO
REFERRAL FORM (If Applicable)	YES	NO
INVENTORY PROVIDED (If Applicable)	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Appendix C

Youth Leadership Checklist

DBA APPLICATION (Customer Report)	YES	NO
ACTION PLAN COMPLETED	YES	NO
FOLLOW-UP COMPLETED (IF APPLICABLE)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Monthly)	YES	NO
LEGIBLE SOUTH CAROLINA PICTURE ID'S (PARENT & STUDENT)	YES	NO
LESSONS IN CHARACTER	YES	NO
SIGN-IN SHEETS	YES	NO
PRE-ASSESSMENT / POST-ASSESSMENT	YES	NO
PROGRAM EVALUATION (END OF PROGRAM YEAR)	YES	NO
MANDATORY DBA VOUCHER / CHECK NUMBER	YES	NO
YOUTH LEADERSHIP INVENTORY PROVIDED (IF APPLICABLE)	YES	NO
TIMESHEETS (IF APPLICABLE)	YES	NO
GRADES (IF APPLICABLE)	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Appendix D

Quarterly CSBG ROMA Outcome Measures Report

CSBG ROMA OUTCOME MEASURES REPORT

Circle the Quarterly Reporting Period		
1	2	3

Agency reporting: _____

Instructions: Report year-to-date achievements toward annual projections by program.

*National Goal 1: **Individuals** and **families** with low incomes are stable and achieve economic security.*
*National Goal 2: **Communities** where people with low incomes live are healthy and offer economic opportunity.*
*National Goal 3: People with low incomes are engaged and active in building opportunities in **communities**.*

Program Name *(GEAP, YLP, ECIP, DA, etc.)*	National Performance Indicator (NPI)	Service Domain	Initiative Level *(Individual, Family, Community)*	Annual Target (#) *(Target enrollment for the PY, Reference approved logic model.)*	Projected Achievement (#) *(Expected results for the PY, Reference approved logic model.)*	Achieved (#) *(Number achieved.)*	Enrolled (#) *(Number enrolled, but still progressing toward outcome.)*
Employment	*FNPI 1b. The number of adults who obtained employment (up to a living wage).*	*Employment*	*Individual*	*5*	*3*	*1*	*2*

Appendix E

MORTGAGE ASSISTANCE AFFIDAVIT

Let it be known that I, _____, am the mortgage holder for (Mortgagee), _____

_____ residing at _____.

I have not received a payment since _____ causing the homeowner to be _____ month(s) delinquent. I consider the homeowner's delinquency serious and require immediate attention.

Total Monthly Mortgage Payment $ _____ Total Amount due to-date $_____

Mortgage Payment Insurance Amount Due $ _____
Mortgage Payment Taxes Amount Due $ _____
Mortgage Payment Other Amount Due $ _____ Specify_____
Total Mortgage Payment Due $ _____
Total Due: **$** _____

Total Amount Paid by Agency toward delinquency $ _____

Total Amount Paid by Customer toward delinquency $ _____

I understand that any misrepresentation of information on this form will result in an investigation and possibly prosecution of the parties involved.

_____ _____
Mortgage Holder Representative Date

_____ _____ _____
Mortgage Holder Address City, State, Zip Code Telephone Number

_____ _____
Attest Date

_____ _____
Homeowner's Signature Date

_____ _____
Agency Representative Date

Appendix F

How to Use the ROMA Logic Model

Program Connections Using a Logic Model Framework Indicators and Outcomes

Need Statement (family level)	**Outcome Statement** (family level)
Parents are not involved in their children's school activities	**Parents increase their involvement with children's school activities**
Service	**Projected Indicators**
50 parents will participate in parent support group meetings during the school year.	50 out of 50 or 100% of parents will report helping with homework by the end of the school year.
	30 out of 50 or 60% of parents will report that they communicated with the teacher within the school year
	45 out of 50 or 90% of parents will report that they participated in school functions and meetings by the end of the school year.

Targets Identify the Scope of the Expected Results

Example of Results (Outcomes):

- Program participants pass the GED test and secure high school diploma
- Parents demonstrate increased knowledge of good parenting skills
- Customers obtain the necessary skills for jobs.

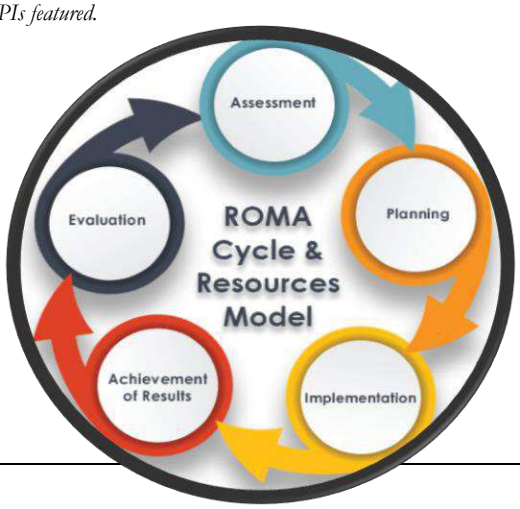
Example of Targets (Projected indicators):

- 30 of 50 participants (60%) will achieve a passing score on the GED exam within the program year to secure a diploma
- 25 out of 50 parents (50%) will achieve a passing score on a post test of knowledge related to parenting 30 days after the completion of the training program.
- 50 out of 100 customers (or 50%) in training classes will obtain skills within one year

How Do You Know?

Organization/Program: Adult Education			Level: _X_ family __ agency __ community		
Need	Service or Activity *Include who will be served, how many people/units of service and time frame.*	Outcome	Indicator *Of those who will be served, how many will achieve the outcome in the time frame.*	Evidence The tool that will be used to measure and document success.	Data collection processes and personnel
Individuals in the community have no HS diploma or GED.	50 students will enroll in a year long GED test preparation class.	Program participants pass the GED test and secure a high school diploma	30 of 50 (60%) will achieve a passing score on the GED exam within the program year.	Output Measure: Attendance log from class. Outcome Measure: GED test scores , copy of diploma	Program attendance is logged during every class. GED test scores are logged by staff.
Mission Statement:					

Note: This is a planning logic model and does not have an Actual Column Included or NPIs featured.



What actually happened?

Projected Indicators	Actual Indictors
30 of 50 participants (60%) will achieve a passing score on the GED exam within the program year	28 of 50 participants (56%) actually achieved a passing score on the GED exam within the program year
25 out of 50 parents (50%) will achieve a passing score on a post test of knowledge related to parenting 30 days after the completion of the training program.	26 out of 50 parents (52%) actually achieved a passing score on a post test of knowledge related to parenting 30 days after the completion of the training program.
50 out of 100 customers (or 50%) in training classes will obtain skills within one year	55 out of 100 customers (or 55%) in training classes actually obtained skills within one year

Agency Ability to Target

Targeting Success Calculation
GED follow up: 28 achieved / 30 were projected to achieve = a 93% accuracy rate for our targets.
Parenting Knowledge follow up: 26 achieved / 25 were projected to achieve = a 104% accuracy rate for our targets.
Job Skills follow up: 55 achieved / 50 were projected to achieve = a 110% accuracy rate for our targets.

Section 3

Low-Income Home Energy Assistance Program Federal Overview

***The Low-Income Home Energy Assistance Program**, administered by the states, assists low-income households, particularly those with the lowest incomes that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs.*

Congress established the formula for distributing funds based primarily on each State's weather, fuel prices, and low-income population. Allocations for subgrantees is calculated based on the 10-year United States Census poverty rates of the county(s) served by the sub-grantee. Home energy is defined as a source of heating or cooling in residential dwellings. Grantees (states) can use funds for heating and/or cooling costs as well as up to 15% of their funding for weatherization assistance.

LIHEAP defines eligible household members as any individual who is a U.S. citizen or "qualified alien". A "qualified alien is defined at 8 U.S.C. § 1641(b). Members of the household must meet the eligibility requirements specified in Section 2605(b)(2) of the Low-Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)). According to the LIHEAP Act of 1981, the term **"household" means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent.**

The Federal income eligibility range is based on a household's income and must not exceed 60 % of the State's Median Income (SMI). Grantees (states) must provide crisis assistance. States have the option to provide home heating/cooling, weatherization and/or energy-related minor home repairs.

Home Energy Assistance Program State Overview

In its 1994 reauthorization of the LIHEAP program (Public Law 103-252, signed May 18, 1994), Congress put additional emphasis on awarding benefits to those who needed them most by defining the purpose of LIHEAP as, in part, to "**provide assistance to low-income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy.**"

Further, Section 2605(b)(5) was changed and now requires States to "provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size."

South Carolina's Home Energy Assistance Program is designed to help the state's income eligible households pay the price of home energy, defined as residential heating and cooling, and to increase energy self-sufficiency; thereby reducing the vulnerability resulting from energy needs. The program is also designed to intervene in energy-related crisis situations (42 U.S.C. 8623(c) and 8624(b)(1)) and to conduct outreach (42 U.S.C. 8624(b)(1)). The program also provides services to encourage and enable households to reduce home energy needs and consequently eliminating the need for energy assistance including needs assessments, energy and income counseling and assistance with energy vendors (42 U.S.C. 8624(b)(16)). Payments are made directly to vendors and credited to the applicant's bill.

South Carolina's LIHEAP Program Goals

The goals for LIHEAP are:

1) Expand outreach to previously unserved households;
2) Target energy assistance to eligible households with the highest energy needs and lowest incomes;
3) Increase efficiency of energy usage by applicant households; and
4) Identify resources to broaden the reach of LIHEAP funds.

Grant Award Disbursements

Agencies will receive the grant award(s) based upon OEO's receipt of the federal notice of award(s), the timely completion, receipt and final OEO approval of the agency's Community Action Plan and application budget.

LIHEAP Fund Limitations

Section 2609 of the LIHEAP Statute (Limitations on Use of Grants for Construction) state Grants made under this title may not be used by the State, or by any other person with which the State makes arrangements to carry out the purposes of this title, for the purchase or improvement of land, or the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility.

South Carolina's LIHEAP Operations

South Carolina's LIHEAP operates on a calendar year (January 1 – December 31), and provides eligible households benefits in the following categories:



Heating: January 1 – April 30
Cooling: May 1 – September 30
Heating: October 1 – December 31
Crisis: January 1 – December 31

Heating and cooling assistance must only be provided during the appropriate season.

Mandatory use of the Statewide Database

Subgrantees must fully utilize the DBA FACSPro database system to include the DBA application (customer report) for customer intake as arranged by the South Carolina OEO.

Each eligible entity shall use the statewide application generated by (DBA) **in its entirety** to determine eligibility for OEO administered grants. The following documents are included as part of the mandatory statewide application:

- Notice of Fair Hearing and Appeals (which shall be provided to all customers)
- DBA Application (customer report) signed by the customer and agency staff.
- DBA Customer Voucher (to include the statewide Notice of Fair Hearing and Appeals)
- DBA Vendor Voucher
- Notice of Denial (when applicable)

The OEO prohibits any practice of pre-screening or preapplication. Failure to use the full OEO application as intended by the State may result in consequences against the eligible entity.

Customer Applications

Application Retention

OEO eligible entities are required to fully utilize the statewide database (DBA FACSPro) and must enter and account for all customer applications in DBA, whether the household/customer is assisted or not. Not retaining or destroying applications submitted to a local agency violates 45 CFR §75, Retention requirements for records.

Timeframes to Process Customer Applications

Except for emergencies, OEO requires eligible entities to process all nonemergency customer applications, regardless of the method of intake, within 10 business days of receipt and to notify each applicant of their approval, denial or when additional information is required to determine eligibility.

When does the application process begin?

Each agency should have a process in place to timestamp applications submitted to the agency. If not, OEO will consider the date on the customer's original application to determine compliance with the 10 business days allowed to process applications.

***New!* How to Serve Households Relocating**

When providing a service to a household relocating outside of the CAA's service territory, **it is the responsibility of the CAA where the household currently lives to provide the service**.

Example: A customer with a newly executed lease who has yet to move to the new location but is seeking assistance with an energy deposit would be served by the agency where the household currently resides.

In summary, the CAA where the household currently resides will pay the energy deposit for energy to be established at the new location.

Notice of Denial for Ineligible Applicants

For applicants/households deemed ineligible, CAA intake staff should select the "Service Not Received" option in the statewide database to properly account for ineligible and incomplete applications.

A **Notice of Denial form** will automatically print when "Service Not Received" is selected. The agency must notify the applicant of their reason for denial as outlined on the form:

- ☐ Applicant/household did not meet the program eligibility requirements.
- ☐ Applicant failed to provide sufficient evidence regarding their application to determine eligibility.
- ☐ Other

LIHEAP Federal Income Guidelines

South Carolina will determine LIHEAP eligibility based on 60 percent of the State's Median Income (SMI).

FAMILY SIZE	60% MONTHLY HOUSEHOLD GUIDELINE	60% ANNUAL HOUSEHOLD GUIDELINE
1	$2,178.19	$26,138
2	$2,848.33	$34,180
3	$3,518.58	$42,223
4	$4,188.83	$50,266
5	$4,859.00	$58,308
6	$5,529.26	$66,351
7	$5,654.92	$67,859
8	$5,780.59	$69,367
9	$5,906.26	$70,875
10	$6,031.92	$72,383
11	$6,157.59	$73,891
12	$6,283.25	$75,399
13	$6,408.83	$76,906
14	$6,534.50	$78,414
15	$6,660.17	$79,922
16	$6,785.83	$81,430

FIGURE 1.1 State Median Income are in effect as of January 19, 2023. In accordance with 45 CFR 96.85, 60 percent of each State's estimated median income for a four-person family is multiplied by the following percentages to adjust for household size for LIHEAP:

South Carolina's SMI for a 4-Person family is $83,778. To calculate for one person multiple $83,778 by 52 percent. Multiply 68 percent for two persons, 84 percent for three persons, 100 percent for four persons, 116 percent for five persons, and 132 percent for six persons. For each additional household member above six persons, add three percentage points to the percentage for a six-person household (132 percent), and multiply the new percentage by 60 percent of the State's estimated median income for a four-person household ($83,778).

Income Eligibility

Applicants must apply in their designated service area based on the county in which they live. The 60% of the state's median income will be used as the primary criterion in determining income eligibility. To receive assistance under LIHEAP, an applicant's total household income must not exceed 60% of the state's median income (SMI). **The term "household" is defined by the LIHEAP Act of 1981 as any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent".** Total household income is based on income at the time of application.

One-time Income Verification

Income eligibility will be determined once during a program year considering the household's 30-day income at the time of the initial application. If the household meets the income guidelines, the household will be considered eligible for all qualifying grants for the remainder of the program year.

If the individual/household seeks additional assistance during the same program year, the CAA must complete a new DBA application (customer report) for each additional service and have the applicant sign the application for every service. The applicant and agency staff signatures must appear on ALL required documents for application.

The applicant will only be required to present a current bill and supporting documentation. Households may be reassessed if the household was deemed ineligible for assistance. Note: Agencies may choose to reassess households more frequently.

How to Calculate Income

When calculating total household income, include all income (use actual amount; do not round) for **the last 30 days** (include the date of application). Calculate the **"gross"** income to determine eligibility.

Once minimum income eligibility criteria is established, priority is then given to vulnerable households; particularly those with the lowest incomes that pay a higher proportion of household income for home energy, primarily in meeting immediate home energy needs.



Income & Contribution Frequencies

Income/contributions should be entered in the statewide database (DBA) based on the frequency of pay using gross amounts: when an applicant or household member is paid weekly throughout the 30-day period, enter the income as "weekly"; if



paid bi-weekly (every two weeks or 14 days) enter income as "bi-weekly; if paid semi-monthly (twice per month) enter as semi-monthly; if monthly (paid once each month) enter as monthly.

To determine the accurate 30-day income to be entered into DBA, the calculations are as follows:

- **Weekly:** (((amount 1 + amount 2 + amount 3 + amount 4) /4) * 4.33)
- **Bi-Weekly:** (((amount 1 +amount 2) /2) * 2.165
- **Semi-Monthly** (amount 1 + amount 2)
- **Monthly** (monthly income x 12)

Individuals with Wages

When an applicant or member of the household has earned only one paycheck in the 30-day period, enter it based on the frequency of payroll period, also. SC ROMA (DBA FACSPRO) will provide the calculations to determine eligibility.

Self-Employed Individuals/Tax Filings

When an individual is self-employed and operating a business outside of the home, use the "net" profit. An individual must provide a current signed and **accepted** Federal Tax Form in its entirety pertaining to the business (e.g. 1040 Schedule C of Profit or Loss or 1040 Schedule C-EZ). For Form 1040 schedule C, use total from line 31(Net Profit), divide it by 12 = monthly income amount.

If using form 1040 schedule C-EZ, line #3 should be used. Other IRS forms include Form 1065 Partnership Return of Income (request Tax Schedule K-1 Form 1065 Partner's Share of Income, Deductions, Credits), Form 1120S (request Tax Schedule K-1, Form 1120S). When an individual is

self-employed, operating an in-home business, such as childcare, use the "gross" income.

If a loss is reflected on the customer's tax document, income should be considered zero.

When only recently self-employed, an individual must provide quarterly, or monthly tax statements provided by the South Carolina Department of Revenue. If the self-employed individual does not file his/her taxes quarterly, provide a copy of the business license and Declaration of Zero Income form. If the self-employed individual does not file his/her taxes quarterly and does not have a business license, complete a Declaration of Zero Income form.

Tax form 1065 Partnership Return of Income

The schedule K-1 is a tax document used to report the income/losses of a business partners in a shared company. Use the income recorded on line 14A. Self-employment earnings (loss).

How to calculate quarterly taxes: Divide the most recent quarterly tax amount by 3 = average monthly income amount. Appointment books should not be used to verify income. When an individual's business has been terminated, verification of termination is required (e.g. state certification verifying termination).

- **Gig Economy Jobs**

When determining the income of contracted employment such as **Uber, Lyft, Grub Hub, etc.**, collect all wages (to include tips) received within 30 days of the date of application and calculate income using the **gross** monthly frequency.

Gig workers' income may be evaluated for eligibility in the following ways:

- **Monthly Wages**
  The customer's employment documentation must clearly display the business name (Ex: Uber), their first and last name, gross earnings for the entire month and indicate the month the wages were earned. Note: Gross amounts may include fees.

- **Day Laborers**
  When determining the income of **day laborers**, collect all wages received within 30 days of the date of application and calculate income using the monthly pay frequency.

- **NEW! Declaration of Zero Income Form with Unemployment Printout**

The Declaration of Zero Income form should be used as a last resort, when all efforts have been exhausted to provide sufficient documentation.

Persons reporting no earned income or having no source of a monthly benefit (such as Social Security) must complete the Declaration of Zero Income form **accompanied by an employment/unemployment printout from the Department of Employment and Workforce (DEW) to prove no receipt of wages from an employer within the required timeframe.**

Persons who are in the process of seeking disability benefits who report no income must provide a letter from the Social Security Administration verifying that they have an open case that is dated within the last 30days instead of an unemployment printout.

If an adult member of the household is receiving funds from an outside source to contribute toward household bills, determine the monetary amounts toward food, shelter and utilities, and enter the average monthly income total in DBA as "contributions" or "miscellaneous income". Items that may be captured on the Declaration of Zero Income form include: child support (contributions in care of a child that is not court-ordered), utility check or other monetary assistance provided to the household that is not employment. **Be sure not to enter the same income twice.**

If a youth (under age 18) provides finances to the adult household member for food, shelter or utility expenses, the amount must be included as income to the adult under miscellaneous/cash contributions on the Declaration of Zero Income form.

- **Award Letters** (Social Security, Supplemental Security Income, VA Benefits, Pensions, etc.)

The Social Security Administration (SSA) announced that benefits will increase 3.2% in 2024.

Source: https://www.ssa.gov/cola/

A current year's award letter (only the pages that reflect gross income) may be used to verify income, using the gross amount.

Proof of disability is to be provided from a current or prior year's award letter from the Social Security Administration (SSA), a current year's letter from Vocational Rehabilitation or the Veterans Administration, disabilitymore income check, or an official handicapped sticker bearing the appropriate photograph. Disability may be temporary or permanent.

"Disabled" describes an individual who has a physical or mental impairment that prohibits one from working at any substantial employment that otherwise s/he would reasonably be able to perform and that will probably continue for an indefinite period of at least 12 months or who has been certified as permanently and totally disabled by a state or federal agency qualified to render that decision. Short-term disability and workman's compensation are also recognized as a form of disability.

A spouse or child receiving Social Security benefits is not necessarily disabled. There are three types of social security payments: (1) retirement payments as early as age 62, (2) survivor payments made at any age, and (3) disability payments made to disabled persons under the age of 65. The medical standards for disability are the same for Social Security (SS) as for Supplemental Security Income (SSI) for individuals age 18 or older. There is a separate definition of disability for SSI children under age 18.

SSI payments are made in three categories: (1) to aged individuals – 65 or older, (2) to disabled persons under 65 who have an impairment so severe the person cannot do any substantial work, and the impairment will last 12 months or result in death, and 3) to blind individuals under age 65 and legally blind. Children may receive SSI payments if blind or disabled, based upon the parent(s) resources and income.

If you have questions, contact your local Social Security office or call 1-800-772-1213. **Note: The SSA has asked that CAAs contact them at the number above or your local SSA office if documents are required to service customers, rather than sending customers to their office for documents.** "Understanding SSI" is available online at www.socialsecurity.gov/.

- **Child Support**

When calculating child support to determine applicant eligibility, add all payments made within 30 days, to include the date of application, and enter the total "gross" amount into DBA using the monthly pay frequency.

- **Families with Foster Children**

A foster child is a child placed with a foster parent(s) by judgment, court order, or an authorized placement agency (state or local government organization).
When serving households with state-placed foster children, the foster child should **not** be included as a member of the household. These children are considered wards of the state. A DSS placement letter is required in the file.

Monthly allowances made to foster parent(s) as reimbursement for the cost of caring for the child should not be counted as income. However, separate wages paid to the parent should be included as income, as these funds are considered payment to the temporary caretaker.

- **Utility Checks**

When determining income, **utility checks made payable to and issued directly to the customer should be calculated as income** since the customer is not required to remit/forward this payment to the utility vendor as payment for service.

Utility checks issued directly to vendors monthly on behalf of applicants who reside in subsidized housing are benefits to subsidize the already very low-income status of those households. In these instances, benefits **are not to be counted as income** on the application.

Contributions/Income to Exclude

The following categories of contributions and income should not be counted when determining eligibility.

- **Temporary Assistance for Needy Families (TANF)**

TANF should not be counted as income.

- **Contributions from Nonprofit Organizations**

Contributions/donations from non-profits should not be included as income unless the funds are given directly to the customer. Funds paid directly to the vendor on behalf of the customer should not be counted as income.

- **Income Tax Refunds**

Tax Refunds should not be included as income (refer to US HHS IM 119 or LIHEAP Memorandum No. L08-05 for additional information).

- **Income from Minors**

Income is not calculated for persons under age 18 (to determine income eligibility); however, if the youth provide finances to the adult household member for household expenses, the amount must be included as income to the adult under miscellaneous/cash contributions. If household members under 18 receive Social Security or Disability income, the gross amount must be included as income under the payee or custodial adult's name living in the household.

Please note: **The current DSS printout may not be used to verify members of the household, or earned income**; however, it may be used to verify utility check and child support amounts if listed on the printout.

- **Student loans**

Student loan refunds should be included as income if funds are used to help sustain the household.

- **Disaster Assistance**

Income from disaster relief assistance, such as FEMA, should not be included as income.

PROGRAM ELIGIBILITY

Once an applicant has been determined to be income eligible, program eligibility must be

established in accordance with the Office of Economic Opportunity's approved LIHEAP State Plan, the CAA's approved Community Action Plan and/or federal and state laws, policies and procedures.

South Carolina Identification



All customer documents must be current and accurate at the time of application to determine program eligibility.

The applicant must provide a copy of his/her current official (state-issued) pictured identification such as a South Carolina identification card or driver's license. Eligible residents may obtain a SC identification card from the SC Department of Motor Vehicles.

All information provided for income and program eligibility must be consistent. If a client's address listed on the application or bill does not match the address listed on their driver's license/ID, their address may be changed and printed online (https://www.scdmvonline.com/dmvpublic/trans/AddrChange.aspx). If the online process cannot be accomplished, the customer is responsible for providing the current driver's license/ID.

NEW! Serving Homebound Applicants with Expired South Carolina Identification

A homebound person is defined as one who is unable to leave his/her home due to:
(1) advanced age (75+);
(2) disability; or
(3) illness
AND requires the help of another person or medical equipment to leave the home, or a doctor believes that a person's health or illness could get worse if he/she leaves the home.

A homebound individual who has an expired ID may be assisted with a clarifying statement of his/her homebound status.

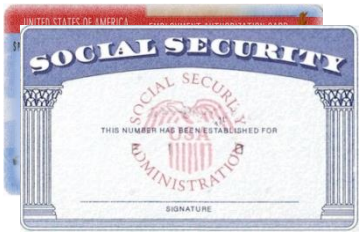
CAAs must defer to their agency's internal procedures to serve homebound individuals. Homebound assistance will allow staff to verify the applicant's identity and billing address.

South Carolina Identification for Immigrants

The SC Department of Motor Vehicles requires eligible residents to present originals or government-issued copies to prove (1) South Carolina residency, (2) identity, date and place of birth, authorized length of stay in US and (3) legal documents supporting name change(s).

If an immigrant is denied a South Carolina ID, the CAA should contact OEO for further guidance.

Proof of U.S. Citizenship/ Legal Residency



LIHEAP defines eligible household members as any individual who is a U.S. citizen or "qualified alien". A "qualified alien is defined at 8 U.S.C. § 1641(b). Members of the household must meet the eligibility requirements specified in Section 2605(b)(2) of the Low-Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)). Therefore, **LIHEAP household members who benefit from assistance must be U.S. citizens or provide proof of legal residency.**

By law, states are to ensure that federal provisions related to providing services to qualified individuals are in full compliance. Therefore, a household including eligible members cannot be denied service.

If the only legal household member is a child, the legal household member(s) is still considered eligible. Continue to list the applicant as an

"Undocumented Immigrant" when applicable, and serve the household based on the Prorated benefit (refer to DA and ECIP).

Documents to verify qualified alien status include such as the I-94s for refugees, asylum determination letter, LPR status (green card – most recent version has expiration date), alien registration card, and social security card. The Bureau of Immigration and Naturalization and/or the Social Security Administration may be used to validate documentation.

NEW! Social Security Numbers for Newborns
A grace period is allowable for families to obtain a Social Security card for newborns up to 6 months of age.

Updated! LIHEAP Customer Checklist
Each customer file must contain current, accurate and legible documents to include:

- ☐ A completed, signed application reflecting income eligibility and all household members, income proof for all household members 18+ years old
- ☐ Applicant's official (state-issued) pictured identification such as State (SC) Identification Card, SC Driver's License
- ☐ Social Security card for each household member (or government issued document).
- ☐ Proof of military/veteran status, when applicable.
- ☐ Proof of disability status, when applicable
- ☐ Energy bill(s)/Billing & Payment History
- ☐ Income support documents (income screens, unallowable cost calculations, vouchers, check numbers)
- ☐ Benefit calculations, when applicable
- ☐ Proof of emergency

Frequency of LIHEAP Services *

Eligible households may receive LIHEAP services for the duration of the program year. To stretch resources, an agency may restrict the frequency of LIHEAP services during the program year.

Serving Agency-Related Parties

There is no prohibition against an eligible entity providing LIHEAP-funded services/benefits to members of its tripartite board, its staff or members of their families who apply for services/benefits, provided that:

(1) The applicant meets all applicable eligibility criteria for the services/benefits;
(2) The applicant does not receive preferential treatment in receiving the services/benefits due to his or her connection with the eligible entity; and
(3) The services/ benefits are provided on terms similar to those provided to individuals who are not so connected to the entity.

Neither the applicant nor a member of his/her family should make the determination of whether the applicant is eligible for the LIHEAP-funded services/benefits. Furthermore, **The Executive Director must approve all agency employee, board member and employees of other CAAs applications for assistance by signing and dating the application BEFORE payment is rendered.**

LIHEAP Client Assistance Payments

Applicant must reside at the address stated on the utility bill; however, when the bill is in the name of a household member other than the applicant, the applicant must provide proof s/he resides at that address, relationship to applicant (if applicable) and approval to access that account. Husband and wife living in the same household do not need approval to access the account.

Bills will no longer be accepted if the person whose name appeared on the bill has been deceased longer than 12 months (proof needed), bill is in a minor child's name, or bill is in non-household adult's name.

When the bill is in the name of the landlord, the landlord must provide a statement indicating that the applicant is permitted to access that account, to include making payment on the account. The file must include this documentation. Customer must

provide a current Lease Agreement indicating the account is in the landlord's name, but the bill is the responsibility of the tenant.

If the customer has either a zero balance (the total amount due is $0) or a credit or $10 or more on a prepay account, assistance **should not** be provided.

GEAP funds should not be used to pay energy charges unless the total allocations for **LIHEAP and Project Share** funds have been exhausted for the program year, by county. This must be proven during monitoring or funds will have to be reimbursed.

Each check and/or voucher must be made payable only to the vendor from whom the applicant proposes to obtain services.

The voucher/check used for direct client (monetary) assistance shall be documented as follows:

- CAA's (Subgrantee) name as payer;
- Vendor's name as payee; and
- Eligible applicant's name as recipient.

Payment should indicate "Credit only to home energy expense." Agencies should not contract with vendors that cannot meet this requirement.

Dual Home Energy Sources

The USDHHS Division of Energy Assistance allows agencies to pay energy bills when there are two sources of energy required to heat and cool a home.

Example: A home heated with natural gas requires electricity to heat the home.

Both energy bills may be paid as one allowable LIHEAP service (even if each service is provided by different vendors). The different energy sources should be notated in DBA as primary and secondary.

The energy burden should be calculated using the combined current energy amounts of each bill, excluding all unallowable and non-energy charges.

IMPORTANT:
Statewide LIHEAP Vendor Agreement

South Carolina's statewide LIHEAP vendor agreement should be executed by the local CAA and the participating energy vendor to provide LIHEAP benefits to low-income households for the purpose of supplying energy to cool, heat, deliver fuel, pay energy deposits or other heating/cooling-related costs.

Before a household can receive LIHEAP assistance and the energy vendor can be paid, the CAA and the energy vendor must execute the current statewide LIHEAP Vendor Agreement agreeing to the terms of the grant.

When executing the LIHEAP vendor agreement with the CAA, the participating LIHEAP vendors agrees to accept the LIHEAP energy voucher in exchange for payment. The terms of the grant do not require the vendor to be knowledgeable of allowable and disallowed LIHEAP costs or have a system in place to separate and apply charges accordingly. This is the responsibility of the CAA.

The CAA is responsible for determining the household's LIHEAP energy benefit based on the state and federal definition of allowable LIHEAP energy-related costs. Reference "LIHEAP Allowable and Unallowable Charges" (P. 44).

If a vendor would like to participate but **does not have a system to track LIHEAP** deposits, an addendum to the LIHEAP vendor agreement must accommodate the statewide vendor agreement that clearly states the vendors capabilities.

Ex. *If the vendor cannot track LIHEAP deposits to ensure grant funds are returned to the CAA and not the customer, the agency cannot pay energy*

deposits for that vendor's customers.

LIHEAP eligible entities must have current executed statewide LIHEAP vendor agreements on file for each of its energy vendors (to include Duke and Dominion Energy). Note: OEO's agreement with vendors do not apply to the local CAA.

- Each vendor must complete a Vendor Agreement and a W-9 to be certified by the Subgrantee. Once completed and on file, the Vendor will only need to complete a new Agreement and a new W-9 if the proprietor's name, address or FEIN changes.

- The vendor is to credit the customer's account in a timely manner and return the energy voucher(s)/transmittal/invoice to the Subgrantee for payment. Vendor Agreements should contain language that prohibits the paying of water, sewer, products and services, meter tampering charges, security systems and returned check fees.

- Within 30 days of the date of the receipt of the energy voucher(s)/transmittal/invoice, payment of the exact dollar amount will be made to the vendor. During program monitoring, OEO will review proof of timely payments.

- Payments are not to be rounded. When a vendor has not received payment within thirty (30) days following the date of receipt of the bill submission, the vendor should immediately contact the Subgrantee and report the delay in payment.

- Subgrantees should submit a 1099 IRS Form to record vendor payments more than $600* to non-incorporated vendors.

- Vendors are to accept payments on behalf of eligible households for:

  (1) Electricity and/or natural gas;

  (2) Firewood and for ancillary charges for delivery, stacking and splitting of wood during delivery;

  (3) Propane, fuel oil, coal or other approved fuels and for ancillary charges for delivery, including cost of parts and labor incurred in attaching the fuel tank to the household's residence;

  (4) and deposits to establish energy to the primary residence (if the vendor has the systems in place for tracking).

Vendors **shall not** exchange a customer's LIHEAP energy voucher for cash, nor will any cash equivalent be given for excess credit.

LIHEAP Vendor Agreements must be available for review upon request during each monitoring visit.

LIHEAP Allowable and Unallowable Charges

LIHEAP funds ***may be*** used to pay:

- Electric/Fuel deposits
- Fuel Tank Installations
- Late fees
- Mandatory Roundup fees
- Regulated Renewable Energy Charge
- HAZMAT fees
- Delivery charges/expedited delivery charges
- Franchise fees
- Natural gas charges
- Mandatory and/or regulated fees required for service
- Line Check Fees for Fuel
- Emergencies approved by OEO

LIHEAP funds ***may not*** be used to pay:

- Sewer and sanitation products and services
- Outside light/pole fees
- Unregulated/voluntary fees
- Outdoor and subdivision lights (light/wood poles)

- City/county fines for late garbage bin pickup
- Meter tampering charges, maintenance fees, security systems and returned check fees.

Important: LIHEAP funds may not be used to pay any vendor unwilling to credit LIHEAP funds to cooling and heating costs, only.

Energy Bill Descriptions

Utility bill round-up fees

The U.S. Department of Health and Human Services (USDHHS) stated (November 21, 2006) that LIHEAP funds may not be used to pay customer contributions that are voluntarily donated for round-up programs; those fees must be deducted from the client's utility bill and excluded from the LIHEAP service amount (Refer to LIHEAP Program Assistance Memorandum L 17-06). **However, when a utility company charges a mandatory round-up fee on all customer utility bills, USDHHS has stated that the charge has become a part of the household's utility bill and has to be paid in order for the household to maintain service. Therefore, in these instances' agencies can pay round-up fees.**

If LIHEAP funds are used by vendors in ways that are different than what is described in the LIHEAP Statute and State Plan, this may constitute an improper use of funds. (Reference LIHEAP IM 2010-13 Use of LIHEAP Funds Coordinated with Vendor Assistance Programs).

Deferred Payment Plan (DPP)

A Deferred Payment Plan (DPP) is a formal arrangement with the utility vendor and the customer, allowing the customer to pay an outstanding bill in installments. While outstanding debt is paid in installments, the customer will still accrue current utility charges. Therefore, the customer is responsible for paying old and current debt until the outstanding debt is eliminated.

To assist a LIHEAP customer with an emergency (ECIP) DPP, the agency must have detailed itemized bills for each month to determine that all charges included in the DPP are allowable. Without detailed bills the agency can only pay current allowable energy charges, and the customer will be responsible for the remainder of the bill or show proof that the vendor has agreed to work with the customer to satisfy the balance (proof required). The customer must satisfy their portion of the bill prior to the agency's commitment.

To assist a LIHEAP customer with a nonemergency (DA) DPP, carryout the necessary application award process for a DA benefit.

Equalized Payment Plan (EPP)



The EPP allows customers to pay their household energy usage in 11 equal payments and settle in the 12th month. To calculate customer's monthly payment, the energy vendor calculates the customer's total energy charges from the previous year and divides that by 11 to give the customer a more predictable bill.

At the end of the 12-month period, the total amount of energy used and paid for is assessed. Any over- or under-charge is included in the customer's 12th month bill and a new monthly payment is calculated. If the customer paid more electricity than they used over the first 11 months, the vendor will credit the customer's account for the difference in the 12th settle-up month. If more electricity was used than paid for, the customer will be billed for the difference.

Eligible customers may qualify for either nonemergency (DA) or emergency (ECIP) LIHEAP service. **IF the vendor provides the customer a cash reimbursement for overpayment in the 12th month instead of crediting the customer's account, the agency may only provide the customer an ECIP service, paying only the actual energy used each month.**

To assist a LIHEAP customer with an emergency EPP, the agency must have detailed itemized bills for each month. The customer must satisfy their portion of unallowables on the bill prior to the agency's commitment.

To assist a LIHEAP customer with a Nonemergency EPP, carryout the necessary application award process for a DA benefit.

Automatic Draft Bank Accounts

Customers who have elected to have their utility charges automatically drafted from their personal account will not be reimbursed.

Section 3A

Direct Assistance (DA) Nonemergency Benefit

The Direct Assistance Program is designed to provide financial assistance to help avert, prevent, deter and avoid utility crisis. DA funds are reserved for the provision of financial utility services that are provided before the initial onset of an emergency.

To be eligible for the LIHEAP nonemergency DA benefit, the applicant/household must not exceed 60% of the state median income and prove it has an obligation or responsibility to pay its home energy bill.

A Direct Assistance benefit matrix is used to determine the amount a qualifying household may receive and is based on the unique characteristics of each household. South Carolina's benefit matrix is designed to target energy assistance toward the most vulnerable and underserved households that include:

- Households with an energy burden
- Households with a total income at 70% of 60 percent of the SMI or lower
- Households that heat with fuel
- Households that include at least one elderly member (age 60 and older)
- Households that include at least one person with a proven disability
- Households that include at least one child (age 5 and younger)
- Households that include at least one U.S. military veteran

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Frequency of LIHEAP Services

With a presented need, LIHEAP-eligible households may receive assistance a maximum of two times during the program year. However, to stretch resources, an agency may limit the frequency of LIHEAP assistance to a household each year.

Maximum Direct Assistance Benefit

At a minimum, each qualifying household will receive a base Direct Assistance benefit of $200. Additional amounts may be added to the household's total benefit based on the characteristics of its members.

The maximum Direct Assistance benefit a household may receive during the **heating season** is $850.
The maximum Direct Assistance benefit a household may receive during the **cooling season** is $775.

Direct Assistance Program Eligibility

Direct Assistance may be provided if the customer is not in crisis. Note: Arrearages may go beyond the current month and one month past due.

Direct Assistance Payments

The Direct Assistance nonemergency benefit may be used to pay home heating and/or cooling costs (**excluding** water, sewer, sanitation, products and services, outdoor and subdivision lights, light/wood poles, city/county fines for late garbage bin pickup, voluntary round-up fees, meter tampering charges, security systems and **returned check fees**).

Because Direct Assistance is not an emergency program, **a balance is not required to be satisfied on the customer's account, however, all unallowable charges must be paid prior to service or deducted from the maximum award benefit.** A letter from the vendor will suffice as proof that the merchant will work with the customer on the outstanding amount of unallowable charges.

If the customer has either a zero balance (the total amount due is $0) or a credit of $10 or more on a prepay account, assistance **cannot** be provided.

Greatest Benefit Exception for Households with Elderly and/or Disabled Persons

Direct Assistance funds may be used to pay for emergency services **for elderly and/or disabled households, only**, if the DA benefit will provide a larger financial award when compared to the allowable ECIP benefit.

Providing Nonemergency Assistance to Mixed Status Households with Undocumented Immigrants

Complete the application listing the undocumented immigrant as a member of the household (capture any income if applicable on the Declaration of Zero Income form). When determining the itemized household benefits (i.e. – Child age 5 or under, Energy Burden, Elderly, Disabled, Income at or less than 70% of 60 percent of the SMI), only consider eligible household members (exclude undocumented immigrants). After the household's benefit has been determined, apply the Direct Assistance Prorated Calculation to determine the benefit per person. Only apply the prorated benefit amount to each eligible household member.

Total DA Benefit ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

Example:

Household Description:
- *One Adult – age 40*
- *One Undocumented Immigrant – Elderly, Disabled*
- *Two children – ages 12 and 5*
- *SMI - $34,000*

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Step One: Determine the household's nonemergency benefits, based only on eligible members of the household (do not include undocumented persons.)

x	**Minimum DA benefit**	**$200**
____	(1) Elderly (age 60+)	$75
____	(2) Disabled	$50
x	(3) Total HH Income 70% or less of the SMI	$175
x	(4) Household with children age 5 or less	$50
____	(5) Energy Burden (20% of total HH income)	$175
____	(6) Fuel	$75
____	(7) Veteran	$50

DA LIHEAP Benefit = $ 425 (Max $850)
(excluding Undocumented persons)

Step Two: After the benefit has been determined, apply the Direct Assistance prorated calculation to determine the benefit per person.

Total DA Benefit ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

$425 ÷ 4 = $106.25 benefit per HH Member

Step Three: Only apply the prorated benefit amount to each eligible household member.

$106.25 x 3 = $318.75 Total Prorated DA Benefit

DA BENEFIT LEVELS

Minimum Benefit Level (Heating or Cooling) ……$200

Additional benefits if:

(1) Elderly (age 60+……$75

(2)Disabled……$50

(3)Total Household Income is =70% or < the SMI……$175

(4)Applicant with children age 5 or <……$50

(5)Energy Burden (20% of total HH income)……$175

(6)Fuel *(not provided during cooling season)*……$75

(7)Veterans……$50

Maximum Heating Assistance……..$850

Maximum Cooling Assistance……..$775

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Vulnerable Households Defined

(1) Elderly - Individuals age 60 years or older.

(2) Disabled – Individuals must provide proof of disability. Proof of disability is to be provided from a current year's award letter or SSI report from the Social Security Administration (SSA) verifying disability, a current year's letter from Vocational Rehabilitation or the Veterans Administration, Disability Income Check, or an official handicapped sticker bearing the appropriate photograph. Disability may be either temporary or permanent. This medical documentation must be attached to the application on file.

(3) Income is 70% of 60 percent of the State Median Income - Refer to the current federal register for published income guidelines. Total household income for the last 30 days, including the date of application must be at or below the 70 % SMI. Note: SMI is 60% of the State's Median Income.

(4) Household with Children Age 5< - One or more children living in household age 5 or younger.

(5) Energy Burden – An Energy Burden must be calculated using only the current month's home energy cost (ex. kWh or Therms). To determine the Energy Burden for electric households, multiply total monthly household income by 20% (.20) = PRODUCT.

If the current energy bill is higher than the PRODUCT, then an energy burden has been demonstrated. The current home energy cost should exclude all non-utility and unallowable charges.

Example: Total current utility bill is $300, non-utility charges total $50 (round-up fees, franchise fees, service charges and non-regulated charges). $300-$50 = $250. The total allowable energy amount is $250.

Because fuel expands, tanks and cylinders are never filled to the maximum size of the tank. Instead, tanks are only filled to about 80 to 85 % of their capacity. **To determine the Energy Burden for fuel customers, multiply the cost to fill the customer's tank by 80%.**

If a household receives both electric and gas charges on the same bill, combine the total amount of home energy used (kWh and Therms) to determine the current Energy Burden.

(6) Fuel – According to the LIHEAP Performance Measures, fuel is defined as Natural Gas, Fuel Oil/Kerosene or Propane (LPG – liquefied petroleum gas). For an additional benefit, the household must heat with one of the fuels mentioned above. Proof of fuel service must be in the file. **Note: Natural Gas customers are eligible for the Fuel Benefit during the heating season, only.**

Kerosene and propane vendors must verify the tank is attached/connected to the structure. Portable kerosene heaters cannot be provided with kerosene assistance and should not be awarded a fuel benefit.

(7) Veterans - Individuals must provide proof of veteran status. Documentation must be in the customer's file. Note: Dishonorably discharged veterans are not eligible for the additional Veteran Direct Assistance benefit.

Proof of Active Military or Veteran Status

Veteran's Administration

- Veteran Identification Card (VIC)
- Veteran Health Identification Card (VHIC)
- Veteran Income with status stated
- Veteran retirement or disability income

Department of Defense

- Common Access Card
- Uniformed Services Identification Card
- State Driver's License and ID with veteran's designation
- State vehicle registration with veteran's designation
- DD214 form or DD256 certificate with honorable discharge or less than honorable

Note: Dishonorably discharged veterans are not eligible for the additional Veteran Direct Assistance benefit.

All information provided for income and program eligibility must be consistent. If a client's address listed on the application does not match the address listed on their driver's license/ID, their address may be changed and printed online at: https://www.scdmvonline.com/dmvpublic/trans/AddrChange.aspx. If the online process cannot be accomplished, the customer is responsible for providing the current driver's license/ID.

Direct Assistance Customer Bills

The applicant must provide a copy or original energy bill (must have been issued within the last 30-days) to verify the account number. The customer's bill must detail all past due and current charges. When streetlights and other non-allowable items appear on a bill, those utility vendors must be required to *"Credit only to home energy expense"* to ensure compliance with LIHEAP requirements, or the agency is to pay only the energy expense up to the maximum allowable base the customer is eligible under DA.

Direct Assistance should not be used to pay bills that are in cut-off/disconnection status within five (5) days of the application date.

LIHEAP funds may not be used to pay Duke customer deposits or any vendor unwilling to credit LIHEAP funds to cooling and heating costs, only.

Nonelectric Deliveries

Kerosene, wood, coal, and propane applicants' DA benefits must be calculated in the same manner as DA benefits calculated for natural gas and electricity customers, using all allowable benefit options for vulnerable households. In these instances, an Energy Burden may be applicable using the total energy cost, excluding unallowable and non-utility charges, identified on the bill/statement (must be a current bill) from the vendor for that service.

For home deliveries, vendors must provide a Non-Electric Fuel Affidavit provided by the agency, delivery ticket for the file documenting fuel type, number of gallons or cords of wood, cost per gallon, total delivery cost, delivery date, vendor name and address. Agencies must approve the service prior to the delivery (agency *may not* pay for services if the customer initiates the order for fuel/wood without CAA approval) if LIHEAP funds are to be used. The purpose of pre-approval is to ensure that customers are not placing orders assuming agency payments and avoid improperly shared information between customers and vendors. This *does not* apply to customers who are approved by the vendor for automatic delivery.

To determine the current amount on a new propane/fuel oil bill, use the cost listed on the vendor's bill/invoice that is needed to fill the tank.

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All kerosene, propane, wood and coal customers are to provide a statement from the vendor for the file that reflects the total number of gallons/cords to be purchased, fuel type, cost per gallon, vendor name and address. Kerosene and propane vendors must verify the tank is attached/connected to the structure. Portable kerosene heaters cannot be provided with kerosene assistance.



Fuel Customers and Pre-Pay Accounts
Income-eligible applicants with a zero balance on an existing utility account may still have a documented need. Files should contain clear justification for assisting these income eligible, zero-balance applicants.

Direct Assistance may be used to pay "pre-payment" accounts and deposits with Electric Cooperatives, only. Pre-pay customers do not qualify for an energy burden since no current bill will be due, (this does not apply to propane and fuel oil). Note the SC Code below:

SECTION 33-49-255. Restrictions on interruption of electric service to residential customer for nonpayment of bill; exceptions:

(A) Except as provided in subsection (B) of this section, an electric cooperative must not interrupt electric service to any residential customer for nonpayment of a bill until twenty-five days have elapsed from the date of billing.

(B) An electric cooperative may interrupt electric service to a residential customer who has voluntarily enrolled in a prepay program if the prepay program allows the customer to monitor his consumption of electricity and his account balance daily and the balance of that customer's prepay account is zero, provided that the following conditions are met:

(1) at the time the residential customer enrolls in the prepay program, the residential customer is informed and agrees that his electric service may be interrupted when the balance of his prepay account reaches zero;

(2) electric service must not be interrupted before 10:00 a.m. on the next business day following an attempt by the electric cooperative to give the customer notice of the impending interruption by telephone or electronically; and

(3) service must not be interrupted except during hours when the electric cooperative is accepting cash payments. For purposes of this subsection, a business day is any day in which the electric cooperative, or an agent, is accepting cash payments.

(C) Nothing contained herein shall be construed to relieve an electric cooperative of the requirements of Act 313 of 2006.

THIS SECTION EFFECTIVE BY OEO MEMORANDUM ONLY

SLAPP & Electric Cities
The Selected LIHEAP Assistance Payment Plan (SLAPP) is an incremental payment plan for customer's whose monthly energy bill includes charges that cannot be paid using LIHEAP or Project Share funds (ex. water, sanitation, outside lights, etc.).

The household's total DA benefit will be issued to the customer in increments, covering only the allowable charges for each month until the full benefit is exhausted. **If the balance of a SLAPP is less than $25, the agency may apply the remaining amount to the customer's final award.**

The CAA should inform the customer in writing of his/her responsibility to return monthly with a copy of the household's current bill to receive the remainder of the LIHEAP benefit until exhausted. Failure to return monthly may jeopardize the

customer's remaining LIHEAP benefit. However, the CAA must create an internal policy and apply this rule to each customer consistently.

Example:

Customer's DA Award is $300.

Bill	Energy Charge	Agency Pays	Balance
January	$125	$125	$175
February	$160	$175	$0

Note: The agency provided the full balance in February because the remaining balance was $15 (under $25).

Vendors may not transfer, or cash out benefits to recipients; this must be addressed in your Vendor's Agreement. If a customer relocates and is no longer a customer of the vendor that was provided a benefit for that customer/household, all unexpended balances must be returned to the agency by the end of the program year. Vendor Agreements must indicate the vendor's understanding/acceptance of this policy.

Additionally, if vendors agree to apply all LIHEAP funds to the heating and cooling portions of the bill (in writing), incremental payments are not required.

THIS SECTION EFFECTIVE BY OEO MEMORANDUM ONLY

Section 3B

Emergency Crisis Intervention Program (ECIP)

The Emergency Crisis Assistance Program is designed to restore or prevent termination of an eligible household's home energy.

Emergency is defined as a sudden, urgent, unexpected occurrence or occasion requiring immediate action; a state, especially of need for help or relief, created by some unexpected event; an unforeseen combination of circumstances or the resulting state that calls for immediate action; or an unexpected situation that poses an immediate risk that requires urgent intervention. An emergency is never planned.

To be eligible for the LIHEAP emergency crisis benefit, the applicant/household must not exceed 60% of the state median income (SMI) and prove it has an obligation or responsibility to pay its home energy bill.

Frequency of LIHEAP Services

With a current need and/or proof of emergency, eligible households may receive LIHEAP services during the program year. **Note: To stretch resources, an agency may limit the frequency of LIHEAP assistance to a household for the duration of the program year.**

Maximum Emergency Crisis Assistance Benefit

With a documented emergency, an eligible household may receive ECIP assistance up to $1,500 to eliminate a household's home energy crisis. **Note: To stretch resources, an agency may reduce the LIHEAP benefit provided to a household for the duration of the program year.**

Timeframes to Resolve Home Energy Emergencies

An **18-Hour Life Threatening Crisis** is an emergency requiring immediate action to prevent the loss or impairment of life/health due to a medical condition if the household's energy service is interrupted. An award must be processed within 18-hours of determining eligibility. LIHEAP applications must be expedited to resolve life-threatening energy emergencies. Reference statewide timeframes for processing applications.

A **48-Hour Energy Crisis** is an energy crisis when a household is facing imminent disconnection and/or needs restoration of their home heating/cooling source. An energy crisis may also be the result of weather or energy-related emergencies. LIHEAP applications must be expedited to resolve energy emergencies. Reference statewide timeframes for processing customer applications.

Timeframes to Resolve Home Energy Emergencies

Section 2604(c) of the LIHEAP statute [(42 U.S.C. § 8623] - requires:

Not later than 48 hours after a household applies for energy crisis benefits, provide some form of assistance that will resolve the energy crisis if such household is eligible to receive such benefits.

Not later than 18 hours after a household applies for crisis benefits, provide some form of assistance that will resolve the energy crisis if such household is eligible to receive such benefits and is in a life-threatening situation.

Emergency Intervention Services

Section 2604(c)(1)(2) of the LIHEAP Statute requires Not later than 18- or 48-hours after a household applies for crisis benefits, the eligible entity must provide some form of assistance that will resolve the energy crisis if such household is deemed eligible to receive LIHEAP benefits.

LIHEAP ECIP funds may be used to provide temporary shelter or approved heaters/fans as an emergency intervention when a LIHEAP service cannot be provided within 18- or 48-hours for eligible households.

DBA Instructions: Select the "Emergency Intervention Service" program to provide a heater (one OEO permitted heater at a max. $250), fan (one fan at a max. $100) OR temporary shelter (at a max. of $1,500). (For more information contact your agency's System Administrator or the DBA Help Desk).

ECIP Program Eligibility

To be eligible for ECIP, proof of emergency is always required in each customer/household file. The emergency must have occurred within 30 days from the date of application unless otherwise stated below. **Note: Being disabled, elderly or on a fixed income does not justify an emergency.**

Updated! EXAMPLES OF LIHEAP EMERGENCIES

(This list is not inclusive of all allowable emergencies.)

No Home Energy

- No active source of energy to heat/cool the residence. Disconnection of service may be cited as the cause. Proof required.

Threat of/Disconnection Emergencies

- **Disconnection Notice** verifiable by the agency (disconnection notice alone does not verify an emergency.) A termination/disconnection or final notice alone may be used as proof of emergency for households with vulnerable individuals, i.e. elderly, disabled or children 5 years of age or younger, only.

  Please do not advise customers to wait until their services are disconnected to be served – remember emergencies should never be planned.

- A **termination notice** with a scheduled **disconnection date within five (5) days** of the application date may be used as proof of emergency.

- **Empty fuel tank or low fuel tank** (less than ¼). If customer misrepresents the facts about the amount of fuel in tank (customer says tank is empty, but tank is more than ¼ empty), customer may be disqualified.

Vulnerable Households

- To avoid an energy emergency, income-eligible vulnerable households with a bill due may qualify for energy assistance. LIHEAP vulnerable households are defined as: children (age 5 and younger), elderly (age 60+), and disabled persons.

Weather-Related (Acts of God) Emergencies

- **Extreme weather-related temperature at the time of application** (below 50º during heating season and above 90º during cooling season. Heat index or wind chill may be considered.)

Documentation of the temperature at the time of application *with* a final notice must be used as proof of the customer's emergency.

- **Acts of God** (Burn-out, tornado, hurricane, earthquakes, ice storm or flood) - energy assistance needed to establish home energy in new or temporary residence.

Home Energy Burden

- **Energy burden Calculation**:
  Monthly Income x 20% = _____ Current Energy Bill$_____.

  Compare the current month's energy charge for the heating/cooling portion of the bill to 20% of the household's total income for the month. The household's energy bill must exceed 20% of the household's monthly income to demonstrate an energy burden as the emergency.

Financial Emergencies

- Job loss (within 90 days), proven medical emergency that caused proven financial hardship, proven reduction in income (more than 40%) or death of primary income provider/wage earner.

Emergency Services for Nonelectric/Fuel Vendors

Non-electric energy/fuel may only be purchased during the heating season. For home deliveries, vendors must provide a delivery ticket for the file documenting date and amount of last delivery, fuel type, number of gallons or cords of wood, cost per gallon, total delivery cost, delivery date, vendor name and address.

All kerosene and propane customers must have vented systems that are connected to the dwelling and are to provide a statement from the vendor for the file that reflects the total number of gallons to be purchased, fuel type, cost per gallon, vendor name and address.

ECIP Customer Bills

The applicant must provide the most recent or original copy of the energy bill issued within the last 30-days. The customer's energy bill should be used to verify the following: the correlation between the customer's service address and physical address; validate the customer's account number; and a detail of all actual charges.

According to the South Carolina Office of Regulatory Staff ("ORS") and Public Service Commission of South Carolina ("PSC"), customers have the right to written notice from their electrical utility before electric service is disconnected for nonpayment. Therefore, a final notice/termination notice is not acceptable without the itemized bill.

In a case where a customer has a bill higher than the maximum amount allowed, the difference must be satisfied before the LIHEAP benefit is awarded. The file must contain a paid receipt to satisfy the difference, an agreement with the vendor for future payment options, and/or a noted referral source (by client or through area recommendation).

If the customer is unable to pay the difference, the agency should have a documented statement on file from the vendor to work with the customer on the outstanding balance with no threat of disconnection for 30 days forward.

Example: A client has a bill for $1,200. The agency can pay up to $1,000 of allowable costs, but the client is responsible for the remaining $200. The customer's file must include documentation of an agreement with the vendor to satisfy the remaining balance.

If the customer has either a zero balance (the total amount due is $0) or a credit of $10 or more on a prepay account, assistance **cannot** be provided.

All unallowable charges MUST be paid prior to service or deducted from the maximum award benefit.

Past Due Customer Charges

It is OEO's intent to offer customers the greatest benefit to eliminate their immediate emergency. Therefore, there are no restrictions on how far back an agency can pay towards the customer's expenses, regardless of when the debt was accrued, if expenses are allowable and in accordance with the grant/approved program.

The agency must determine if the LIHEAP benefit will eliminate the debt enough to secure the household's energy for 30 days forward. Detailed bills must be provided for consecutive months to ensure unallowable charges are not paid. However, Fuel and Nonelectric energy may only be purchased during the heating season.

Example: When serving a customer with a 2024 bill, allowable charges accrued at any time in 2023 or prior, may be paid up to the maximum dollar amount.

- The applicant or household member's name must be listed on all bills.
- Information in the file must correspond (Ex. Physical addresses and/or names).
- The agency may not exceed the approved maximum benefit per household, as approved by OEO.

New! How to Calculate Unallowable Fees

The terms of the LIHEAP vendor agreement do not require the vendor to be knowledgeable of allowable and disallowed LIHEAP costs or have a system in place to separate and apply charges accordingly. This is the responsibility of the CAA.

Households with unallowable fees, such as monthly outside light charges, must always have fees deducted from their overall energy benefit.

Calculating Unallowable Fees for Energy Credits

CAAs should divide the total energy benefit by the **current energy bill** (to include all allowable LIHEAP fees) to determine how far the benefit will take the household forward.

Step 1: *Based on the current energy bill, divide the energy benefit by the current total allowable energy charges to determine how far the benefit will take the household forward.*

$500 energy benefit ÷ $100 current energy charge = 5 months

Step 2: *Multiply the unallowable outside light fee for each month the energy benefit will cover.*

$10 outside light fee x 5 months = $50 unallowable charges

Step 3: *Subtract the total unallowable charges from the total energy benefit to determine the maximum energy benefit the agency can pay.*

$500 energy benefit - $50 unallowable charges = $450 Maximum Energy Benefit

Customer Payment Extensions

If the situation at the time of application is that the customer made additional arrangements with the vendor and the due date of the original final notice has passed, do not postpone the appointment. Document that the customer has received a final notice and copy of the bill reflecting the original disconnect date.

Transfer Accounts

Allowable transfer amounts from a previous address *may* be paid if the customer can provide documentation that he/she lived at the former address along with an itemized bill(s), regardless of a lapse in service. **The agency must still determine if the LIHEAP benefit will eliminate debt and secure the household's energy for 30 days forward.**

Closed Accounts & Outstanding Debt

If a client has a closed account, **the agency must determine if the LIHEAP award will secure a deposit and restore the household's heating/cooling energy for 30 days forward before an award can be provided.** There are no restrictions on how far back an agency can pay toward the customer's debt, regardless of when the debt was accrued.

Prepaid Accounts

Prepaid customers may be eligible to receive a LIHEAP crisis award (ECIP) to restore service or to secure the household for 30-days forward. A past due amount (varies by vendor) and the amount to secure the household for 30-days forward may be provided up to the ECIP maximum ($1,500).

The customer's file must include a daily usage rate/charge to justify the award. It will be the responsibility of the agency to calculate the daily usage rate/charge by 30-days to determine the ECIP award. Other support documentation may include the customer's account history and account balance.

Serving Mixed Status Households with Undocumented Immigrants

A **mixed status household** is described as eligible household members residing in households with at least one member who is not eligible because they are not a U.S. citizen or qualified immigrant.

How to Provide a Prorated Emergency Benefit to Households with Undocumented Immigrants (Mixed Status)

When providing LIHEAP benefits such as energy bill reductions which can reasonably be prorated, LIHEAP subgrantees must prorate such benefits when they are being provided to eligible individuals residing in a household with ineligible members, based on the number of eligible household members. The income of all household members – regardless of eligibility – must be documented, verified, and included in the calculation of the LIHEAP benefit amount. However, ineligible household members must be excluded from the total household count when determining the benefit.

Prorated Emergency Example for Mixed Status Households:

Total allowable LIHEAP charges ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

Household Description:
- *One Adult – Elderly*
- *One Undocumented Immigrant - Disabled*
- *SMI - $28,000*
- Allowable Energy Bill: 500

Step One: Determine the household's total allowable LIHEAP charges from bills due.

Household Description:
- *One Adult – Elderly*
- *One Undocumented Immigrant – Disabled*
- *SMI - $28,000*
- Allowable Energy Bill: 500

Step Two: Divide the allowable amount by the total number of household member (including undocumented person(s).)

Total allowable LIHEAP charges ÷ # of HH Members = Prorated Benefit
(Including undocumented persons)

$500 ÷ 2 = $250 benefit per HH Member

Step Three: Only apply the prorated benefit amount to each eligible household member.

$250 x 1 = $250 Total Prorated ECIP Benefit

NEW! Providing Emergency Benefits to Households with Undocumented Immigrants (Mixed Status Households)

In such circumstances, a LIHEAP subgrantee may pay off arrears in full when necessary to restore utility service or prevent a utility shut-off for eligible household members; subgrantees may also provide other LIHEAP services in full that cannot be prorated for eligible household members such as purchase/repair of a heating or air-conditioning unit, window units, weatherization services.

Therefore, mixed status households that have been disconnected or are in threat of a disconnection

within 5 days may be provided the full LIHEAP benefit.

Step 1: During the intake process, staff **MUS**T select **"undocumented immigrants"** as the reason for no Social Security Number entry ***and*** one of the following emergencies: **(1) Disconnected or (2) Disconnect within 5 days.**

Note: Failure to select the appropriate emergency will result in the database providing a prorated benefit.

Step 2: With proof of a disconnection or disconnection within 5 days of the date of application, the mixed status household may receive the full LIHEAP benefit up to the maximum $1,500.

To learn more, reference the Federal Memorandum, **Appendix N.**

LIHEAP Home Energy Repairs/Replacements

Emergency Window Units



Maximum Cost - $700/unit or $1,400 for purchase and installation of two (2) units per household.

Emergency window units may be provided up to the allowable maximum of $700 per unit. A window unit may be purchased and installed as an emergency service to ensure the safety of members in eligible households during extreme weather.

The agency is to coordinate the proper procurement, installation and client education on the usage of the unit. Client education should include the overview of product warranties, changing filters, usage of proper electrical outlets and winter storage. Agencies can coordinate with a vendor or Weatherization Program for installation. If unable to work through either, a licensed and insured contractor is required for proper installation(s) and a contractor's agreement is required. Each agency will be monitored on this component. **Client and installer are to sign off on the installation and a copy of the invoice is to be placed in the client's file.** Refer OEO Fiscal Guidance and Procedural Manual, Procurement Policy.

Maximum Size – 15,000 BTUs; must have the Energy Star certification. Installation by a reputable vendor is required to assure proper setup and service. Warranty and installation fees may be paid with LIHEAP funds.

Emergency Heaters (with approval from OEO)

A maximum of two (2) Heat Surge, Infrared Quartz Heater or comparable units may be purchased during the program year for a household reporting no source/safe source of heat in the home (maximum purchase price is **$250 per unit, not to exceed $500 per household.**) **The need must be justified**. To justify the purchase of more than one unit, the household must include more than one person (since the unit is portable). The BTU Output should be approximately 4,500 - 5,000, have adjustable heat settings, safety tip-over and thermal power cut-off, cool touch exterior, be inspected and approved by UL benchmark in safety, and other health and safety features and benefits.

The purchase of portable kerosene heaters or space heaters **is not** allowed due to safety and health issues.

Blanket/Throw Distribution

Agencies may provide elderly income-eligible customers blankets or lap throws during the heating season only, in addition to a DA/ECIP service. Eligibility guidelines should be outlined in a logic model approved by OEO to include requiring the customer's signature in receipt of the blanket/throw.

A separate program **must** be established in DBA FACSPRO to track this service and expense.

Maximum Cost - $25 per blanket/throw up to $100 per household.

LIHEAP Inventory Purchases
At program year-end, the agency must provide an itemized listing by product, unit price, total costs and remaining inventory. In the subsequent program year, once spending is authorized, the agency should use current year program funds to purchase the inventory from the prior program year funds and ensure the inventory is recorded in the current program period in which the benefit is received. Prior year inventory must be cleared out prior to submission of the final FSR.

Chimney Sweep
Chimney sweep service(s) is an allowable emergency (ECIP) health and safety measure using LIHEAP funds.

Maximum Cost - $400/flue or up to $800 for inspection and sweep of up to two (2) chimney flues per household.

LIHEAP Weatherization (LWAP)

Up to fifteen percent (15%) of LIHEAP funds may be allocated to the 2024 Weatherization Program to supplement the Weatherization Assistance Program funded by the U.S. Department of Energy. LIHEAP WAP funds take on the identity of WAP funds, except for Administration (5% has been allocated for administration). LIHEAP WAP funds are also used to improve home health and safety. **The average LWAP expenditure per dwelling is $10,000.**

Agencies are required to refer high energy usage households to Weatherization. **There is NO stipulation when referring LIHEAP and Weatherization customers between programs. Weatherization may refer customers to LIHEAP and vice versa.**

HVAC Assessments (Weatherization Subgrantees, only)

HVAC assessment fees are allowable as a preliminary service when qualifying households request HVAC services, **utilizing LWAP funds**. All HVAC assessments should be coordinated with the eligible entity's Weatherization department or contracted with an outside vendor. **$150 Maximum Cost**.

LIHEAP Disaster Relief

LIHEAP Disaster Relief measures may only be provided upon OEO directive. The following activities will be considered allowable uses of LIHEAP funds to deal with disaster relief crisis, particularly with respect to assistance for home energy related needs resulting from a hurricane or other natural disaster:

Allowable Uses of LIHEAP Funds for Disasters
1. Costs to temporarily shelter or house individuals in hotels, apartments or other living situations in which homes have been destroyed or damaged, i.e., placing people in settings to preserve health and safety and to move them away from the crisis (rent and/or mortgage payments are not allowed)
2. Costs for transportation to move individuals away from the crisis area to shelters, when health and safety is endangered by loss of access to heating or cooling (based on season)
3. Utility reconnection costs
4. Repair or replacement costs for furnaces/air conditioners (based on season)
5. Coats and blankets, as tangible benefits to keep individuals warm (heating season only)
6. Crisis payments for utilities and utility deposits

Unallowable Uses of LIHEAP Funds for Disasters
1. Payments for water/sewage and other non-energy-related costs
2. Mortgage or rent assistance.
3. Utility assistance for households housing displaced victims UNLESS the household is already low income and qualifies for LIHEAP assistance.

4. Ramps and wheelchairs
5. School uniforms and school supplies
6. Clothing (except for coats)
7. Mattresses, cots, air beds and pillows

Income Eligibility Requirement: The LIHEAP statute does not authorize waiving income eligibility guidelines (60% of the SMI or below); therefore, income eligibility must be verified before services may be provided. However, the LIHEAP statute permits LIHEAP grantees (OEO) the flexibility to provide services to households with at least one member who receives assistance under the TANF, SSI, and Food Stamp programs. Any consideration of eligibility that deviates from South Carolina's approved LIHEAP State Plan **must** be approved by OEO prior to the delivery of service.

Disaster Relief Application Processing Requirements: The LIHEAP statute authorizes the use of LIHEAP funds for "energy crisis intervention". **The 18- and 48-hour time frames do not apply when a grantee is affected by a declared disaster.**

LIHEAP Appeals & Fair Hearing

Section 2605(b) (13) of the LIHEAP statute (42 U.S.C. § 8624(b) (13)) requires that each applicant be given an opportunity to have a fair administrative hearing if he/she is denied assistance or if his/her application is not acted upon with reasonable promptness. **Each CAA must post South Carolina Office of Economic Opportunity's standardized statewide Appeal and Fair Hearing procedures in a visible location in each office, outlining the three levels of appeal.**

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.

- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

  Attention: Legal Counsel
  The South Carolina Department of Administration
  Office of Economic Opportunity
  1205 Pendleton Street, Suite 366
  Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written hearing decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

The funds or services in question must be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be reverted to Client Assistance and made available to eligible participants.

All paper and DBA applications must include a clause notifying applicants of their right to appeal and a fair hearing if service is denied, as required by Section 2605(b)(13) of the LIHEAP statute.



LIHEAP Planning & Reporting

The following LIHEAP reports are due to OEO on the 15th of the month following the reporting month:

- Monthly **LIHEAP Household Reports** (to include supplemental/special grants)
- Monthly **Financial Status Reports** (FSRs)

All reports must be submitted in a timely manner; timeliness will be reported on risk assessments.

Logic Model Targeting & Projections

A logic model (also known as a logical framework, theory of change, or program matrix) is a tool used by funders, managers, and evaluators of programs to evaluate the effectiveness of a program. They can also be used during planning and implementation.

The GPRA legislation (Government Performance and Results Act of 1993/ Modernization Act of 2010) refers to "performance plans" and "performance goals," which both relate to the concept of planning for specific results. This references two kinds of targets: the number of people who are expected to be served and the number of people (of those served) who are identified in planning, so they can be assessed in the evaluation phase.

To improve program targeting, OEO allows agencies the flexibility to adjust program projections as the state receives updated notices of funding. Subgrantees will have a maximum of ten (10) business days following South Carolina's notice of LIHEAP Awards to update services and/or projections on the ROMA logic model. **Logic model targeting should not be altered after the state's final award has been received for the program year.** Instead, targeting variances should be explained in the annual report when prompted *(Ex. Anticipated funding was reduced; therefore, participant enrollment was limited).*

Final logic models reporting the achievement of results (column 5, Actual Results) are due to OEO no later than January 16, 2024.

LIHEAP Program Year Closeout

The 2023 LIHEAP Program should be closed out no later than February 15, 2024 (date subject to change). **Note:** The annual LIHEAP household pre- and final closeout reports are no longer required.

Section 3C

Project Share (PS)

Project Share is an energy benefit donated by private utility vendors to supplement LIHEAP.

To extend the scope of LIHEAP, private utility vendors have elected to designate private funds within their service territory to assist LIHEAP eligible customers with an additional energy benefit. To qualify, a customer must meet the unique criteria specific to each vendor and may only receive funds allocated to the county in which they live.

Project Share Reporting

Project Share operates on a state fiscal year beginning July 1st and ending June 30th of the following year. All Project Share client assistance data is to be maintained in DBA FACSPRO and reported monthly on a separate Household report for each vendor.

Project Share Exclusions

Project Share funds may not be used to purchase/install HVACs, window units, heat pumps, air conditioners, heaters, etc. Funds may not be used for repairs or administrative costs, unless instructed by the utility vendor.

Project Share Vendors

- Dominion Energy South Carolina
- Duke Energy
- Piedmont Natural Gas

Frequency of Project Share Services

The frequency of Project Share assistance varies by vendor.

Maximum Project Share Benefit

The maximum benefit allowed per household varies by vendor.

Overview

- No participating utility vendor shall discriminate against nor treat any eligible households adversely because of their receipt of LIHEAP Assistance.

- No participating utility vendor will exchange a customer's energy voucher for cash, nor will any cash equivalent be given for excess credit.

Dominion Energy: ENERGY SHARE

Program Overview

- Qualifying households may use Dominion's Energy Share funds to pay outstanding utility bills or deposits up to $1,500.
- **Eligible customers may return until their full Energy Share benefit is exhausted. Agencies must have a mechanism in place to track customer balances.**
- Dominion's Energy Share funds will continue to follow LIHEAP rules to include allowable charges as defined by OEO, except for income guidelines for Tier Two Dominion customers.
- An agency may use Energy Share funds combined with LIHEAP as a supplemental service or as standalone service during the program year.

Dominion Energy – Energy Share Emergency Assistance

Tier One – LIHEAP Eligible Customers (At or Below 150% of FPL)

1. Dominion's Energy Share funds may be used to satisfy outstanding allowable balances in conjunction with a Dominion customer's LIHEAP Service. **A maximum of $1,500 may be provided to Dominion Energy customers.**

   a) Example: Total Customer Bill = $2,000 in allowable charges. Staff would charge $1,000 to LIHEAP and the remaining $500 to Dominion's Energy Share. Customer is then eligible to exhaust the remaining Energy Share funds, not to exceed the balance of $500.

   b) Example: Total Bill = $1,600, however, the bill includes illegal activity and/or non-utility charges totaling $50. LIHEAP funds may pay $1,500; Dominion Energy Share funds may pay $50; and the customer is responsible for unallowable costs of $50. Unallowable costs may also be deducted from the customer's total benefit.

Tier Two – Customers exceeding 150% of the FPL (Eligible at 151 – 200% of the FPL)

1. Income eligible customers with a documented need may receive Dominion Energy Share benefits, not to exceed $1,500. Customer files must include a DBA application, current I.D, proof of household income, and a copy of the customer's current bill.

Dominion Energy's Energy Share – Nonemergency (DA) Assistance

Energy Share will mirror LIHEAP rules.

Dominion's Energy Share funds may be used to provide a nonemergency Direct Assistance benefit to provide financial assistance to help avert, prevent, deter and avoid utility crisis.

For nonemergency assistance, a qualifying household will receive a base Energy Share Direct Assistance benefit of $200. Additional amounts may be added to the household's total benefit based on the characteristics of its members.

The maximum Energy Share Direct Assistance benefit a household may receive during the **heating season** is $850.

The maximum Energy Share Direct Assistance benefit a household may receive during the **cooling season** is $775.

Duke Energy Project Share

Duke Energy Carolinas

***New!* SHARE THE LIGHT**

As part of their redesign for customer assistance, Duke Energy's **Share the Light** Fund will be used in all jurisdictions (with the

exception of the Piedmont Natural Gas - Share the Warmth program.)

Share the Light funds will follow LIHEAP rules (to include allowable charges as defined by OEO) and may be used for bill payment, unpaid deposits, and unpaid reconnection charges.

Duke Energy funds may be combined with LIHEAP as a supplemental service or as standalone service during the program year.

New! Income Eligibility
To qualify for assistance, the household's gross income must be at or below 200% of the FPL.

Maximum Benefits/Frequency of Service

A qualifying household may not receive more than $1,500 of Duke Energy funds for the program year. Eligible customers may return until their full benefit is exhausted; however, agencies must have a mechanism in place to track customer balances.

Emergency Share the Light funds may be provided to qualifying households up to $1,500.

For **nonemergency assistance**, a qualifying household will receive a base Direct Assistance benefit of $200. Additional amounts may be added to the household's total benefit based on the characteristics of its members.

The maximum Direct Assistance benefit a household may receive during the **heating season** is $850.

The maximum Direct Assistance benefit a household may receive during the **cooling season** is $775.

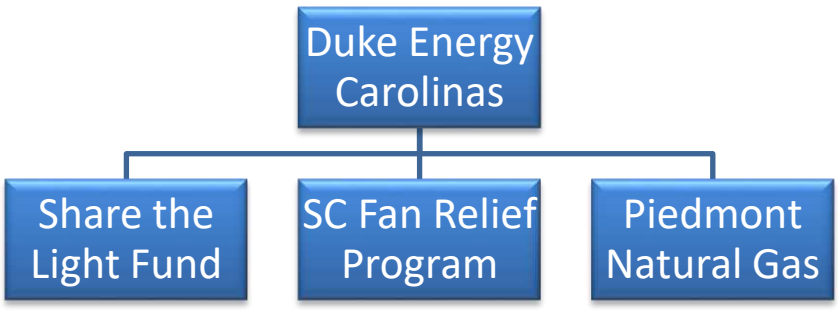
Duke Energy's Fan Relief Program

Duke Energy Carolina customers may be eligible to receive a $50 energy credit or fan once per year. Unallowable costs may be deducted from the customer's total benefit.

In lieu of a fan, a one-time $50 credit is available to eligible households during the program year for Duke Energy Carolina customers, age 60 and older.

Applicants who are awarded the $50 credit are not eligible to receive a fan.

- Any elderly citizen age 60 and older, residing in a county served by Duke Power, in need of cooling assistance may receive a fan, not to exceed $50 in value.
- One fan during the program year is allowed.
- An agency may use Duke's Fan Relief fund combined with LIHEAP as a supplemental service or as a standalone service during the program year.
- A fan purchased through Duke's Project Share is a gift and is not to be counted as an ECIP or DA LIHEAP service.
- Applicants must provide an original/copy of their current Duke Energy bill which is to be retained in the applicant's file.



Project Share Vendor Overview

Criteria	Dominion Energy South Carolina "Energy Share"	Duke Energy Fan Relief Program	Duke Energy Progress Energy Neighbor Fund "Share the Light"	Piedmont Natural Gas "Share the Warmth"
Except for *Duke Energy Fan customers, eligible households may receive Project/Energy Share assistance using LIHEAP rules. Agencies are encouraged to use Project/Energy Share Funds when possible to expand the outreach of LIHEAP funds. LIHEAP Rules: Maximum level household assistance: ECIP $1,500 and Direct Assistance $850.	LIHEAP & additional Dominion Energy Rules (FPL up to 200%)	LIHEAP & additional Duke Energy Rules, FPL up to 200%, age 60+, serve once $50 limit	LIHEAP & additional Duke Energy Rules, FPL up to 200%	LIHEAP eligibility rules (FPL up to 150%) Heating only
The household must be the energy provider's residential customer. A copy of a current or most recent billing statement verifying the household's residential customer status must be retained with the applicant's file. The applicant's "Home Address" must coincide with the service address on the billing statement.	✓	✓	✓	✓
The household must use electricity or natural gas to heat or cool the home. Secondary sources of heating are permitted. The authorized uses are payment of an energy bill to include deposits, reconnection fees, late fees, membership/franchise fees if required to establish service, if the applicant household can present proof that s/he is either a natural gas or electric customer.	Electricity Natural Gas	Electricity Natural Gas	Electricity Natural Gas	Natural Gas
Funds shall not be used for payment of administrative costs. Interest earned from Project Share funds maintained in an interest earning account may be retained.	Administrative caps for operational costs are outlined in the grant agreement. Funds may not be used for salaries.	✓	✓	✓
Funds can be used for repairs or purchase of a home heating/cooling device or equipment.	No	Purchase of fans, only, not to exceed $50.	No	No
Funds should be expended from balances-on-hand for each county.	Households must be a current customer of the vendor.			
Monthly reporting shall be on OEO Project Share FSR. Each report is to be completed and submitted to the OEO no later than the 15th of the month following the reporting period.	✓	✓	✓	✓

Please be advised that monthly revenue and expenditure activities are to be reported on these forms.

Appendix G

LIHEAP Checklist

DBA APPLICATION (Customer Report)	YES	NO
TOTAL HOUSEHOLD INCOME DOCUMENTATION (Weekly/Bi-Weekly/Semi-Monthly/Monthly)	YES	NO
CURRENT AND LEGIBLE SOUTH CAROLINA PICTURE ID	YES	NO
SOCIAL SECURITY NUMBERS (Entire Household)	YES	NO
ELECTRIC/GAS BILL or STATEMENT FROM VENDOR	YES	NO
PROPANE/ FUEL OIL BILL DELIVERY TICKET	YES	NO
DIRECT ASSISTANCE WORKSHEET	YES	NO
DIRECT ASSISTANCE SLAPP PLAN	YES	NO
ECIP: CURRENT UTILITY BILL/FINAL NOTICE Bill Date: _____ Cause of Emergency: _____	YES	NO
CUSTOMER PAYMENT AND BILLING HISTORY	YES	NO
REFERRAL FORM (If Applicable)	YES	NO
MANDATORY DBA VOUCHER/ CHECK NUMBER	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

South Carolina
Office of Economic Opportunity

STATEWIDE APPEAL AND FAIR HEARING PROCEDURES

Appendix H

Section 2605(b) (13) of the LIHEAP statute (42 U.S.C. § 8624(b) (13)) requires that each applicant be given an opportunity to have a fair administrative hearing if he/she is denied assistance or if his/her application is not acted upon with reasonable promptness.

LEVELS OF APPEAL

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.

- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

  Attention: Legal Counsel
  The South Carolina Department of Administration
  Office of Economic Opportunity
  1205 Pendleton Street, Suite 366
  Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written hearing decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

Funds in question must be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be made available to eligible participants.

Appendix I

NOTICE OF DENIAL OF ASSISTANCE/SERVICES

To: _____

_____

_____

Your request for assistance/services from _____ has been denied for the following reason(s):

Agency Name and Address

☐ You did not meet the program income eligibility requirements.

☐ You have failed to provide sufficient evidence regarding your application to make a ruling on your case application.

☐ Other: _____

Please be advised that if you do not agree with the above reason(s) for denial, you have the right to notify this office in writing within thirty calendar days of the date of this notice at the above-mentioned address, to request a review and formal appeal of your denial.

An initial review of your appeal will be completed by (name of designated hearing officer(s)) and a formal Fair Hearing will be scheduled within five business days of the agency's receipt of your written appeal.

If your appeal is denied at the Community Action Agency level, you may file a written appeal to OEO within 20 calendar days of the applicant's receipt of the agency's written hearing decision. The applicant shall submit the written appeal to:

Office of Economic Opportunity
Attention: Legal Counsel
1205 Pendleton Street, Suite 366
Columbia, SC 29201
(803) 734-0662

_____ _____

Signature of Agency Representative Date

Appendix J

Sample LIHEAP Household Report

The *LIHEAP Household Report–Long Format* is for use by the 50 States, District of Columbia, and insular areas with annual LIHEAP allotments of $200,000 or more. This Federal Report provides data on both LIHEAP recipient and applicant households for Federal Fiscal Year (FFY) 2018, the period of October 1, 2017 - April 30, 2018. The Report consists of the following sections: (1) **Recommended Long Format for LIHEAP Assisted Households** and (2) **Recommended Format for LIHEAP Applicant Households**. Data on assisted households are included in the Department's annual *LIHEAP Report to Congress*. The data are also used in measuring targeting performance under the Government Performance and Results Act of 1993. As the reported data are aggregated, the information in this report is not considered to be confidential.

There are two types of data: (1) **required** data which must be reported under the LIHEAP statute and (2) **requested** data which are optional, in response to House Report 103-483 and Senate Report 103-251. Both the *LIHEAP Household Report–Long Format* (the Excel file name is hhsrpt.xls) and the instructions on completing the Report (the Word file name is hhrptins.doc) can be downloaded in the Forms sections of the Office of Community Services' LIHEAP web site at: www.acf.hhs.gov/programs/liheap/grantees/forms.html#household_report. The spreadsheet is page protected in order to keep the format uniform. The items requiring a response are not page protected. However, other areas of the spreadsheet cannot be modified. For example, the number of assisted and applicant households can not be entered. Each total will be calculated automatically for each type of assistance by a formula when the poverty level data are entered.

Does the data below include estimated figures? No ☐ Yes ☐ Mark "X" in the second column below for each type of assistance that has at least one estimated data entry.

1. RECOMMENDED LONG FORMAT FOR LIHEAP ASSISTED HOUSEHOLDS

Type of assistance	Mark "X" to indicate estimated data	Number of assisted households	REQUIRED DATA: 2018 HHS Poverty Guideline interval, based on gross income and household size					REQUESTED DATA: At least one member who is					REQUESTED DATA: At least one member who is
			Under 75% poverty	75%-100% poverty	101%-125% poverty	126%-150% poverty	Over 150% poverty	60 years or older (elderly)	Disabled	Age 5 years or under (young child)	Elderly /Disabled /Young Child	Age 2 years or under	Age 3 years through 5 years
Heating		0	0	0	0	0	0	0	0	0	0	0	0
Cooling		0	0	0	0	0	0	0	0	0	0	0	0
Winter/Year Round Crisis		0	0	0	0	0	0	0	0	0	0	0	0
Summer Crisis		0	0	0	0	0	0	0	0	0	0	0	0
Other Crisis (specify)		0	0	0	0	0	0	0	0	0	0	0	0
Any type of LIHEAP assistance		0						0	0	0	0		

2. RECOMMENDED FORMAT FOR LIHEAP APPLICANT HOUSEHOLDS (regardless of whether assisted)

Type of assistance	Mark "X" to indicate estimated data	Number of applicant households	REQUIRED DATA: HHS Poverty Guideline interval, based on gross income and household size					
			Under 75% poverty	75%-100% poverty	101%-125% poverty	126%-150% poverty	Over 150% poverty	Income data unavailable
Heating		0	0	0	0	0	0	0
Cooling		0	0	0	0	0	0	0
Winter/Year Round Crisis		5	3	2	0	0	0	0
Summer Crisis		0	0	0	0	0	0	0
Other Crisis (specify)		0	0	0	0	0	0	0

Appendix K

LIHEAP Glossary of Terms

Primary Heating – the main form of energy used by a household to heat its dwelling, either deliverable or a utility. (*For example, the household heats the dwelling with an HVAC system that is fueled by natural gas. Therefore, the agency would select "natural gas". Other possible options include electric, propane, etc.)*

Secondary Heating – the other form of energy used by a household to satisfy only a portion of the heating requirements of a dwelling. *(For example, a dwelling uses a fireplace to supplement its primary heating. Therefore, the agency would select "wood". Other possible options include kerosene, natural gas, electric, etc.)*

Heating Source – a type of device a household uses to heat the dwelling (where the source of heat comes from). *(Examples: central heat (HVAC), kersoene, propane, space heater, wood, etc.)*

Cooling Energy - the main form of energy used by a household to cool its dwelling. (*For example, the household cools the dwelling with a central HVAC system that is run by electricity. Therefore, the agency would select "electric".*

Cooling source – a type of device used to cool the home (where the source of cooling comes from). *(For example, a dwelling uses a window air conditioner to cool the home. Therefore, the agency would select "window air conditioner unit". Other possible options include central air (HVAC), fan, etc.)*

Fuel Oil - the burnable liquids produced from crude oil. **Fuel Oil is commonly known as kerosene**.

Propane - a flammable hydrocarbon gas of the alkane series, present in natural gas and used as bottled fuel. *(Example Vendors: Suburban Propane, L.P. Gas Co., AmeriGas Propane, etc.)*

Natural Gas - flammable gas, consisting largely of methane and other hydrocarbons, occurring naturally underground (often in association with petroleum) and used as fuel. *(Example Vendors: Dominion, Duke, Piedmont Natural Gas, etc.)*

Energy Burden - the expenditures of the household for home energy divided by the income of the household.

Energy Efficiency - the use of energy in an optimum manner to achieve the same service that could have been achieved using a common less efficient manner. LIHEAP considers both the energy burden of such household and the unique situation of such household that results from having members of vulnerable populations, including very young children, individuals with disabilities, and elderly individuals.

DBA System & Program Descriptions for LIHEAP

ECIP Heating/Cooling – LIHEAP crisis assistance provided in response to a situation that has already or poses an immediate risk to life, health and safety directly related to the home or home energy heating/cooling costs. Section 2604(c)(1)(2) of the LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA)provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits.

ECIP Window Unit – a LIHEAP crisis service that provides households a window unit that otherwise reports no operable source of energy to heat/cool the home. The LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA) provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits.

ECIP Heater – a LIHEAP crisis service that provides households a cost-effective and efficient heater that otherwise reports no operable source of energy to heat the home. The LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA) provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits.

LIHEAP Emergency Intervention Service – an intervention provision provided to a household when an approved emergency LIHEAP service cannot be alleviated/executed within the required 18 or 48 hours, and the household has no way to safely heat/cool the home in the interim. The LIHEAP Statute requires not later than 18-48 hours after a household applies for energy crisis benefits, the eligible entity (CAA) provide some form of assistance that will resolve the energy crisis if such household is qualified to receive such benefits. A household ***must*** be provided a safe source to heat/cool the home or temporary shelter until installation. Intervention services include heaters, fans or temporary shelter.

LIHEAP Local Agency Programs – a system program that allows agencies to provide a LIHEAP benefit and pay multiple vendors in a single service. *(Example: An agency may pay to purchase a window unit and also pay a separate contractor to install the unit. Using the LIHEAP Local Agency Programs, the system will attribute both payments to a single LIHEAP service, instead of counting them as two separate services.)* See **Voucher Reference** below for instructions on how to detail the service provided.

Voucher Reference – when creating a voucher in DBA using "LIHEAP Local Agency Programs", the **Reference** field dropdown provides options to detail the service provided. *(Example: Chimney sweep, Emergency Intervention Services (heaters, fans, or temporary shelter).*

DA Heating/Cooling – a LIHEAP nonemergency beneifit to aid low-income households in meeting their home energy costs, particularly the vulnerable and those with the lowest incomes that pay a high proportion of household income for home energy.

Selected LIHEAP Assistance Payment Plan (SLAPP) – when a nonemergency LIHEAP benefit is applied to the client's bill incrementally, over a period of time. Fundamentally, SLAPP *is* a Direct Assistance benefit, only the full benefit amount may not be provided immediately if the household has a vendor that cannot separate unallowable charges. LIHEAP can only pay for costs associated with the heating/cooling of the home. If LIHEAP funds are used by vendors in ways that are different than what is described in the LIHEAP Statute and State Plan, this may constitute an improper use of funds. *(Reference LIHEAP IM 2010-13 Use of LIHEAP Funds Coordinated with Vendor Assistance Programs).*

LIHEAP Blankets – a LIHEAP service that allows blanket distribution as an energy expense in addition to a LIHEAP nonemergency or crisis assistance, if funding is available and approved by OEO.

LIHEAP Assurance 16 - the LIHEAP Statute (Section 2605(b)(16)) allows States, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance. Assurance 16 activities must be approved by OEO.

LIHEAP Outreach Activities - Section 2605(b)(3) of the LIHEAP statutes allows grantees/subgrantees to conduct outreach activities designed to assure eligible households are made aware of LIHEAP assistance. LIHEAP Outreach Activities include written material, interpretation services, media announcements, etc. LIHEAP Outreach Activities is to promote LIHEAP, **ONLY**.

Appendix L

SOUTH CAROLINA LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) VENDOR AGREEMENT

This Vendor Agreement shall govern certain activities of the Low-Income Home Energy Assistance Program, hereinafter referred to as LIHEAP, which are to be carried out by the Vendor identified on the signature page of this Agreement, hereinafter referred to as the Vendor, as a condition of receipt of payment, and the Community Action Agency; hereinafter referred to as the CAA.

The_____and the Vendor agree to the following:
(Community Action Agency)

A. SERVICES TO BE PERFORMED

1. The Vendor shall charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment.
2. The Vendor is required to verify the account holder's name and/or household member(s), account number, current balance on account and signature upon receipt of the energy voucher prior to crediting the customer's account.
3. The Vendor will accept the voucher(s) as credit for actual commitment/cash payment for the purchase of home heating fuel or cooling assistance. The Vendor shall specify on the signature page of this Agreement the fuel type to be provided. The Vendor will accept vouchers for the purchase of only the type fuel approved in this Agreement.
4. The Vendor will only deliver fuel to the actual residence of the account holder or credit the account of the account holder as documented on the voucher.
5. If the customer has moved and the energy voucher does not reflect the new address, the Vendor shall not accept the voucher until the customer returns the voucher and requests a change of address from the Community Action Agency (CAA).
6. Vendors are to ensure credit and/or service to approved households within the designated programyear.
7. This assistance is provided for households, not individuals. For this reason, no name changes may be made on the energy voucher. The address that appears on the voucher should match the name and address shown on the Vendor records. No alterations of any kind should be made to the voucher.
8. LIHEAP assistance may be used for deposits if specified by the CAA.
9. The parties recognize that each party is bound to act in accordance with their respective bylaws and policies at all times. Nothing in this Agreement is intended or shall be construed to supersede a party's obligations under their respective bylaws and policies or prevent a party from acting in accordance therewith.

B. PROVISIONS UNDER WHICH PAYMENT WILL BE MADE TO VENDORS

1. The Vendor must return this properly executed Vendor Agreement to the CAA prior to being reimbursed.
2. The Vendor must provide a Federal Employer Identification Number (FEIN) or a Social Security number will be acceptable only if the Vendor is an individual and has no FEIN.
   a. If a Vendor provides a Social Security Number, the Vendor must use the proprietor's name, not the company name. If a FEIN is supplied, a company name must be used.
   b. The Vendor shall notify the CAA in writing immediately when the FEIN, Social Security number, business name and/or address changes. Failure to report changes may result in a delay of payments. An IRS W-9 must accompany changes.

3. For fuel oil, propane and/or kerosene, the Vendor shall provide the eligible customer a quantity up to the value of the energy voucher but not to exceed the amount required to fill the tank. A delivery ticket must be submitted for actual payment remittance within 30 days of the delivery.

   a. If the value of the quantity of fuel purchased by a customer is less than the value of the energy voucher, the Vendor shall credit the difference to the customer's account. The credit balance on accounts that equals or exceeds the minimum delivery must be expended each consecutive month until the benefit is exhausted.

   If the value of the quantity of fuel required/purchased by a customer is greater than the energy voucher amount, payment for the remaining balance due must be negotiated between the customer and the Vendor. The CAA will not intervene in these matters.

   b. **The Vendor will not exchange a customer's energy voucher for cash nor will any cash equivalent be given for excess credit.** Violations shall be treated in accordance with Federal and State statutes, to include termination of this Agreement and termination of future services with the Vendor.

   c. When a customer moves from the Vendor's service area, or becomes deceased, and a credit balance remains on that account, the following policies shall apply within the current program year:

      i. Any legal survivors living in the residence of the deceased customer (as listed on the voucher), who were household residents at the time of application, are entitled to use the remaining benefit.

      ii. If there are no remaining legal survivors within the household, any remaining credit balance shall be refunded to the CAA within 30 days of the death or date of last service for the active voucher – whichever comes first.

      iii. Credit balances not used during the current program year (January 1 – December 31) are to be returned to the CAA within 45 days of the close of the grant period.

      iv. Any other circumstances arising shall be dealt with on a case-by-case basis. The Vendor should contact the CAA for additional instruction.

C. PAYMENT PROCEDURES

1. Once the Vendor has honored the energy voucher, as specified herein, the Vendor shall mail the energy voucher(s) to the CAA for payment.

2. Within 30 days of the date of the receipt of the energy voucher(s), payment amount equal to the total amount of the energy voucher(s) for electric service received by the CAA will be made to the Vendor. For kerosene, propane, fuel oil and/or wood vendors, payment will be made for the actual amount delivered, not to exceed the voucher amount.

   If a Vendor has not received payment for the energy voucher(s) within 30 days following the submission, the Vendor should contact the CAA and report the delay. In instances of reported delays, the Vendor may also contact the Office of Economic Opportunity (803-734-0662).

3. CAAs will submit an IRS Form 1099 to record payments in excess of $600 to non-incorporated vendors.

4. All properly executed Vendor Agreements must be maintained on file with the CAA and Vendor.

D. MONITORING

1. The Vendor will maintain records documenting the amount of energy assistance that the customer received and the date of receipt for all fuels other than electricity and natural gas. Records are to be maintained for one year after the program year ends.

2. The Vendor shall permit access to records pertaining to the activities engaged in by the Vendor under this Agreement. Such records include energy voucher payment forms or other documents supporting the delivery of services or receipt of payments for services rendered by the Vendor, as well as the amount of sale, customers' names and addresses.

3. The Vendor shall not discriminate against or adversely treat any eligible household regarding terms and conditions of sale, credit, delivery, or service. No discrimination shall be made based on the source(s) of household income. All sources of household income are documented on the Application and then processed, reviewed and approved by an agency representative. Additionally, the State prohibits any discrimination to households because of their receipt of LIHEAP assistance.

4. The Vendor will cooperate with any Federal, State or local investigation, audit or program review.

E. LIABILITY

To the fullest extent permitted by law, each party agrees to indemnify and hold harmless each other, the Office of Economic Opportunity and their agents, and employees from and against all claims, damages, losses, and expenses including but not limited to attorney's fees, arising out of or resulting from, whether directly or indirectly, any default or negligent or wrongful act or omission of each party, its agents, employees, or subcontractors in the performance or non-performance of the work, the enforcement of this agreement, or any other legal action.

Any losses caused by criminal activity, gross negligence and/or malicious intent is excluded from this indemnification section.

F. REPORTING DISCLOSURE

The Vendor will allow the CAA and the Office of Economic Opportunity access to LIHEAP customer's household fuel/utility/energy information for the purpose of State and Federal data reporting, as approved by the customer, via the statewide application for service.

G. AMENDMENTS and INTEGRATION

This Agreement contains the entire agreement of the parties with respect to the subject matter of this Agreement, and supersedes all prior contract, negotiations, agreement and understandings with respect thereto. This Agreement may only by amended by a written document duly executed by all parties.

H. TERMINATION

1. Either the CAA or the Vendor may terminate this Agreement by giving the other party at least 30 days written notice.

2. This Agreement will terminate immediately should the Vendor supply false information or attempt to defraud the CAA or the eligible customer. In such cases, no additional reimbursement will be made to the Vendor until such matter is resolved.

In witness hereto, the CAA and the Vendor have executed this Agreement on this_____day of _____, 20_____.

VENDOR: **Complete Section 1-9. Do not leave anything blank.**
Vendor must provide physical address or agreement is void.

1. _____
(Business or Vendor Name)

2. _____
(Mailing Address – Include City, State and Zip Code)

3. _____
(Street Address – Include City, State and Zip Code)

4. _____
(Area Code and Telephone Number)

5. **VENDOR DOCUMENTATION**

The Vendor must provide a Federal Employment Identification Number (FEIN), or, if you do not have a FEIN, a Social Security number (SSN) will be acceptable only if used with the proprietor's name (e.g. Hallman's Wood – (FEIN) or Mark Hallman (SSN).

Federal Employer Identification Number_____**or**

Social Security Number _____

6. **Fuel Type – Circle all Types of Fuel Provided.**

Fuel Oil	**Electricity**
Kerosene	**Wood**
Propane Gas	**Coal**
Natural Gas	**Landlord or Building Operator Who Provides Heat to Tenants**

7. **Check all that apply:**

- ☐ **I certify that I am not subject to backup withholding.**
- ☐ **I certify that the mailing address on file is correct and current.**
- ☐ **A W-9 is enclosed as required for new vendor(s), or for existing vendors to report change of address or change in FEIN or Social Security number and/or business name.**

_____	_____
(Print Authorizing CAA Signature)	**(Print Authorizing Vendor Signature)**
_____	_____
(Authorizing Signature)	**(Authorizing Signature)**
_____	_____
(Witness)	**(Witness)**
_____	_____
(Date)	**(Date)**

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* ECONOMIC OPPORTUNITY
James Miller, Director
1205 Pendleton Street, Suite 349
Columbia, SC 29201
803.734.0662
803.734.0356 Fax

SOUTH CAROLINA OEO: Fraud, Waste & Abuse Policies

Background: HHS issued an Action Transmittal requiring that states report on their systems for ensuring program integrity, including provisions to prevent waste, fraud and abuse, and provisions to assure LIHEAP vendor validity. South Carolina OEO's policies to prevent waste, fraud and abuse is as outlined.

State Agency:

To report fraud, waste, abuse, mismanagement, or misconduct within or involving a state agency or employee(s) of a state agency, call the **State Inspector General** at 1-855-723-7283 (1-855-SC-Fraud), or visit the State Inspector General's website to file a complaint online (https://oig.sc.gov/).

Additionally, HR-201 – Disciplinary policy implemented by the Department of Administration (Admin) applies to all employees of the state agency and includes procedures to take. Admin's Human Resources Director or designee should be consulted, and Admin may conduct an investigation and coordinate with the Office of General Counsel as needed. Reference: Department of Administration Employee Disciplinary Policy (form HR-201).

Vendor:

The LIHEAP statewide vendor agreement will terminate immediately should a utility vendor supply false information or attempt to defraud the Office of Economic Opportunity, a Community Action Agency/OEO eligible entity or the eligible customer. In such cases, no additional reimbursement or payment will be made to the utility vendor until such matter is resolved. Reference: South Carolina OEO's Statewide Vendor Agreement (Effective 1/1/20 – until amended).

The Consumer Services Division of the South Carolina Office of Regulatory Staff (ORS) is responsible for assisting the public with complaints against regulated public utilities. This division can be reached at **1-800-922-1531** or **803-737-5230** between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday. You may also visit their website at www.ors.sc.gov.

Their mailing address is:
Office of Regulatory Staff
Consumer Services Division

1401 Main Street, Suite 900

Columbia, SC 29201

The state office (OEO) will abide by the following procedures for investigating and prosecuting reports of fraud, and any sanctions placed on vendors found to have committed fraud:

- Refer to state Inspector General.
- Refer to US DHHS/DOE/HUD Inspector General (including referral to OIG hotline).
- May refer to OEO Subgrantee
- Vendors found to have committed fraud may no longer participate in CSBG, ESG, LIHEAP and/or WAP, and formal debarment or suspension may be initiated.

For more information please refer to South Carolina OEO Grant Agreements, Model/State Plans, OEO policies and procedures.

Subgrantee:

If the state office finds "cause" with a subgrantee, subgrantee employee, or authorized representative of the subgrantee that involves evidence of fraudulent reporting, use of funds or other evidence of criminal wrongdoing, OEO may initiate a reduction in or termination of the subgrantee's funding.

The federal CSBG Act explains that "cause" for which a state office may initiate a reduction in, or termination of a CAA's funding includes:

> *The failure of a CAA to comply with the terms of its CSBG agreement with the state, the state plan or to meet a state requirement.*

OEO requires Subgrantees to submit a LIHEAP integrity plan annually that details the agency's plan for preventing and detecting fraud, abuse, and improper payments.

In accordance with the OEO grant agreement, Subgrantees must disclose, in a timely manner, in writing to the Grantee all violations of State and Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award. See 45 C.F.R. §75.113.

Additionally, Subgrantees must comply with the reporting requirements of Appendix XII to 45 CFR Part 75 and 2 CFR Part 200. More specifically, Subgrantees receiving a total value exceeding

$10,000,000 of active grants, cooperative agreements and procurement contracts from federal awarding agencies must maintain the currency of information reported to the System for Award Management (SAM) about civil, criminal, or administrative proceedings. See 45 C.F.R. §75 Appendix XII and 2 C.F.R. §200 Appendix XII.

The state office (OEO) will abide by the following procedures for investigating and prosecuting reports of fraud, and any sanctions placed on subgrantees found to have committed fraud:

- Refer to state Inspector General.
- Refer to US DHHS/DOE/HUD Inspector General (including referral to OIG hotline).
- May refer to OEO Subgrantee
- Contracts and grant agreements with local agencies require that employees found to have committed fraud are reprimanded and/or terminated.

For more information please refer to South Carolina OEO Grant Agreements, Model/State Plans, OEO policies and procedures.

Customers:

Customers intentionally misrepresenting information and/or documentation (social security identification, photo identification, income, household members, etc.) to qualify for services should be considered for debarment. With the recommendation of staff and the approval of the executive director, it is the servicing agency's responsibility to determine the period of debarment according to the documented offense(s). Debarment shall be for a period commensurate with the seriousness of the cause(s). Generally, debarment should not exceed one (1) program year, except debarment for violations involving physical assault, criminal or other seriously improper conduct, which may result in permanent barring.

The state office (OEO) will abide by the following procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients found to have committed fraud:

- Refer to state Inspector General.
- Refer to US DHHS/DOE/HUD Inspector General (including referral to OIG hotline).
- May refer to OEO Subgrantee.

For more information please refer to South Carolina OEO Grant Agreements, Model/State Plans, OEO policies and procedures.

ADMINISTRATION FOR
CHILDREN & FAMILIES
Office of Community Services | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/ocs

Low Income Home Energy Assistance Program

Information Memorandum

IM#:	LIHEAP-IM-2023-03
DATE:	June 1, 2023
TO:	Low Income Home Energy Assistance Program (LIHEAP) Grant Recipients
SUBJECT:	LIHEAP Assistance for Eligible Household Members Residing with Ineligible Household Members
ATTACHMENT(S):	N/A

PURPOSE

This Information Memorandum (IM) provides guidance on LIHEAP benefit payments for eligible household members residing in households with at least one member not eligible because they are not a citizen or qualified immigrant. In such circumstances, a LIHEAP grant recipient may pay off arrears in full when necessary to restore utility service or prevent a utility shut-off for eligible household members; grant recipients may also provide other LIHEAP services in full that cannot be prorated for eligible household members such as the purchase/repair/replacement of a heating or air-conditioning unit, weatherization services, and other minor-home energy related repairs.

OFFICIAL POLICY

When providing LIHEAP benefits such as energy bill reductions which can reasonably be prorated, LIHEAP grant recipients must prorate such benefits when they are being provided to eligible individuals residing in a household with ineligible members, based on the number of eligible household members. The income of all household members—regardless of eligibility—must be documented, verified, and included in the calculation of the LIHEAP benefit amount. However, ineligible household members must be excluded from the total household count when determining the benefit.

Additionally, LIHEAP grant recipients may pay the full amount of an arrearage to reconnect services or prevent the disconnection of home energy services for an eligible household member in order to ensure the availability of home energy services, even if the eligible member resides with one or more ineligible household members. Grant recipients may also provide eligible household members with other LIHEAP services that cannot be prorated such as the

purchase/repair/replacement of a heating or air-conditioning unit, weatherization services, and other minor-home energy related repairs.

BACKGROUND

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub. L. 104-193), restricts the access of certain non-citizen populations to specified Federal benefits. PRWORA distinguishes between qualified and not-qualified non-citizens.[1] Non-citizens who are not qualified are ineligible for defined federal public benefits, including LIHEAP. Qualified non-citizens are eligible to receive assistance and services under LIHEAP if they meet other program requirements.

Qualified non-citizens include persons granted permanent residence (green cards), refugees, asylees, persons paroled into the United States for at least a year or more, and certain other categories of non-citizens as specified in section 431 of PRWORA, 8 U.S.C. 1641(b).

An eligible household member for purposes of the LIHEAP Program is any individual who is a U.S. citizen or qualified non-citizen and is a member of a household that meets the eligibility requirements specified in Section 2605(b)(2) of the Low Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)).

RESPONDING TO NEEDS

LIHEAP grant recipients can use this guidance immediately to ensure that they are responding to the needs of low-income households. OCS recognizes that a full arrearage payment or payment arrangement may be required in order to reconnect or prevent the disconnection of household energy services, and that in such circumstances, it is impossible to reconnect heating/cooling services for only certain household members. Similarly, it is not possible to replace half of a heating unit or install part of an air-conditioning unit. It is for this reason that grant recipients are allowed to provide LIHEAP services in full that cannot be prorated for eligible household members when the eligible member resides with one or more ineligible household members.

Please note that this guidance aligns with guidance issued for the Low Income Household Water Assistance Program. Together, these guidance documents will allow grant recipients to best meet the needs of eligible individuals in low-income households and ensure that those who are eligible for critical utility assistance are not denied services based solely on living with ineligible household members.

RELATED REFERENCE

LIHEAP IM HHS Guidance on the Use of Social Security Numbers (SSNs) and Citizenship Status Verification

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[1] The statutory term is "qualified alien." The meaning of qualified alien and qualified non-citizen is intended to be synonymous.

Thank you for your attention to these matters. OCS looks forward to continuing to provide high-quality services to OCS partners.

/s/
Dr. Lanikque Howard
Director
Office of Community Services

Serving Households with Energy Costs Included in Rent

The LIHEAP Terms and Conditions state that LIHEAP must establish policies and procedures that treat owners and renters equitably. The following are scenarios subgrantees may encounter when providing assistance to renters.

1. Household when the applicants is the residential energy account holder: These households are to be served the same as homeowners.
2. Households who have their residential energy bill included in their rent (this may include mobile homeowners or renters who lease the space/land.)

- **Single energy meters** the following information is required for the subgrantee to be able to make a payment directly to the energy vendor.
  - The name of the vendor
  - The account number
  - The cost of residential heating/cooling costs charged in the rental fee; and
  - Rent or heating/cooling energy balance (Past Due Bills)
- **Shared energy meters** the following information is required for the subgrantee to be able to make a payment directly to the energy vendor.
  - The name of the vendor
  - The account number
  - Rent or heating/cooling energy balance (Past Due Bills) and
  - An agreed upon average household amount for monthly heating/cooling energy usage

Important: For all situations when the heating/cooling energy bill is part of the rent, the subgrantee must confirm that the benefit is being passed to the household in the form of a rent reduction once the vendor receives a payment.

If an applicant is behind on their rent, which includes their energy bill, a payment cannot be made to the landlord to cover the rent. The LIHEAP benefit must only be for arrearages and rate reductions related to heating/cooling energy services, not for general rental payments. In addition, payments cannot be made directly to landlords nor households.

Subgrantees may use the LIHEAP Renter's Affidavit to gather and document information that demonstrates the household is in receipt of rent reduction.

Renter's Reduction Example:

Renter's Billing Profile	
Monthly Rent (No Payments Made)	$500
Number of Months Past Due	3
Itemized Heating/Cooling Fees	$100
Itemized Late Fees	$25

LIHWAP Benefit Calculation	
Energy Fees: $100 x 3	$300
Late Fees: $25 x 3	$75
Total LIHEAP benefit	$375
Rent Reduction	$375

Note: The landlord must agree to reduce the household's total rent due by $375.

OFFICE OF ECONOMIC OPPORTUNITY (OEO/State)
CSBG & LIHEAP STAFF INFORMATION:

Questions regarding this Administrative Guide should be directed to OEO staff:

SENIOR MANAGER FOR CSBG AND LIHEAP PROGRAMS

Kelly Buckson | (803) 734-0579 | Kelly.Buckson@admin.sc.gov

PROGRAM COORDINATORS & AGENCY ASSIGNMENTS

Franchesca Watson (Team Lead) | (803) 734-3456 | Franchesca.Watson@admin.sc.gov
Pee Dee, Lowcountry, Palmetto CAP, Darlington

VACANT
Aiken/Barnwell, Beaufort-Jasper, OCAB, SHARE, Waccamaw

Renee Dukes | (803) 734-1394 | Renee.Dukes@admin.sc.gov
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Office of Economic Opportunity
1205 Pendleton Street
Columbia, South Carolina 29201
Telephone: (803) 734-0662
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oeo.sc.gov

This guide is subject to change at any time during the program year.

2024 COMMUNITY ACTION AGENCY SUBGRANTEES/ELIGIBLE ENTITIES

Community Action Agency	CSBG/LIHEAP Point of Contact
Aiken/Barnwell Counties Community Action Agency, Inc. **George A. Anderson, Esq.** Executive Director 291 Beaufort Street Aiken, SC 29801 (803) 648-6836	**Bertie McKie** bertie.mckie@abccaa.org (803) 648-6836 *CSBG & LIHEAP*
Beaufort-Jasper Economic Opportunity Commission **James Williams** Executive Director 1905 Duke St., Suite 250 Beaufort, SC 29902 (843) 255-7220	**Andray Holmes** aholmes@thebjeoc.org (843) 255-7229 *CSBG & LIHEAP*
Carolina Community Actions **Karen Brackett-Browning** Executive Director 138 South Oakland Avenue Rock Hill, SC 29731 (803) 329-5195	**Mary Reid** mreid@ccainc.org (803) 329-5195 *CSBG & LIHEAP*
Chesterfield-Marlboro Economic Opportunity Council **Samuel D. Bass, Jr.** Executive Director 318-322 Front Street Cheraw, SC 29520 (843) 320-9760	**Rolanda Lewis** rlewis@cmeoc.org (843) 320-2135 *CSBG & LIHEAP*
Darlington County Community Action Agency **Jacquelyn Slayton** Executive Director 325 W. Washington Street Hartsville, SC 29550 (843) 332-1135	**Pamela Stevenson** pstevenson@dccaa.net (843) 332-1135 ext. 209 *CSBG & LIHEAP*
GLEAMNS Human Resources Commission **Shunna Jeter** Executive Director 237 Hospital Street Greenwood, SC 29648 (864) 223-8434	**Marcella Kennedy** mkennedy@gleamnshrc.org (864) 223-8434 ext. 8829 *CSBG & LIHEAP*

Lowcountry Community Action Agency **Tara Glover** Executive Director 1605 N Jefferies Hwy Walterboro, SC 29488 (843) 549-5576	**Emily Mitchell** eamitchell@lowcountrycaa.org (843) 549-5576 ext. 106 *CSBG & LIHEAP*
OCAB Community Action Agency **Calvin Wright** Executive Director 1822 Joe Jeffords Highway Orangeburg, SC 29116 (803) 536-1027	**Janice Spells-Jamison** jjamison@ocabcaa.org (803) 536-1027ext.117 *CSBG & LIHEAP*
Palmetto Community Action Partnership **Casdell Singleton** Executive Director 1069 King Street Charleston, SC 29403 (843) 724-6760	**Patrice Simmons** psimmons@palmettocap.org **(**843) 737-8816 frontdeskBERK@palmettocap.org; frontdeskCHAS@palmettocap.org; frontdeskDOR@palmettocap.org. (843) 724-6760 ext. 4192, 4193, 4194 Toll Free (844) 769-6448 *CSBG & LIHEAP*
Pee Dee Community Action Partnership **Walter Fleming** Executive Director 2685 South Irby Street Florence, SC 29501 (843) 678-3400	**Queen McCall** queenmccall@hotmail.com (843) 678-3400 ext. 121 *CSBG & LIHEAP*
Piedmont Community Actions, Inc. **Cynthia Lounds** Executive Director 300A South Daniel Morgan Avenue Spartanburg, SC 29304 (864) 585-8183	**Margie Salters** msalters@pcasp.org (864) 327-1115 *CSBG only*
Sunbelt Human Advancement Resources **Pamela Sims** Executive Director	**Tandy Bannister** tbannister@sharesc.org (864) 269-0700 ext. 3242

254 S. Pleasantburg Drive Greenville, SC 29607 (864) 269-0700	*CSBG & LIHEAP*
Waccamaw Economic Opportunity Council **James Pasley** Executive Director 1261 Hwy. 501 East, Suite B Conway, SC 29528-1467 (843) 234-4100	**Shenika Gibbs** shenika.gibbs@weoc.org (843) 355-9922 *CSBG & LIHEAP*
Wateree Community Actions **Annette Tucker** Executive Director 1915 Harden Street Columbia, SC 29204 (803) 807-9811	**Margaret Gibson** mgibson@wcai.org (803) 807-9811 *CSBG & LIHEAP*
SC Association of Community Action Partnership **Jessica McMoore** Executive Director 2700 Middleburg Drive, Suite 213 Columbia, SC 29204 (803) 771-9404	**Elaina Lamar** elamar@scacap.org (803) 771-9404

SOUTH CAROLINA OFFICE *of*
ECONOMIC OPPORTUNITY

Protocol for CSBG & LIHEAP Grants:

Policies and procedures for program monitoring to ensure the accomplishment of program outcomes and grant compliance.

OEO Mission and Responsibilities

The mission of the Office of Economic Opportunity (OEO) is to expand awareness of human service programs throughout the State of South Carolina and to implement and maintain technical support for our service agencies in the areas of moving eligible families, including the elderly and disabled, from their current economic condition to stabilized and ultimately self-sufficient.

The OEO shall administer the Community Services Programs in accordance with the State Plans, State and Federal statutes and other policies and interpretations as may be required by appropriate State or Federal authorities. South Carolina Code of Laws (SECTION 58-37-50) dictates that Community Services Block Grant (CSBG), Low-Income Home Energy Assistance Program (LIHEAP) and Weatherization Assistance Program (WAP) be administered locally by Community Action Agencies (CAAs); therefore, subawards are made only to eligible Community Action Agencies. The OEO shall ensure that services and activities implemented to assist low-income persons, including the poor, in areas as set forth in Section 676(b)(1) of the Act/Statute.

The OEO, through Grant Agreements with eligible Subgrantees, will carry out the services and activities necessary to comply with Section 675(c)(1) of the Act. OEO's minimum responsibilities as the state administering agency are:

1. Development of the State Plan and of the CSBG fund distribution process;
2. Establishment of program policies and operational procedures;
3. Development of accounting policies and procedures;
4. Development of fiscal procedures, including required audits;
5. Procedures for record maintenance and for supporting documentation;
6. Issuance of policies and procedures for compliance with Act 143 of 1983, South Carolina Code of Laws, referenced as the "Community Economic Opportunity Act of 1983", as amended;
7. Review and approval of Subgrantee Work Plans;
8. Determination of Subgrantee eligibility;
9. Issuance of grants;
10. Monitoring of the program throughout the state;
11. Training and technical assistance;
12. Evaluation of Subgrantee agency program performance and identification of remedial procedures;
13. Reporting of program data.

Program Overview

Community Services Block Grant (CSBG)

The Community Services Block Grant (CSBG), administered by the states, provides core funding to local agencies to reduce poverty, revitalize low-income communities and to empower low-income families to become self-sufficient. The CSBG is currently authorized under the 1998 CSBG Act.

Agencies in the CSBG network are Community Action Agencies (CAAs), created through the Economic Opportunity Act, a predecessor of the CSBG. Community representation and accountability are hallmarks of the CSBG network, where agencies are governed by a tripartite board. This board structure consists of elected public officials, representatives of the low-income community, and appointed leaders from the private sector.

CSBG is not required to implement verification requirements, therefore, "Non-citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs" (CSBG IM No. 30, US Department of HHS for Children and Families Office of Community Services Division of State Assistance).

The federal income eligibility According to the CSBG Act, the term "poverty line" means the official poverty line defined by the Office of Management and Budget

based on the most recent data available from the Bureau of the census. The annual revision of the poverty line, shall be used as a criterion of eligibility in the community services block grant program. The State may revise the poverty line not to exceed 125 percent of the official poverty line ((Section 673(1)(B)(2)).

In response to the pandemic, CSBG was allowed a temporary increase to the eligibility rate up to 200 percent of the Federal Poverty Level (FPL) for services provided. Reference the current program year's State Model Plan for eligibility criteria.

CSBG requires States to use the FPL when determining customer eligibility. However, States are allowed the flexibility to determine the formula in which funds are distributed by county (ex. Historical, FPL only, Historical + Formula, etc.) Reference OEO's Fiscal Policies and Procedures for OEO's methodology to allocate and distribute funds to eligible entities.

CSBG Program Operations: January 1–December 31. Federal reports are based on events that occur during the program year.

Low-Income Home Energy Assistance Program (LIHEAP)

The Low-Income Home Energy Assistance Program (LIHEAP), administered by the states, assists low-income households, particularly those with the lowest incomes that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs. Grantees (states) must provide crisis assistance. States have the option to provide home heating/cooling, weatherization and/or energy-related minor home repairs.

Congress established the formula for distributing funds based primarily on each State's weather, fuel prices, and low-income population. Home energy is defined as a source of heating or cooling in residential dwellings. Grantees (states) can use funds for heating and/or cooling costs as well as up to 15% of their funding for weatherization assistance.

LIHEAP defines eligible household members as any individual who is a U.S. citizen or "qualified alien". A "qualified alien is defined at 8 U.S.C. § 1641(b). Members of the household must meet the eligibility requirements specified in Section 2605(b)(2) of the Low-Income Home Energy Assistance Act (42 U.S.C. § 8624(b)(2)).

The Federal income eligibility All LIHEAP grantees must set their income-eligibility criteria between 110 percent of these guidelines and the greater of (1) 150 percent of these guidelines; and (2) 60 percent of State Median Income (SMI). Reference the Health and Human Services Poverty Guidelines (HHSPG). HHS will publish LIHEAP's 60 percent of SMI criteria.

LIHEAP allows State's the flexibility in choosing to serve constituents based on the FPL or the State's Median Income (SMI). The State then has the flexibility in determining how funds are distributed to eligible entities.

South Carolina determines eligibility for LIHEAP households based on 60 percent of the State's median income (SMI). LIHEAP income guidelines were effective January 24, 2023. Total "gross" household monthly or annual income must be used to determine income eligibility. Income is calculated using the 30-day period preceding and including the application date.

LIHEAP grantees must adopt these guidelines by the beginning of the Federal Fiscal Year or the beginning of a Grantee's program year, whichever is later.

LIHEAP Program Operations: January 1–December 31. While South Carolina operates on a calendar year, Federal reports are based on events that occur during the Federal Fiscal Year (FY) October 1–September 30.

Federal Poverty Guidelines

South Carolina utilizes the Federal Register notice announcing the annual update of the Federal Poverty Guidelines to determine eligibility for CSBG and LIHEAP grants, which mirrors the Health and Human Services Poverty Guidelines (HHSPG). South Carolina's FPG is updated only once annually at the

beginning of each calendar year, upon Federal notice. The Federal Register notice is generally issued from mid to late January. South Carolina will determine eligibility based on the previous year's income guidelines until receipt of the updated notice. Upon receipt of the updated income guidelines, it is the responsibility of the CSBG/LIHEAP Program Manager to issue an Information Memorandum (IM) alerting the CAA network and the statewide database (DBA) when to adopt the new guidelines. Included in the IM should be calculations for CSBG, LIHEAP and Weatherization (WAP) programs according to 100%, 125%, 150% and 200% of the FPL and/or SMI. A copy of the IM should be saved to OEO's CSBG/LIHEAP grant control file.

OEO CSBG/LIHEAP Grant Awards

It is the intent of OEO to maximize program efficiency, ensure the application of appropriate procedures, and maintain the integrity of grant funds.

A timeline of events must occur before awarding CAA's CSBG and/or LIHEAP funds:

- Approved State Plans - US HHS must approve South Carolina's CSBG and LIHEAP State Plans to receive Federal Awards.
- Approved Community Action Plan – OEO must approve CAA's Community Action Plans to administer programs in their designated counties.
- Approved Budget – OEO's fiscal staff must approve CAA's budgets
- Executed Grant Agreements – CAA's must submit signed grant agreements to OEO prior to the release of funds.

OEO CSBG/LIHEAP Program Monitoring

South Carolina is tasked to assess the health of the entire agency through the State's monitoring practices. Such assessments include general oversight, desk reviews, and onsite reviews of the following: agency work plan and/or contract, needs assessments, service delivery systems, administration and management systems, board and governance systems, and financial systems. Monitoring is a way of identifying and correcting problems in program policies and operations. If monitoring is conducted early in the program year, then problems can be corrected to improve current program activities. Also, results from monitoring can be used to help design a more effective program for the next fiscal year.

To assure the accomplishment of program outcomes and grant compliance, the OEO will monitor each Subgrantee a minimum of one time per three program years.

Monitoring will include site visits consisting of the review of client files, year-to-date reporting, year-to-date achievement of outcomes and milestones, Results Oriented Management and Accountability (ROMA) implementation, partnerships/collaboration, Board minutes and Board membership rosters, and the accomplishment of the 58 Organizational Standards. Offsite desk reviews may also be conducted. The Subgrantee will be briefed on the observations and/or findings generated by the monitoring during the exit interview. Additionally, training and technical assistance may be provided during the monitoring visit or upon request.

Types of State Monitoring

OEO will conduct the following types of monitoring of subrecipients.

a) Triennial Onsite Programmatic Monitoring: To assure the accomplishment of program outcomes and grant compliance, the OEO will monitor each Subgrantee a minimum of one time per three program years.

b) Annual Fiscal Monitoring: In its interim and at the discretion of the State, OEO will conduct risk-based monitoring annually of subrecipients to strengthen oversight of Federal awards. The review will include, but may not be limited to, onsite interval monitorings to include a sample of customer

files, observation of subrecipient satellite office(s), desktop review of customer files, a review of expenditures and the accuracy of related documentation.

c) Annual Monitoring of Organizational Standards: 42 U.S.C. § 9914 requires State CSBG Lead Agencies to establish "performance goals, administrative standards, financial management requirements, and other requirements" that ensure an appropriate level of accountability and quality among the State's eligible entities. The Center of Excellence (COE) developed 58 standards for nonprofit eligible entities. To ensure the consistent achievement of the 58 Organizational Standards as required by the Office of Community Services (OCS), OEO requires each CSBG eligible entity to upload and maintain all standards in the statewide database for OEO approval. Standards will be monitored annually according to the Calendar of Required Actions.

d) Board Compliance: In order to assure board compliance, eligible entities will provide the OEO, via the statewide database, a current board of director's roster and completed and signed board composition forms. Changes in composition are to be reported to the OEO within thirty (30) days of the change. Additionally, Subgrantees will upload minutes to the statewide database for each board meeting no later than thirty (30) days following the approval of the minutes.

e) New Eligible Entity Monitoring: An onsite review of each newly designated eligible entity will be conducted during the first year in which such entity receives funds.

f) Follow-up monitoring: Follow-up reviews will occur for subrecipients, and their programs that fail to meet the goals, standards and requirements established by the State. If the on-site monitoring reveals serious deficiencies and/or deficiencies are not corrected in a timely manner in accordance with requirements, the State Office will conduct a follow-up on-site monitoring review and provide training and technical assistance as deemed necessary.

g) Additional Monitoring: Other reviews are conducted as appropriate. These might include reviews of subrecipients with programs that have had other Federal, State or local grants terminated for cause. If a subrecipient is experiencing programmatic issues, OEO will conduct additional reviews and ensure that training and technical assistance is provided as deemed necessary.

OEO Monitoring Schedule

OEO managers, auditor(s) and/or legal counsel will meet in December to assesses the risks of each eligible entity. Considering the potential risks of each subgrantee, OEO will draft a monitoring schedule for the upcoming program year. OEO will consider location and season, to avoid costly travel expenses (example: OEO will attempt to schedule overnight monitorings along the coast during the off-season to meet the Federal per diem for lodging costs). The Federal Per Diem Rates can be accessed at https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup. OEO will then provide the dates to each agency's Executive Director for approval. The monitoring schedule will be finalized by January 1st.

The Monitoring Process

Pre-Monitoring Procedures

a) It is the responsibility of the OEO Program Coordinator to compose the **monitoring instruments** and **monitoring exhibits** and submit to OEO's legal counsel to include in the monitoring announcement letter. A template of the monitoring instrument and exhibit can be provided by the CSBG/LIHEAP Program Manager or found on OEO's S: drive.

b) OEO's legal counsel will send the CAA notification of monitoring along with monitoring exhibits at least 30 days prior to monitoring to the Executive Director and designated points of contact.

c) The OEO Program Coordinator will contact the database help desk and request the total number of customers served by program and grant, following the OEO issued announcement letter. The coordinator will then make the appropriate copies of CSBG/LIHEAP monitoring sheets.

d) At minimum, a Program Coordinator should have the following items to monitor: Monitoring sheets; a copy of the monitoring exhibit, announcement letter and instruments; Administrative Guide(s); relevant OEO memorandums; database pay frequency calculations; FPL(s); current and prior year calendars; CSBG/LIHEAP State Plans; CSBG Act, LIHEAP Statute; copies of the agency's current logic models; a calculator; pens; highlighters; stapler; and agency/OEO contact information.

On-Site Monitoring Procedures

OEO will conduct on-site monitoring as indicated in the Types of Monitoring. A typical visit can be expected to span two (2) to five (5) days on-site. Issues identified onsite could result in a longer monitoring period. Program monitors will travel and review as a team and execute the following:

a) Offer both an entrance and exit conference with the Executive Director and appropriate staff. The lead Program Coordinator will conduct the entrance conference to reinforce the agenda items outlined in the monitoring announcement. An exit conference should be scheduled within 10 days of OEO's completed review. The exit conference may be provided via telephone conference call with the Executive Director and appropriate OEO and agency staff.

b) A sample of CSBG and LIHEAP customer files are randomly selected for review to determine that files document customer eligibility, costs are allowable and traceable to the accounting system, and are in accordance with provisions of cost principles and conditions of the Grant Agreement.

The program manager will determine which program years to review, based on the agency's past performance. Note: Consider monitoring program performance dating back to OEO's latest monitoring to present. This could result in monitoring two program years. The number of files selected is based on agency size, number of CSBG/LIHEAP programs, number of customers served at the time of monitoring, past performance, interval/full site monitoring and the number of OEO program coordinators available.

c) Review Organizational Standards. Organizational Standards categories 1-6 and 9 are monitored and approved by the CSBG manager and program coordinators. Categories 7 and 8 are monitored by OEO's fiscal manager and monitoring staff.

d) Review board Compliance (board composition and roster according to agency by laws) and meeting minutes to verify proper board practices;

e) Review Vendor Agreements and payments;

f) Observation of Fair Hearing and Appeals posting, current CSBG/LIHEAP State Plans and current agency Community Action Plans;

g) Observe the client intake process;

h) Observe and review the collection of reports submitted monthly and quarterly (CSBG Outcome Measures report, LIHEAP Household report);

i) Interview staff;

j) Interview customers, if available;

k) Provide staff T/TA upon request.

Interim Monitoring Procedures

OEO may conduct an on-site interim monitoring visit that could span two (2) days. A team of program monitors will:

a) Offer both an entrance and exit conference;

b) A smaller sample of customer files are randomly selected for review to determine that customer files document customer eligibility, costs are allowable and traceable to the accounting system, and are in accordance with provisions of cost principles and conditions of the Grant Agreement.

c) Review Organizational Standards

d) Review board Compliance (board composition and roster according to agency by laws) and meeting minutes to verify proper board practices;

e) Review of Vendor Agreements and payments;

f) Observation of Fair Hearing and Appeals posting, current CSBG/LIHEAP State Plans and current agency Community Action Plans.

During the **second day of interim monitoring**, program monitors will perform an onsite review of the agency's satellite office to include:

a) Observation of Fair Hearing and Appeals posting, current CSBG/LIHEAP State Plans and current agency Community Action Plans;

b) Observe the client intake process;

c) Observe and review the collection of reports submitted monthly and quarterly (CSBG Outcome Measures report, LIHEAP Household report);

d) Discuss with program manager(s) and staff the implementation of CSBG and LIHEAP projects, including program success and obstacles;

e) Interview customers, if available; and

f) Provide staff T/TA.

Desktop Monitoring Procedures

OEO will use desktop monitoring procedures in the review of eligible entities' annual CSBG Organizational Standards self-assessment, review of Board compliance, and to monitor customer files.

a) Conduct desktop review of programs and customer files during the interim period.

b) Organizational Standards will be reviewed periodically throughout the program year to assure compliance according to the Calendar of Required Actions. Utilizing the statewide database, OEO will review subrecipient's submissions and approve, request additional information or deny the achievement of standards. All standards (according to the Calendar of Required Actions) must be uploaded and achieved by December 31st. Standards unmet will be considered noncompliant and the entity will be required to respond through a Technical Assistance Plan (TAP) which will set a clear timeline and benchmarks for progress. Standards continuously unmet will escalate to a Quality Improvement Plan (QIP).

c) Review Board Compliance (Board composition forms, roster and meeting minutes according to agency by laws).

Post-Monitoring Procedures

OEO will provide timely feedback to subrecipients on the results of each monitoring visit with an opportunity for the monitored entity to respond to all

observations and findings. All results of the monitoring will correspond with Federal statute, State policies, grant agreements, vendor contracts, Community Action Plans, etc.

a) An exit conference will be scheduled within ten (10) days of OEO's completed monitoring.
b) Following the exit conference, the CAA has five (5) business days to provide pending information requested by OEO to resolve outstanding monitoring concerns.
c) Following the exit conference, OEO has twenty-five (25) days to issue a draft report to the CAA.
d) From the date of receipt, the CAA has ten (10) days to respond to OEO's draft report.
e) Finally, OEO has twenty (20) days to issue a final report, including the CAA's rebuttals.

Reference OEO's monitoring policies and procedures for further monitoring report instructions.

Monitoring Board Vacancies and Composition

Sections 676B of the Community Services Block Grant Reauthorization Act of 1998 requires that, as a condition of designation, private nonprofit entities and public organizations administer their CSBG program through tripartite boards that "fully participate in the development, planning, implementation, and evaluation of the program to serve low-income communities."

42 U.S.C. § 9910(a)(2): Requires a nonprofit CAA's governing board to be selected by the CAA and the board to be composed to assure that – (A) 1/3 of the board are elected public officials, holding office on the date of selection, or their representatives, except that if elected officials are unavailable and/or unwilling to serve, CAAs may elect appointed public officials to meet the 1/3 requirement; (B) not fewer than 1/3 of the board are chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the neighborhood served; and (C) the remainder of the board are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served.

OEO should review CAA bylaws to ensure any vacancy in any sector be filled within 90 days. If vacancies exceed 90 days, the CAA will provide OEO a written plan outlining a timeline to recruit competent, qualified member(s) of the community to fill the vacancy(ies) on the Board of Directors.

Eligible entities should maintain current Board information, to include a roster, composition forms and executed meeting minutes in the statewide database. Changes in composition are to be reported to the OEO within thirty (30) days of the change. Additionally, Subgrantees will upload executed minutes to the statewide database no later than thirty (30) days following the approval of the minutes in DBA.

Monitoring Fair Hearing and Appeals

For the purpose of ensuring the impartial and effective administration of Office of Economic Opportunity (OEO) programs to low-income citizens of South Carolina, Section 2605(b)(13) of the LIHEAP statute (42 U.S.C. § 8624(b)(13)) states that "As part of the annual application required by subsection (a) of this section, the chief executive office of each State shall certify that the State agrees to – … (13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) of this section are denied or are not acted upon with reasonable promptness; …."

Each agency must educate and inform each applicant of the Appeal and Fair Administrative Hearing Procedures. A copy of these procedures must be posted in a visible place in each office and explained to all applicants for the following OEO federal program areas: CSBG, LIHEAP and WAP. Constituents who assert they have been unfairly treated and/or those who have been denied access to program assistance services are entitled to be

notified in writing explaining the reason for the denial.

Subgrantees of the Office of Economic Opportunity funds are encouraged to settle appeals, when possible. However, if resolution cannot be reached within a reasonable time frame, the proper procedures to advance an appeal are as follows:

- Applicants should first file a written appeal with the Community Action Agency in which he/she applied for service(s), requesting a formal hearing within 30 calendar days of the agency's Notice of Denial of Assistance/Services.

- If the appeal is denied at the Community Action Agency, the applicant may file a written appeal to the Office of Economic Opportunity (OEO) within 20 calendar days of the agency's notification of their hearing decision. The written appeal shall be submitted to:

  Attention: Legal Counsel
  The South Carolina Department of Administration
  Office of Economic Opportunity
  1205 Pendleton Street, Suite 355
  Columbia, SC 29201

- If the appeal is further denied by OEO, the applicant may file a written appeal within 20 calendar days of the applicant's receipt of OEO's written decision. The Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within 30 days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act.

The funds or services in question need to be obligated (set aside) until a final decision is reached. If the applicant is successful, the funds or services will be provided to the applicant. If the applicant is unsuccessful, funds are to be reverted to Client Assistance and made available to eligible participants.

State's Obligations When It Finds a Deficiency

The federal CSBG Act requires states to inform a CAA of a deficiency and give the CAA an opportunity to correct the deficiency. OCS recommends that a state office document the basis for a performance deficiency or failure to comply with a state requirement and maintain records of correspondence or other communication relating to actions taken. OCS also recommends that a state CSBG office maintain records of correspondence or other communications related to an enforcement action against a CAA to establish compliance with the federal CSBG Act. All correspondence will be saved to the entities OEO file located on the S: drive. It is the responsibility of the program coordinator to communicate concerns and/or deficiencies to the program manager. The program manager will then communicate all concerns/deficiencies to OEO's Executive Director and other relevant OEO Managers if necessary.

Training and Technical Assistance

Effective monitoring includes providing training and technical assistance. The federal CSBG Act requires that, in many or most instances, a state office take two steps to assist a CAA in correcting a deficiency: provide training and technical assistance (T/TA) and allow the CAA to submit a Quality Improvement Plan (QIP) (also referred to as a Corrective Action Plan (CAP)).

OEO will provide training and technical assistance upon request and when deemed necessary. OEO may provide this assistance directly, through the State Association, a peer CAA, a local or national TA provider, and/or any other mechanism that is deemed appropriate.

T/TA should focus on the CAA's specific deficiencies or the issues underlying them. All trainings will include an agenda, sign-in sheet and supporting documentation to be filed at OEO.

Situations where OCS Views T/TA as NOT Appropriate

OCS gives the following examples of when T/TA may not be appropriate:

• A deficiency for which the eligible entity has the expertise and skills available within the organization to make corrective actions without assistance;

• A deficiency for which the state has previously provided technical assistance and the eligible entity has failed to institute corrective actions;

• Multiple, widespread, and/or repeated deficiencies that cannot feasibly be addressed through technical assistance; or

• A deficiency that involves evidence of fraudulent reporting or use of funds, or other evidence of criminal wrongdoing.

Reference https://www.acf.hhs.gov/ocs/resource/no-116-corrective-action-termination-or-reduction-of-funding.

Quality Improvement Plan (QIP)

It is within the State's discretion whether to give a CAA the opportunity to develop and implement a Quality Improvement Plan to correct a deficiency. However, the state's discretion to deny a CAA the opportunity to submit a Quality Improvement Plan is generally limited to situations where the seriousness of the deficiency and the time required to correct it would make a QIP invalid.

A CAA's QIP must be able to correct a deficiency within a reasonable time as determined by the OEO. If the state office grants a CAA the opportunity to submit a QIP, it must give the CAA 60 days after it informs the CAA of the deficiency to develop and implement the QIP, and up to 30 days to develop and implement a QIP for immediate deficiencies. The state CSBG office must notify a CAA of its decision to approve or not approve the QIP within 30 days of receiving it from the CAA. If OEO does not approve the QIP submitted by the CAA, OEO must also specify the reason(s) why when it notifies the CAA of its decision. The state CSBG office must also report eligible entities on QIPs to OCS within 30 days.

Situations when a State Office is NOT Required to Grant the Opportunity to Submit it a Quality Improvement Plan

A State office may consider denying a CAA the opportunity to prepare a QIP if:

• A deficiency for which a CAA has previously instituted a corrective action and has repeated findings and

• 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.

OEO allows CAAs the discretion to develop a QIP that best addresses their situation. As soon as a CAA submits a QIP to the state office it should assume that the QIP will be approved and begin preparing for implementation of the QIP. By doing so, if the QIP is approved, the CAA will ensure that it can begin implementing the QIP well within the required 60-day period.

OEO must evaluate the risks posed by the Subgrantee. If OEO determines the Subgrantee poses a risk, OEO may impose additional specific conditions that correspond to the degree of risk assessed.

A. Special conditions and/or restrictions may be imposed when the Grantee determines that the Subgrantee:

   1. Is not financially stable;

   2. Has a management system and ability that does not meet the management standards set forth by the Grantee;

   3. Has a documented history of unsatisfactory performance;

4. Has not complied with the general or specific terms, conditions, covenants and stipulations of previous grant awards; OR

5. Is otherwise not responsible.

Reference 42 U.S.C. §§ 9915(a) and (b); 45 C.F.R. §§75.205 and 75.207(a).

B. Special conditions and/or restrictions Grantee may impose include, but are not limited to the following:

1. Require Subgrantee to develop and implement a quality improvement plan to correct the deficiency within a reasonable period, after approval by the Grantee;

2. If Grantee determines training and technical assistance is appropriate, require Subgrantee to obtain training and technical assistance to correct the deficiency;

3. Payment to the Subgrantee on a reimbursement basis;

4. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;

5. Requiring additional detailed financial reports and/or data;

6. Additional project monitoring and interim audits;

7. Requiring the Subgrantee to obtain technical and/or management assistance;

8. Establishment of additional prior approvals;

9. Establishment of additional constraints as necessary and appropriate in the circumstances; AND/OR

10. Require Board acknowledgement of agency's status.

Reference 42 U.S.C. §§ 9915(a)(2) - (a)(4); 45 C.F.R. §§75.207(b).

C. If Grantee decides to impose such special conditions and/or restrictions, Grantee will notify the Subgrantee as early as possible, of the following:

1. The nature of and reason for the special conditions and/or restrictions;

2. The corrective actions which must be approved by Grantee and completed by the Subgrantee prior to the removal of the special conditions and/or restrictions;

3. The time allowed for completing the corrective actions, if applicable;

4. The method of appeal for reconsideration of the imposed conditions/restrictions; and

5. The training and technical assistance Grantee is offering to the Subgrantee, if appropriate, to help correct the deficiency. If training and technical assistance are not appropriate, Grantee will include an explanation detailing the reason(s).

Reference 42 U.S.C. §9915(a)(1) and 45 C.F.R. §75.207(c).

D. Grantee will remove any special condition(s) and/or restriction(s) once the condition(s) prompting them have been corrected. See 45 C.F.R. §75.207(d).

Remedies for Noncompliance

If a Subgrantee fails to comply with Federal and/or State statutes, regulations or the terms and conditions of a Federal Award, Grantee may impose additional conditions, as described in the subrecipient grant agreement. If Grantee determines that noncompliance cannot be remedied by imposing additional conditions, Grantee may take one or more of the following actions, as appropriate in the circumstances:

a) Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee;

b) Disallow all or part of the cost of the activity or action not in compliance;

c) Wholly or partly suspend or terminate the grant;

d) Provide adequate notice and an opportunity for a hearing;

e) Initiate suspension, debarment or termination of the grant;

f) Withhold further grant funds for the project or program; and/or

g) Take other remedies that may be legally available.

Also reference 42 U.S.C. §9915(a)(5) and 45 C.F.R. §75.371.

Administrative Enforcement

The enforcement remedies identified in the agreement do not preclude the Subgrantee from being subject to "Debarment and Suspension" as prescribed by the Grantee. When a Subgrantee fails to comply with the terms of this Agreement, as outlined in **Corrective Action and Suspension of Funding** and/or grant requirements/reports are not submitted within the required time frame, nor completed in accordance with the generally accepted principles, nor consistent with the approved budget, Community Action Plan (also referred to as agency work plan) or Grant Agreement; a temporary suspension of funding for enforcement purposes may be instituted, but shall not constitute a statutory termination or reduction of funding as prescribed by 42 U.S.C. §9915.

A. **Effects of Suspension (45 C.F.R. §75.375)**
Costs incurred by the Subgrantee during a suspension or after termination of the Grant are not allowable unless the Grantee expressly authorizes such in the Notice of Suspension or Termination. Other Subgrantee costs during suspension or termination, which are necessary and not reasonably avoidable, are allowable if:

1. The costs result from obligations which were properly incurred by the Subgrantee before the effective date of the suspension or termination are non-cancelable; and
2. The costs would be allowable if the Grant was not suspended or expired normally at the end of the funding period in which the termination takes effect and the Subgrantee has written permission from the Grantee to incur such costs.

B. **Relationship to Debarment and Suspension**
If the Grant exceeds $25,000 or if the Subgrantee has critical influence on or substantive control over the transaction completion of the Grant, completion of the Debarment Certification, which is included in the Grant Agreement, is required. The Subgrantee is responsible for completing the Debarment Certification, monitoring the submission and maintaining the official document.

Defunding and Termination

A state office must initiate proceedings to terminate or reduce funding if a CAA fails to correct a deficiency. However, the state may do so only after it has met the following responsibilities:

- Adequate notice and
- An opportunity for a hearing on the record.

It is within OEO's discretion to determine the format of the notice and hearing it will provide a CAA. Any notice and hearing provided should be consistent with applicable state policies, rules or statutory requirements, including the state's administrative procedures act (APA). The notice and hearing procedures should also be made available to the CAA.

After giving notice and conducting a hearing, if OEO finds cause to reduce or terminate funding, the state

office must initiate proceedings to do so unless the CAA corrects the deficiency.

"Cause" to Reduce or Terminate Funding

Following the hearing, OEO determines if "cause" exists to reduce or terminate a CAA's CSBG or other OEO awarded funding. The federal CSBG Act explains that "cause" for which a state office may initiate a reduction in or termination of a CAA's funding includes:

The failure of a CAA to comply with the terms of its CSBG agreement with the state, the state plan or to meet a state requirement.

If the state finds "cause" exists and the CAA disagrees with the state's finding, the CAA should request a review by HHS of the state's finding.

A state office may also initiate a reduction in funding for "cause" if a statewide redistribution of CSBG/LIHEAP funds is needed to respond to one of the following:

- The results of the most recently available census or other appropriate data,
- The designation of a new CAA, or
- Severe economic dislocation.

Termination

Any eligible entity which received funding in the previous fiscal year under the Act will not have its present or future funding terminated or reduced below the proportional share of funding it received in the previous year, unless after notice and an opportunity for hearing on the record, Grantee determines that cause existed for such termination or reduction subject to the procedures and review by the Secretary as provided in 42 U.S.C. §9915.

Termination is defined as the permanent withdrawal of funding by the state administering authority of an eligible entity's authority to obligate previously awarded funds before that authority would otherwise expire, or the refusal of the state to continue funding to the eligible entity. A temporary suspension of funding for administrative enforcement purposes shall not constitute a statutory termination or reduction of funding.

Termination of the Grant Agreement may be initiated by the Grantee, the Subgrantee, or by mutual agreement of both parties as prescribed herein. The following shall apply to the termination of this Grant:

A. Termination for Lack of Funds
The parties hereto covenant and agree that their liabilities and responsibilities, one to another, shall be contingent upon the availability of funds, Federal or State, for the funding of CSBG activities. This Grant shall be terminated if such funding ceases to be available. The Grantee shall have the sole authority for determining the lack of availability of such funds. The Grantee shall immediately notify the Subgrantee of any cutback in funds of which it becomes aware.

B. Termination for Breach of Grant
This Grant may be suspended or terminated by the Grantee at any time within the Grant period whenever it is determined by the Grantee that the Subgrantee has breached or otherwise failed to comply with its obligations.

C. Termination for Breach of Previous Contracts and Grants or Non-Payment of Previous Audit Disallowances
This Grant may be suspended or terminated by the Grantee at any time within the Grant period if the Subgrantee has failed to make payment in full to the Grantee for audit disallowances pursuant to any previous Contract or Grant Agreement between the parties or the Subgrantee has failed to comply with the maintenance and inspection of records requirements of any previous Contract or Grant between the parties.

D. Termination by Subgrantee
The Subgrantee may terminate this Grant by giving the Grantee 30 day's written notice of intent to do so. Expenditures legitimately incurred by the Subgrantee prior to the date of termination of this Grant will be permitted providing they are in accordance with provisions of this Grant.

E. Termination for Convenience
The Grantee and Subgrantee may mutually agree to terminate the Grant in whole or in part. In which case,

the two parties shall agree upon the termination conditions, the effective date and in the case of partial termination, the portion to be terminated.

F. Termination for Insolvency

This Grant is subject to immediate termination by the Grantee upon the Subgrantee's insolvency, including the filing of proceedings in bankruptcy.

G. Notice of Termination

In the event of Grant termination, except Termination for Insolvency in F above, the party terminating the Grant shall give notice of such termination in writing to the other party. Notice of Termination shall be sent by certified mail, return receipt requested, and shall be effective 30 days after the date of the receipt, unless otherwise provided by law; provided however, if terminated pursuant to paragraph A, said termination shall be effective upon receipt of such notice.

H. Process for Termination

If Grantee believes cause for funding termination exists, the following steps shall be followed:

1. If Subgrantee fails to correct all deficiencies identified during a corrective action plan or if based on the seriousness of any of the deficiencies, the Grantee determines Termination is appropriate, a certified letter will be sent from the Grantee's Director to the Subgrantee's Board Chairperson advising him/her of Grantee's recommendation to terminate the grant, along with the reasons for this recommendation. Within fifteen (15) days of receipt of this recommendation, Subgrantee may request a hearing in writing to appeal this recommendation.

2. If Subgrantee appeals Grantee's recommendation, the Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within thirty (30) days of receipt of the letter of appeal, utilizing the informal disposition procedures outlined in S.C. Code §§ 1-23-310 to 1-23-400 of the State Administrative Procedures Act. All proceedings will be recorded.

3. A Federal review of the Grantee's decision to reduce or terminate funding may be initiated through a request from Subgrantee. In accordance with 45 CFR §96.92, Subgrantee has 30 days following notification by Grantee of its final decision to request a review by the Secretary of the Department of Health and Human Services (HHS).

The US DHHS Secretary will either accept or deny this request.

1. If the request for review is denied, defunding procedures will begin immediately and will be concluded not more than ninety (90) days following the date of the hearing.

2. If the request for review is granted, the Secretary will review the hearing officer's determination not later than ninety (90) days after receiving from the State all necessary documentation relating to the determination.

    a. If the Secretary upholds Grantee's determination, defunding procedures will begin immediately;

    b. If the determination is overturned by the Secretary, the grant relationships with the subject agency will be continued; and

    c. If the review is not completed within ninety (90) days, the determination of Grantee will become final on the 91st day and defunding procedures will begin as outlined

I. Appeal of Termination by Subgrantee

If a Subgrantee fails to comply with the Terms and Conditions of this Grant or to remedy a situation under

suspension, the State may terminate the Grant in whole or in part at any time.

The CSBG Act requires that any community action agency which received funding in the previous program year will not have present or future funding

reduced or terminated unless after notice, and opportunity for a hearing on the record, the State determines that cause exists for such reduction or termination subject to the procedures and review by the Secretary. To comply with this assurance the Grantee shall set forth the following:

1. This section is not applicable to Section IX, Items A, D, and E which result in terminations by law, Subgrantee choice or convenience for a mutually agreed upon provision.

2. This section is not applicable to Section IX which results in temporary suspensions of funding for enforcement purposes.

3. This section is applicable to Section IX, Items B, C, and F which will result in terminations for cause as a "final" action.

In the event funding termination occurs, Grantee shall either extend the geographic service area of an eligible entity or submit a Request for Proposal and bid for a new eligible entity. This will be done, as necessary, to provide services to the eligible individuals in that service area and shall be administered in accordance with existing Federal and State legislation.

OEO Designation Procedures

South Carolina Code of Laws (SECTION 58-37-50) dictates that CSBG and LIHEAP be administered locally by Community Action Agencies; therefore, subawards are made only to eligible Community Action Agencies.

Designation/Re-Designation of (New) Eligible Entities

The OEO may designate a new eligible entity if an area of the state is not served or ceases to be served by an eligible entity. This includes situations where an existing eligible entity goes out of business, is terminated, or relinquishes its designation as an eligible entity. OCS IM 116 clarifies that, where a state has decided to terminate an eligible entity's CSBG funding and the entity has appealed that decision to OCS the state can solicit applications for new eligible entities but cannot award funds to a new entity until OCS confirms the state's decision to terminate or the review period ends.

CSBG: Designation/Re-Designation of Eligible Entities in Unserved Areas

The existing CAAs in South Carolina are eligible entities which receive CSBG and LIHEAP funding to carry out programs and activities designed to appreciably impact the causes of poverty in their designated service areas. If a county has not been, or ceases to be served by an existing CAA under the CSBG and/or LIHEAP, the state may at any time initiate a process for the designation of a CAA or other eligible entity pursuant to provisions of applicable federal and state law, including the CSBG Act, 42 U.S.C. §9901 *et seq.*

The procedure for designation shall be as follows:

1. The State will notify in writing and request written applications from:
   (a) Any private nonprofit organization that is geographically located in the unserved area, that is capable of providing a broad range of services designed to eliminate poverty and foster self-sufficiency, and that meets the requirements of the CSBG Act, 42 U.S.C. §9901 *et seq*.; and
   (b) Any private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area.

2. Requirement. To serve as the area's designated eligible entity, an entity shall agree to administer their CSBG program through a tripartite board and add additional members to the board of the entity to ensure adequate representation as outlined in the Section 676B of the CSBG Act and in accordance with Information Memorandum No. 82:
   (a) In each of the three required categories described in the CSBG Act, 42 U.S.C. §9901 *et seq*. by members who reside in the community comprised by the unserved area; and
   (b) In the category relating to low income

individuals by members that reside in the neighborhood to be served.

3. Special Consideration. The designation shall be granted to an organization of demonstrated effectiveness in meeting the goals and purposes of both the CSBG and LIHEAP. Priority may be given to eligible entities that are providing related services in the unserved area, consistent with the needs identified by a community needs assessment.

LIHEAP: Designation/Re-Designation of Eligible Entities in Unserved Areas

OEO may redesignate an eligible entity if an area of the state is not served or ceases to be served by an eligible entity. This includes situations where an existing eligible entity goes out of business, funding is terminated, or relinquishes its designation as an eligible entity. The procedure for redesignation shall be as follows: 1. The State will notify in writing and request written applications from:(a) Any private nonprofit organization that is geographically located in the unserved area, that can provide a range of services designed to meet the requirements of the LIHEAP Statute; and (b)Any private nonprofit eligible entity that is geographically located in an area contiguous to or within reasonable proximity of the unserved area and that is already providing related services in the unserved area. 2. Special Consideration. The designation shall be granted to an organization of demonstrated effectiveness in meeting the goals and purposes of LIHEAP. Priority may be given to eligible entities that are providing related services in the unserved area.

Each CAA is assigned a service area made up of a county or counties whereby program services of these grants are provided to specific county residents. Allocations for LIHEAP and LIHEAP Weatherization Assistance Program (LWAP) are prepared by OEO's Fiscal Manager. Sub-grantee allocations for each grant are calculated based on the poverty rates of the county(s) served by the sub-grantee. Disbursements are payments to the sub-grantees for administrative and program costs based, in part, on the funding allocated to a sub-grantee, timing, and reason for disbursement. All disbursements made to sub-grantees must ensure that the time between the day the funds are paid to the sub-grantee and when the sub-grantee spends the funds are minimized, ensuring compliance with federal requirements. The SC OEO references Omni Circular §200.305(b)(1) for guidance. During the program year, it is the sub-grantee's responsibility to track their expenditures and submit a Certification of Advancement of Funds requesting funds needed and the reason for the request through the statewide database. The Certification of Advancement of Funds must be signed and dated by the sub-grantee's Executive Director, Finance Officer, and Program Officer. A separate form is required for each grant. The Senior Fiscal Manager must review the request, and if approved, a disbursement request will be submitted to Accounts Payable within the Department of Administration's Finance office for processing.

State Plans

CSBG State Plan (Subgrantee Community Action Plans submitted to OEO; OEO submission to HHS)

According to section 676(b) of the CSBG Act, States, including Territories, must prepare and apply and State plan for CSBG funding. The Office of Community Services (OCS) funds CSBG grantees based on the determination that their application and State plans are complete in accordance with all requirements of the CSBG Act. The State CSBG application and plan not only is a critical document for Federal monitoring and oversight purposes, but also provides a framework for accountability and oversight at the State level.

CSBG applications for the Federal Fiscal Year are due to OCS by September 1. States have the option of submitting CSBG applications annually or bi-annually (covering one or two fiscal years); however, South Carolina submits its CSBG Model State Plan annually. The CSBG State Plan is submitted electronically through the Online Data Collection System (OLDC). OEO's CSBG Program Manager submits South Carolina's CSBG State Plan.

State instructions to complete the CSBG State Plan can be found on the Office of Community Services website https://www.acf.hhs.gov/ocs/resource/. Contact

South Carolina's Federal CSBG Program Specialist for access to OLDC or visit the following link: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1.

Similarly, OEO requires its subgrantee's to apply (Community Action Plan) for CSBG funding. OEO's Program Manager provides a checklist of documents to be included in the Community Action Plan to CAA's during the month of June. The CAA's Community Action Plan is a critical document for State monitoring and oversight purposes, but also provides a framework for accountability and oversight at the Subgrantee level. Subgrantee's must submit their plans via the statewide database annually, and no later than the final Friday in the month of August. OEO's Program Manager and Coordinators will review and approve subgrantee Community Action Plans no later than December 1st.

LIHEAP State Plan (Subgrantee Community Action Plans submitted to OEO; OEO submission to HHS)

States, the District of Columbia, territories, and tribes/tribal organizations that wish to administer the Low-Income Home Energy Assistance Program (LIHEAP) must apply for funds each year. Section 2605(c)(3) of the Omnibus Budget Reconciliation Act of 1981, as amended, provides that the Secretary shall make available a model LIHEAP Plan which may be used to prepare the application required under Sections 2605(a)(1) and (c)(1). All applications must be submitted through the On-Line Data Collection (OLDC) system by September 1. OEO's LIHEAP Program Manager submits South Carolina's LIHEAP State Plan each year.

LIHEAP grant applications (State Plans) must include a report on LIHEAP households for the previous Federal Fiscal Year. Because South Carolina operates its LIHEAP program based on the calendar year instead of the Federal Fiscal Year, OEO submits an estimated LIHEAP Household Report with the submission of the State Plan (September 1st) and updates its final Household report to be submitted by December 15th. The final LIHEAP Household report is updated and resubmitted by the LIHEAP Program Manager via OLDC.

State instructions to complete the LIHEAP State Plan can be found on the Office of Community Services website https://www.acf.hhs.gov/ocs/resource/. Contact South Carolina's Federal Energy Assistance Program Specialist for access to OLDC or visit the following link: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1.

Similarly, OEO requires its subgrantee's to apply (Community Action Plan) for LIHEAP funding. The CAA's Community Action Plan is a critical document for State monitoring and oversight purposes, but also provides a framework for accountability and oversight at the Subgrantee level. Subgrantee's must submit their plans via the statewide database annually, and no later than the final Friday in the month of August.

Distribution of State Plans

Section 676(a)(2)(B) of the CSBG Act conditions the State, in conjunction with the development of the State plan, to hold at least one hearing the in the State with sufficient time and statewide distribution of notice of such hearing, to provide to the public an opportunity to comment on the proposed use and distribution of funds to be provided through the grant.

Meaningful and Timely Participation

A draft of the State Plan is issued to all eligible entities during the month of May to allow time to review and provide edits and comments. OEO's CSBG program staff will traditionally host a statewide workshop (in person or virtually) to provide an overview of updates and allow for additional input prior to the submission of the State Plans. A draft of both CSBG and LIHEAP State Plans is also posted to OEO's website for public comment and review, as well as disseminated to vendors, stakeholders and board members for additional evaluation.

Legislative & Public Hearings

To be eligible to receive a grant, the State shall hold at least one legislative hearing every three (3) years in conjunction with the development of the state plan

(CSBG Act Section 676(a)(3)). In the interim, the State is required to hold at least one Public Hearing to provide to the public an opportunity to comment. A combined hearing for both CSBG and LIHEAP grants are scheduled at the beginning of August.

OEO's Director will contact the Clerk of the Senate to assemble a subcommittee to be present at the scheduled Legislative Hearings, only. A copy of the draft State Plans should be provided to the subcommittee members in a timely manner for review prior to the hearing.

Hearings require all attendants to sign-in and should be recorded to ensure a transcript can be provided with the submission of the plan(s). Any comments provided should be notated. A transcript and sign-in sheet outlining attendants should be uploaded to OLDC with the submission of the State Plan(s).

Advertising Hearings

Public notice of hearings should be advertised in a manner that provides an opportunity for public input. OEO's CSBG/LIHEAP Manager will draft a copy of the Notice to be posted to OEO's website at least three days preceding the date of the hearing. OEO's Director and other appropriate staff will review the public notice for final approval. If advertisement is purchased, the manager should contact OEO's Business Manager for payment procedures. A copy of the advertisement should be uploaded to OLDC with the submission the State Plan(s).

Community Needs Assessment

As a condition to receipt CSBG funding, the State will secure from each eligible entity a community action plan that includes a community-needs assessment for the community served (reference CSBG Act Section 676(b)(11)). OEO requires a comprehensive Community Needs Assessment be completed at least once every three years. An updated needs assessment may be provided, as needed, during the interim years.

Budget Process

This section serves to describe the grant budgeting process, particularly as it relates to the CSBG and LIHEAP.

The OEO fiscal manager develops a projected budget based on information, including but not limited to, previous federal awards and any unused funds at the end of the program year. The projected budget generally becomes the amount OEO requests from the federal funding source for the new grant period. This projected budget amount is a starting point for the Subgrantees to use in developing their proposed spending for the new grant period. No spending shall take place until OEO receives the actual federal award notification from the federal funding source. OEO determines the amount of each Subgrantee's actual award. OEO considers South Carolina's total allocation, the poor population by county and the subgrantee's historical funding awards. Once the Subgrantee is notified of the actual award amount, the Subgrantee must make the appropriate adjustments to their initial projected budget and submit the revised budget to OEO for approval.

Budget Approval

A Subgrantee's Board of Directors must review the grant application and actual budget for each program year. The actual budget will be based on the actual award from the funding source and may include prior program year unexpended funds. A completed Community Action Agency Budget Approval Form must be submitted to OEO's fiscal department for documentation of the budget review and approval. The acknowledgement of the budget review will represent the total allocation of all awards budgeted, note specific approval of salary/wage increases, new positions, as well as procurements that require approval. The budget package submitted to OEO for approval must include all documents to support compliance with procedural requirements. The budget package must be submitted through DBA. This on-line budget submission process requires an authorized user with signature authority.

OEO's CSBG/LIHEAP Senior Manager will review subgrantee budgets, as provided by the OEO fiscal manager/staff. The CSBG/LIHEAP Senior Manager

and Program Coordinators will review the Budget Narrative forms to ensure programmatic consistency, compliance and allowances as outlined in the subgrantee's Community Action Plan (logic models). The CSBG/LIHEAP Senior Manager/Program Coordinators will alert the Fiscal Manager and staff of any discrepancies or provide written approval.

CSBG State and Federal Reporting

All Subgrantee reports must be submitted in a timely manner. Timeliness of reporting will be reported on the Subgrantee Risk Assessment.

CSBG Annual Report (Subgrantee reports to OEO; OEO reports to HHS)

Eligible entities will comply with accurate completion and timely submission of the CSBG Annual Report administered by the National Association for State Community Services Programs (NASCSP) and supported by the U.S. Department of Health & Human Services (DHHS), Office of Community Services (OCS), and is a requirement for all eligible entities in receiving CSBG funding.

OCS provides general guidance on the submission of annual reports each year through an Information Memorandum, along with deadlines. The full CSBG Annual Report will be submitted through the Online Data Collection (OLDC) site operated by the ACF Grants Center of Excellence Grant Solutions system. The CSBG Annual Report is generally due to OCS no later than March 31st and is submitted by OEO's CSBG Program Manager. Visit the following link for instructions to gain access to the OLDC reporting system:
https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1

OEO requires subgrantee's to submit their individual agency reports via email to OEO's LIHEAP program manager no later than February 15th. OEO's CSBG program manager will enter the State and eligible entities' reports in OLDC to complete the State's submission to HHS. The CSBG program manager will also provide OEO's fiscal manager with the fiscal related sections to be completed. Subgrantee's can access the electronic version of the annual report through the National Association for State Community Services Programs (NASCSP) or at https://nascsp.org/csbg/csbg-data-collection-and-reporting/csbg-annual-report/.

Statewide Workshops: During the month of January, OEO's CSBG program staff traditionally hosts a statewide two-day workshop with Subgrantees to review the annual report instructions and requirements.

Within 60 days of the Grantee's submission of the Annual Report, States are required to communicate each subgrantee's annual performance. OEO's CSBG Program Manager and Program Coordinators provide annually, each agency's actual results. The report compares the actual success rate for services completed during the program year to the agency's projected target goals. Subgrantees should use the report as information to make changes in program forecasts for the upcoming program year and as a guide to monitor program performance.

Organizational Standards (Subgrantee reports to OEO; OEO reports to HHS)

42 U.S.C. § 9914 requires State CSBG Lead Agencies to establish "performance goals, administrative standards, financial management requirements, and other requirements" that ensure an appropriate level of accountability and quality among the state's eligible entities. The Center of Excellence (COE) developed 58 standards for nonprofit eligible entities.

To ensure the consistent achievement of the 58 Organizational Standards as required by OCS, OEO requires each CSBG eligible entity to upload and maintain all standards to DBA for OEO approval. Organizational Standards categories 1-6 and 9 are monitored and approved by the CSBG manager and program coordinators. Categories 7 and 8 are monitored by OEO's fiscal manager and monitoring staff.

Prior to monitoring, the State encourages each eligible entity to track their progress using the self-assessment tool and Calendar of Required Actions. Utilizing our statewide database, South Carolina has

developed an approval system that allows agencies the ability to upload and submit documentation throughout the year, as each standard is accomplished. The state office will then review submissions and classify each standard as Approved, Rejected, or Requires additional information. Each agency will have the opportunity to provide the State a projected timeline of completion for any outstanding standards. OEO will assess pending items according to the approved schedule of achievement. Organizational Standards will also be reviewed as part of each subgrantee as program monitoring. All subgrantees must comply by the close of South Carolinas Program Year (December 31st). Any agency failing to meet the required deadlines will be issued a Technical Assistance Plan (TAP) outlining a time frame to meet pending standards.

The annual achievement of statewide standards by eligible entity is reported to HHS via OLDC as part of the CSBG Annual Report (due by March 31st) submitted by OEO's CSBG Program Manager. An overview of all Organizational Standards, the Calendar of Required Actions and other related resources can be found on NASCSP's website: https://nascsp.org/csbg/csbg-resources/performance-management/organizational-standards/.

CSBG Outcome Measures Report (Quarterly Subgrantee reports to OEO)

Each quarter, eligible entities must submit a CSBG Outcome Measures report to OEO that describes the National Performance Indicators (NPIs) established by ROMA, Performance Domains, services provided to CSBG clients/ communities assisted, and the results achieved. Individual agency reports must be submitted electronically via email to their assigned OEO program coordinator no later than the 15th day following each quarter. A final report of customers served by program will be submitted via the completed ROMA logic Model (column 5 - Actual Results). All logic models should be completed by the Subgrantee and e-mailed to the appropriate OEO Program Coordinator no later than January 15th following the completion of the program year. Outcome Measures reports will be distributed by OEO. Logic Models can be found on the NASCSP website: https://nascsp.org/wp-content/uploads/2018/02/NPtP-Logic-Model.pdf.

Program Expenditure Notice (OEO report to Subgrantee)

Each quarter, the Program Manager will review the submission of the most current FSR to track CSBG and LIHEAP program expenditures. A Notice of Program Expenditures will be sent on behalf of the Program Manager (or designated Program Coordinators) to each Subgrantee's Executive Director, Program and Fiscal Director if it expenditures are under or over expended. A plan to expend funds will be requested to ensure the agency is on target to spend program dollars in accordance with the grant agreements.

LIHEAP State and Federal Reporting

All Subgrantee reports must be submitted in a timely manner. Timeliness of reporting will be reported on the Subgrantee Risk Assessment.

LIHEAP Quarterly Report (OEO report to HHS)

On October 12, 2022, the Office of Community Services (OCS) received approval from the Office of Management and Budget (OMB) for the LIHEAP Quarterly Performance and Management Report through October 31, 2025.

LIHEAP Quarterly Performance and Management Report instructions indicate the report is due approximately 30 days following the end of each respective quarter.

Fiscal Year (October 1 through September 30) reporting periods:

- Quarter 1: October 1 through December 31 (report due February 28)
- Quarter 2: January 1 through March 31 (report due April 30)
- Quarter 3: April 1 through June 30 (report due July 31)

- Quarter 4: July 1 through September 30 (report due October 31)

To reduce grant recipient burden, the cumulative obligated allotments in Section III: Estimated Use of Funds for FY24 will include one total for all funding sources including regular non-supplemental, Infrastructure Investment and Jobs Act (IIJA), and any supplemental funding amounts.

Quarterly Report submissions are required of all LIHEAP grant recipients, including state, territory, and tribal grant recipients. Recipients are required to submit their quarterly data submissions in the OLDC system. Once the grant recipient's LIHEAP Quarterly Report has been submitted, OCS will review the submitted report, notify the grant recipient of any reporting questions, and assist with resolving any potential reporting issues.

LIHEAP Household Report Long Form (Subgrantee reports to OEO; OEO report to HHS)

Under the amendments to the LIHEAP statute enacted in 1994 (Public Law 103-252), LIHEAP grant applications must include a report on LIHEAP households for the previous Federal Fiscal Year. OCS requires all LIHEAP grantees (States and Tribes) to report LIHEAP household data. State instructions to complete the LIHEAP Household report can be found on the Office of Community Services website https://www.acf.hhs.gov/ocs/resource/.
The State's submission of the LIHEAP Household Report (reported by Federal Fiscal Year (October 1 – September 30) is due to the Administration of Children and Families' via the On-Line Data Collection (OLDC) System no later than December 15th. OEO's LIHEAP Program Manager submits South Carolina's LIHEAP Household Report each year. Visit the following link for instructions to gain access to the OLDC reporting system:
https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1.

Likewise, OEO requires all LIHEAP eligible entities to report LIHEAP household data monthly that includes the number and income levels of households assisted each month. The statewide LIHEAP Household report can be accessed via the statewide database. LIHEAP Household reports are due to OEO's Program Coordinator(s) on the 15th day following each month.

LIHEAP Performance Measures (OEO report to HHS)

The LIHEAP Performance Data Form is an annual report in response to **Section 2610(b) of the LIHEAP statute (42 U.S.C. § 8629(b))** which requires the Secretary of the U.S. Department of Health and Human Services (HHS) to submit a report to Congress on LIHEAP for the prior Federal Fiscal Year. The LIHEAP Performance Data Form consists of three modules:

- **Module 1 (Grantee Survey)** *Further instructions below.*
- **Module 2 (Performance Measures)**
- **Module 3 (Optional Performance Measures)**

State instructions to complete the LIHEAP Performance Measures report can be found on the Office of Community Services website: https://liheappm.acf.hhs.gov/. The LIHEAP Performance Data Form can be accessed through ACF's web-based system, OLDC https://home.grantsolutions.gov/home/. Visit the following link for instructions to gain access to the OLDC reporting system:
https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1

The State's submission of the LIHEAP Performance Measures (reported by Federal Fiscal Year (October 1 – September 30) is due to the Administration of Children and Families' via the On-Line Data Collection (OLDC) System no later than January 30th. OEO's LIHEAP Program Manager submits South Carolina's LIHEAP Performance Measure report each year.

To complete the performance measures, South Carolina developed a client waiver statement (outlined in OEO's statewide Vendor Agreement and client application) that allows OEO to collect customer's annual usage information from vendors.

OEO partners with the state's largest two utility vendors (SCE&G and Duke) to provide data on households as outlined in the report. In conjunction with the Department of Administration's IT department, OEO's LIHEAP Program Manager provides vendors with customer information to be completed. IT ensures all personal identifiable information (PII) is properly safeguarded through digital transfer.

OEO's statewide database (help desk) is also utilized to provide additional LIHEAP data.

LIHEAP Grantee Survey (OEO report to HHS)

The LIHEAP Grantee Survey is part of the LIHEAP Performance Data Form. State instructions to complete the LIHEAP Grantee Survey can be found on the Office of Community Services website https://liheappm.acf.hhs.gov/. The Grantee Survey can be accessed via the LIHEAP Performance Data Form in OLDC https://home.grantsolutions.gov/home/. Visit the following link for instructions to gain access to the OLDC reporting system: https://www.grantsolutions.gov/gs/registration.gs?execution=e1s1

The State's submission of the LIHEAP Performance Measures (reported by Federal Fiscal Year (October 1 – September 30) is due to the Administration of Children and Families' via the On-Line Data Collection (OLDC) System no later than January 30th**.** OEO's LIHEAP Program Manager submits South Carolina's LIHEAP Performance Measures Report which includes the Grantee Survey.

The Grantee Survey cross references the LIHEAP Household Report and the Carry Over and Reallotment report. Therefore, it will require information from OEO's Fiscal and Weatherization Managers. The appropriate Federal Poverty Guidelines will also need to be referenced to complete this report. The LIHEAP program manager will disseminate the appropriate forms to relevant staff in December (or as soon as the report becomes available) to be completed.

Program Expenditure Notice (OEO report to Subgrantee)

Each quarter, the Fiscal Monitoring or Program Manager will review the submission of the most current FSR to track CSBG and LIHEAP program expenditures. A Notice of Program Expenditures will be sent on behalf of the Program Manager (or designated Program Coordinators) to each Subgrantee's Executive Director, Program and Fiscal Director if it expenditures are under or over expended. A plan to expend funds will be requested to ensure the agency is on target to spend program dollars in accordance with the grant agreements.

Grant Solutions (OLDC) Federal Reporting Database for CSBG & LHEAP

Most federal reporting for CSBG and LIHEAP is reported through the On-Line Data Collection (OLDC) database https://home.grantsolutions.gov/.

To request a new OLDC account or to add additional permissions to an existing account, the senior manager should complete the OLDC Request Form Microsoft Word - Request_Access_OLDC.doc (hhs.gov). When complete, e-mail or fax the form to your ACF Grants Office. Account information (ID and Password) is automatically e-mailed to the new user.

For additional support email help@grantsolutions.gov.

CSBG and LIHEAP Administrative Guide

The CSBG and LIHEAP Administrative Guide is a manual that serves as a guide to assist CAA's in their day-to-day administration of the grants. The manual contains instructions for determining eligibility and provides program procedures to ensure compliance.

It is the responsibility of the CSBG/LIHEAP Program Manager to update annually OEO's Administrative Guide for CSBG and LIHEAP grants. A draft of the Administrative Guide is distributed in November to the CAA Network for comments and edits. A final

guide is distributed to the network no later than January 1.

Results Oriented Management and Accountability (ROMA) Database

42 U.S.C. § 9908(b)(12), 9917(a)(1)(A): The federal CSBG Act requires states and CAAs to participate in a performance measurement system such as ROMA to measure the CAA's performance in promoting self-sufficiency, family stability, and community revitalization. State ROMA requirements set forth that a CAA shall maintain back-up documentation to support the total number of families and individuals reported and that such information should be reported on a quarterly basis. Quarterly CSBG Outcome Measures reports are due to OEO on the 15th day following each quarter. All reports must be reported in a timely manner.

LIHEAP Performance Measure Database

42 U.S.C. §2610(a): The federal LIHEAP Statute requires states and CAAs to participate in a performance measurement system to collect the following data:

(1) Information concerning home energy consumption;
(2) the amount, cost and type of fuels used for households eligible for assistance for this title;
(3) the type of fuel used by various income groups;
(4) the number and income levels of households assisted by this title;
(5) the number of households which received such assistance and include one or more individuals who are 60 years or older or disabled or include young children; and
(6) any other information which the Secretary determines to be reasonably necessary to carry out the provision of this title.

OEO Statewide Reporting Database

To comply with Federal data collection requirements set forth by CSBG and LIHEAP, OEO contracts with DBA Technologies (DBA FACSPro) to collect and track subgrantee performance. The South Carolina Department of Administration requires the database be procured every five (5) years.

DBA provides a Help Desk unique to South Carolina OEO and CAA's. Roscoe Mines is the point of contact and will assist all OEO departments and subgrantee's with the collection and reporting of data. The Help Desk also provides trainings as needed and accompanies OEO to on-site monitorings.

The OEO Program Manager will ensure all Program Coordinators have access to DBA at the time of hire.

OEO Travel

OEO will pay for/reimburse staff for transportation and travel-related expenses incurred in connection with monitoring and trainings that have been approved by OEO's Executive Director. Lodging and meals will be reimbursed for overnight out-of-town travel, only. Daily commutes are not reimbursable. Mileage and fuel is not reimbursable when traveling in one's personal vehicle when OEO/State vehicles are available. Lodging at local trainings (in Columbia) will not be reimbursed unless otherwise approved.

South Carolina meal reimbursement:

In-State

Breakfast	Lunch	Dinner
$8	$10	$17

Out-of-State

Breakfast	Lunch	Dinner
$10	$15	$25

Breakfast may be claimed if travel begins before 6:30 AM. Lunch may be claimed if traveling occurs from 6:30 AM-11:00 AM. Dinner may be claimed if traveling occurs after 8:30 PM.

Lodging must not exceed the approved the approved government rate. Visit

https://www.gsa.gov/travel/plan-book/per-diem-rates for lodging per diems. Unapproved expenses incurred will be at the expense of the staffer.

Vehicles must be reserved on OEO's vehicle calendar. See OEO's Executive Assistant to retrieve vehicle books. Vehicle books include a travel log to be completed, key and fuel card. The fuel card will require employee's fuel pin for payment. The fuel pin is issued at the time of employment by Human Resources.

Traveler's Responsibilities – Employees must complete OEO's travel reimbursement form with the appropriate management signatures. All reimbursements will be submitted to OEO's Executive Assistant for processing.

Definitions

Community Action Agency (CAA) In the United States and its territories, **Community Action Agencies** (CAA) are local private and public non-profit organizations that carry out the Community Action Program (CAP), which was founded by the 1964 Economic Opportunity Act to fight poverty by empowering the poor as part of the War on Poverty.

Community Services Block Grant (CSBG) The Community Services Block Grant (CSBG), administered by the states, provides core funding to local agencies to reduce poverty, revitalize low-income communities and empower low-income families to become self-sufficient.

Grantee a person to whom a grant or conveyance is made. OEO is the grantee of CSBG and LIHEAP grants.

Health and Human Services (HHS) is the U.S. Department of Health and Human Services. Health and Human Services Awards is the Federal funding agency of CSBG and LIHEAP grants.

Low-Income Home Energy Assistance Program (LIHEAP) helps keep families safe and healthy through initiatives that assist families with home energy heating and cooling costs.

NASCSP The National Association for State Community Services Programs is the national association charged with advocating and enhancing the leadership role of states in preventing and reducing poverty. NASCSP serves as the liaison between Federal partners and states.

Office of Community Services (OCS) partners with states, communities and agencies to reduce the causes of poverty, increase opportunity and economic security of individuals and families and revitalize communities. OCS is a division within the U.S. Department of Health and Human Services (US HHS).

Office of Economic Opportunity (OEO) Created by the Community Economic Opportunity Act of 1983, the Office of Economic Opportunity (OEO) is the state's administering agency for the Community Services Block Grant, Low-Income Home Energy Assistance Program, Weatherization Assistance Program and Emergency Solutions Grant. OEO works in partnership with community action agencies and other non-profit agencies to administer and distribute funds for local initiatives designed to appreciably impact the causes of poverty.

On-Line Data Collection (OLDC) is the Federal Grant Solutions database used for Federal reporting. States submit all Federal reports via the Grant Solutions web portal.

Organizational Standards 42 U.S.C. §9914 requires State CSBG Lead Agencies to establish "performance goals, administrative standards, financial management requirements, and other requirements" that ensure an appropriate level of accountability and quality among the State's eligible entities. The Center of Excellence (COE) developed 58 standards for public and private entities.

Result Oriented Management Accountability (ROMA) The Monitoring and Assessment Task Force (MATF), a task force of federal, state, and local CSBG Network officials, created ROMA in 1994. Based upon principles contained in the Government Performance and Results Act of 1993, ROMA provides a framework for continuous growth and improvement among local CAAs and a basis for state leadership and assistance.

In 1998, the CSBG Reauthorization Act, Section 678E(a)(1), 42 U.S.C. § 9917(a)(1), made ROMA implementation a requirement for receiving federal CSBG funds, and established October 1, 2001 as the start date for reporting CSBG Network outcomes in the context of ROMA performance-based management principles. This statutory mandate changed both the nature and pace of ROMA implementation throughout the CSBG Network.

IM 152 outlines the new CSBG Annual Report and the role of ROMA Next Generation in the new Performance Management Framework. The IM places an enhanced emphasis on analysis and evaluation under ROMA Next Generation. This evaluation and analysis is actualized through the new CSBG Annual Report that will replace the CSBG IS beginning in FFY 2018.

Local CAAs are encouraged to undertake ROMA implementation actions that focus on results-oriented management and accountability. Organizational Standards require the review of particular documents by a ROMA Certified Trainer/Implementer. Therefore, OEO recommends each agency have one to two certified ROMA trainers or implementers on staff. To become a certified ROMA Implementer or Trainer visit the NASCSP website: https://nascsp.org/csbg/csbg-resources/roma/.

Subgrantee means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided

Model (State) Plan Submission Checklist

In **May**, CSBG/LIHEAP Senior Manager will **compose drafts for both CSBG/LIHEAP Model Plans** & distribute to OEO's Director, Senior Managers and Program Coordinators for review and edits.	YES	NO
Approved **drafts** will be **distributed to the CAA Network** and community partners (in **May**) to include Executive Directors, the State Association, CSBG/LIHEAP/WAP program and fiscal managers, for review, comments and edits.	YES	NO
OEO will host a **workshop to receive feedback from the network on updates and edits to both CSBG and LIHEAP plans**.	YES	NO
Public Hearing: A public hearing is required as a platform for public comment. The public hearing traditionally occurs at the beginning of **August**. The Public Hearing must occur prior to the submission of the State Plans, due to HHS September 1st.	YES	NO
Legislative Public Hearing: A Legislative Public Hearing is required to occur once every three years. OEO's Director will contact the Senate Clerk to assemble a subcommittee. Draft plans should be provided in a timely manner to allow the subcommittee time to review. The legislative Hearing must occur prior to the submission of the State Plans, due to HHS September 1st.	YES	NO
The hearing will be recorded, and a copy of the sign-in sheet and transcript will be uploaded to OLDC with the submission of the State Plans.	YES	NO
Following the Legislative/Public Hearing, OEO's Senior Manger and staff will consider additional comments to include in the CSBG/LIHEAP State Plans. Final edits will be made to each plan and submitted to OEO's Director, Senior Managers and Program Coordinators for final review.	YES	NO
The CSBG/LIHEAP Senior Manager will submit South Carolina's final CSBG and LIHEAP State Plans with support documentation via OLDC, no later than September 1st.	YES	NO
The Senior Manager will save final copies of both CSBG and LIHEAP plans to OEO's shared drive and contact IT to have plans posted on the OEO website at the start of the program year.		
Other Model (State) Plan Duties:	YES	NO

Update

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

LIHEAP Household Report Checklist

OEO LIHEAP Senior Manager will access the quarterly/annual LIHEAP Household Report via OLDC. The Senior Manager will work with the statewide database Help Desk to run queries to collect data and complete the report. The fiscal portion of the report should be completed by OEO's fiscal manager.	YES	NO
The OEO LIHEAP Senior Manager will route the Household Report for review from the OEO WAP Senior Manager, OEO fiscal manager, LIHEAP Program Coordinator and/or other appropriate staff.	YES	NO
The OEO LIHEAP Senior Manager will submit the final Household Report to HHS via the OLDC website. A final copy of the report should be saved to OEO's shared drive with support data.	YES	NO
Other LIHEAP Household Report Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

LIHEAP Performance Measures Checklist

To complete the LIHEAP Performance Measures, the LIHEAP Senior Manager must collect LIHEAP customer data from a subgroup of vendors statewide (ex. SCE&G, Duke, etc.). In **December**, The LIHEAP Manager will contact the database Help Desk to compile customer data to send to each vendor to complete. The LIHEAP Manager will send a secure email to identified utility vendors to complete information specific to the OEO-identified LIHEAP customers. Vendors will be given 30 days to complete and return LIHEAP customer information to OEO.	YES	NO
In **December,** The OEO LIHEAP Senior Manager will access the LIHEAP Performance Measures report via OLDC. The Senior Manager will work with the statewide database Help Desk to run queries to collect data and complete the report.	YES	NO
The OEO LIHEAP Senior Manager will distribute fiscal-related sections of the Grantee Survey to OEO's Fiscal manager and/or other appropriate OEO departments to complete the report.	YES	NO
The OEO LIHEAP Senior Manager will compile data from internal departments, the statewide database and utility vendors to complete the LIHEAP Performance Measures. Upon completion, the Senior Manager will route the report to OEO's WAP Senior Manager, Fiscal Manager, LIHEAP Program Coordinator and/or other appropriate staff for review.	YES	NO
The OEO LIHEAP Senior Manager will submit the final LIHEAP Performance Measures Report to HHS via the OLDC website. A final copy of the report should be saved to OEO's shared drive with support data.	YES	NO
Other LIHEAP Performance Measure Report Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

CSBG Annual Report

As needed: In **December**, the CSBG Senior Manager will plan a statewide workshop (to include reserving a hotel, meals and trainer(s)) to review the instructions and requirements to complete the Annual Report. The CSBG manager will notify the CAA network of the date, time and location via email.	YES	NO
No later than **January**, The CSBG Senior Manager will distribute links and smart forms (provided by HHS) to the CAA network to complete the Annual Report. Instructions and templates of forms can be accessed via the NASCSP website. All CSBG eligible entities must submit their Annual Report to OEO's CSBG Senior Manager and/or Program Coordinators no later than February 15.	YES	NO
The OEO CSBG Senior Manager will distribute fiscal-related sections of the Grantee Survey to OEO's Fiscal manager and/or other appropriate OEO departments to complete the report.	YES	NO
OEO's CSBG Senior Manager and CSBG Program Coordinators will review and/or enter each agency's data until all edits are made and variances are addressed. The State's submission will be reviewed by the Fiscal Manager, Director and/or other appropriate OEO staff.	YES	NO
OEO's CSBG Senior Manager will submit the final CSBG Annual report via the NASCSP submission website and the OLDC, no later than **March** 31 or the posted deadline).	YES	NO
Once HHS has provided feedback and accepted the state's revisions, the Senior Manager will email the State's report to the CAA network along with each agency's individual report. A copy of the final approved CSBG Annual Report will be saved to OEO's shared drive. All agency reports will be saved to OEO's shared drive.	YES	NO
Other CSBG Annual Report Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

CSBG/LIHEAP Administrative Guide

In **November**, the CSBG/LIHEAP Senior Manager, along with program coordinators, will draft/update the CSBG/LIHEAP Administrative Guide according to the approved State Plans for the upcoming program year. A **draft Administrative Guide** will be distributed to the CAA Network for review, edits and suggestions.	YES	NO
No later than **December 31st**, the CSBG/LIHEAP Senior Manager will distribute the **final Administrative Guide** to the CAA Network and save the final to OEO's shared drive.	YES	NO
Other Administrative Guide Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Update

Notice of Federal Poverty Levels

It is the responsibility of the CSBG/LIHEAP Senior Manager to be attentive to the Federal Poverty Level updates published in the Federal Register on the Department of Health and Human Services website (traditionally in mid-January).	YES	NO
The CSBG/LIHEAP Senior manager will update the State's poverty guidelines for CSBG, LIHEAP and WAP using the updated FPL information. This information is to be reviewed and signed-off by the WAP Senior Manager, CSBG/LIHEAP Program Coordinator and other appropriate staff.	YES	NO
Once OEO has completed its internal review and accuracy of guidelines (at 100%, 125%, 150% and 200%) the CSBG/LIHEAP Senior Manager will compose a memorandum and notify the CAA network and statewide database of the updated FPLs/SMIs and effective date. Note: The effective date should coincide with the database update.	YES	NO
The CSBG/LIHEAP Senior Manager will notify the statewide database via email of the updated FPLs and the effective date.	YES	NO
The Senior Manager will save a copy of the memorandum and FPLs to the shared OEO drive.	YES	NO
Other Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

Travel Checklist

(Conference and Overnight Monitoring)

	YES	NO
Travel Approval Travel pre-approval documents to be completed for all traveling staff to be for Admin approval. SUBMIT TRAVEL REQUEST AS EARLY AS POSSIBLE. Note: Forms saved to S:\OEO\PROGRAM MONITORS\Travel Forms. 1. **Conference/Training Request Form (AD-303A)**. Include the following costs per traveler for the entire trip: meals, conference registration, flights, baggage fees, airport parking, essential ground travel (ex. uber), hotel costs). 2. Conference Agenda with highlighted sessions (not needed for monitoring). 3. Conference Registration forms completed for each traveler. 4. Print flight schedule to and from for each traveler. 5. Pint GSA lodging per diems for the city of travel (Per diem rates | GSA). 6. Complete **Exceeds Per Diem request** form for Admin approval if hotel rates exceed the daily per diem. 7. Print detailed hotel selections/reservations for all travelers. 8. Print Uber route from airport to hotel (both ways) for ground travel 9. Complete **Admin Lodging Billing form (AD-305G)** per traveler to acknowledging traveler responsibilities. Once travel packet is complete, provide to manager and OEO director for review and signatures. A completed packet should be provided to OEO's Admin Assistant to submit to Admin Leadership for approval. **NOTE:** Submit all travel request as early as possible to allow ample time for approval. Travel is not approved until confirmation is received from Admin Leadership. To follow-up on travel approval contact Kim.Lee@admin.sc.gov.		
Travel Tips • Before travel, confirm hotel reservations and the proper credit card authorization form (charged to Admin) has been completed for each traveler. • Save and print all confirmations (registration, flights and hotel). • Save all detailed receipts for all travel reimbursements (except for meals) to include hotels, parking, uber, baggage, etc.	YES	NO

Travel Support Reimbursement To be reimbursed, travelers must submit the **Travel Support Reimbursement** form and attach all receipts as support. The manager and/or Director must sign-off on this request form before submission to OEO's Administrative Assistance. All detailed hotel receipts showing a zero balance must be emailed to Kristi.Bishop@admin.sc.gov.	YES	NO
Other Duties:	YES	NO

COMPLETED BY: _____ DATE: _____

REVIEWED BY: _____DATE: _____

SOUTH CAROLINA LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
VENDOR AGREEMENT

This Vendor Agreement shall govern certain activities of the Low-Income Home Energy Assistance Program, hereinafter referred to as LIHEAP, which are to be carried out by the Vendor identified on the signature page of this Agreement, hereinafter referred to as the Vendor, as a condition of receipt of payment, and the Community Action Agency; hereinafter referred to as the CAA.

The_____and the Vendor agree to the following:
(Community Action Agency)

A. SERVICES TO BE PERFORMED

1. The Community Action Agency (CAA) shall notify each participating household and vendor of the amount of assistance paid on the household's behalf.
2. The Vendor shall charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment.
3. The Vendor is required to verify the account holder's name and/or household member(s), account number, current balance on account and signature upon receipt of the energy voucher prior to crediting the customer's account.
4. The Vendor will accept the voucher(s) as credit for actual commitment/cash payment for the purchase of home heating or cooling assistance. The Vendor shall specify on the signature page of this Agreement the energy type to be provided. The Vendor will accept vouchers for the purchase of only the energy type approved in this Agreement.
5. The Vendor will only deliver fuel to the actual residence of the account holder or credit the account of the account holder as documented on the voucher.
6. If the customer has moved and the energy voucher does not reflect the new address, the Vendor shall not accept the voucher until the customer returns the voucher and requests a change of address from the CAA.
7. Vendors are to ensure credit and/or service to approved households within the designated program year.
8. This assistance is provided for households, not individuals. For this reason, no name changes may be made on the energy voucher. The address that appears on the voucher should match the name and address shown on the Vendor records. No alterations of any kind should be made to the voucher.
9. LIHEAP assistance may be used for deposits if specified by the CAA.
10. The parties recognize that each party is bound to act in accordance with their respective bylaws and policies at all times. Nothing in this Agreement is intended or shall be construed to supersede a party's obligations under their respective bylaws and policies or prevent a party from acting in accordance therewith.

B. PROVISIONS UNDER WHICH PAYMENT WILL BE MADE TO VENDORS

1. The Vendor must return this properly executed Vendor Agreement to the CAA prior to being reimbursed.
2. The Vendor must provide a Federal Employer Identification Number (FEIN) or a Social Security number will be acceptable only if the Vendor is an individual and has no FEIN.
    a. If a Vendor provides a Social Security Number, the Vendor must use the proprietor's name, not the company name. If a FEIN is supplied, a company name must be used.
    b. The Vendor shall notify the CAA in writing immediately when the FEIN, Social Security number, business name and/or address changes. Failure to report changes may result in a delay of payments. An IRS W-9 must accompany changes.

3. For fuel oil, propane and/or kerosene, the Vendor shall provide the eligible customer a quantity up to the value of the energy voucher but not to exceed the amount required to fill the tank. A delivery ticket must be submitted for actual payment remittance within 30 days of the delivery.

    a. If the value of the quantity of fuel purchased by a customer is less than the value of the energy voucher, the Vendor shall credit the difference to the customer's account. The credit balance on accounts that equals or exceeds the minimum delivery must be expended each consecutive month until the benefit is exhausted.

    If the value of the quantity of fuel required/purchased by a customer is greater than the energy voucher amount, payment for the remaining balance due must be negotiated between the customer and the Vendor. The CAA will not intervene in these matters.

    b. **The Vendor will not exchange a customer's energy voucher for cash nor will any cash equivalent be given for excess credit.** Violations shall be treated in accordance with Federal and State statutes, to include termination of this Agreement and termination of future services with the Vendor.

    c. When a customer moves from the Vendor's service area, or becomes deceased, and a credit balance remains on that account, the following policies shall apply within the current program year:

        i. Any legal survivors living in the residence of the deceased customer (as listed on the voucher), who were household residents at the time of application, are entitled to use the remaining benefit.

        ii. If there are no remaining legal survivors within the household, any remaining credit balance shall be refunded to the CAA within 30 days of the death or date of last service for the active voucher – whichever comes first.

        iii. Credit balances not used during the current program year (January 1 – December 31) are to be returned to the CAA within 45 days of the close of the grant period.

        iv. Any other circumstances arising shall be dealt with on a case-by-case basis. The Vendor should contact the CAA for additional instruction.

C. PAYMENT PROCEDURES

1. Once the Vendor has honored the energy voucher, as specified herein, the Vendor shall mail the energy voucher(s) to the CAA for payment.

2. Within 30 days of the date of the receipt of the energy voucher(s), payment amount equal to the total amount of the energy voucher(s) for electric service received by the CAA will be made to the Vendor. For kerosene, propane, fuel oil and/or wood vendors, payment will be made for the actual amount delivered, not to exceed the voucher amount.

    If a Vendor has not received payment for the energy voucher(s) within 30 days following the submission, the Vendor should contact the CAA and report the delay. In instances of reported delays, the Vendor may also contact the Office of Economic Opportunity (803-734-0662).

3. CAAs will submit an IRS Form 1099 to record payments in excess of $600 to non-incorporated vendors.

4. All properly executed Vendor Agreements must be maintained on file with the CAA and Vendor.

D. MONITORING

1. The Vendor will maintain records documenting the amount of energy assistance that the customer received and the date of receipt for all fuels other than electricity and natural gas. Records are to be maintained for one year after the program year ends.

2. The Vendor shall permit access to records pertaining to the activities engaged in by the Vendor under this Agreement. Such records include energy voucher payment forms or other documents supporting the delivery of services or receipt of payments for services rendered by the Vendor, as well as the amount of sale, customers' names and addresses.

3. The Vendor shall not discriminate against or adversely treat any eligible household regarding terms and conditions of sale, credit, delivery, or service. No discrimination shall be made based on the source(s) of household income. All sources of household income are documented on the Application and then processed, reviewed and approved by an agency representative. Additionally, the State prohibits any discrimination against households because of their receipt of LIHEAP assistance.

4. The Vendor will cooperate with any Federal, State or local investigation, audit or program review.

E. LIABILITY

To the fullest extent permitted by law, each party agrees to indemnify and hold harmless each other, the Office of Economic Opportunity and their agents, and employees from and against all claims, damages, losses, and expenses including but not limited to attorney's fees, arising out of or resulting from, whether directly or indirectly, any default or negligent or wrongful act or omission of each party, its agents, employees, or subcontractors in the performance or non-performance of the work, the enforcement of this agreement, or any other legal action.

Any losses caused by criminal activity, gross negligence and/or malicious intent is excluded from this indemnification section.

F. CONFIDENTIALITY

The parties agree that the information and records developed as a result of the provision of services under this Agreement are to be kept confidential. The parties shall safeguard the use and limit disclosure of information concerning applicants for and recipients of services by restricting access, use and disclosure of such information to those individuals who have a need to know such information and have agreed to keep such information confidential.

G. REPORTING DISCLOSURE

The Vendor will allow the CAA and the Office of Economic Opportunity access to LIHEAP customer's household fuel/utility/energy information for the purpose of State and Federal data reporting, as approved by the customer, via the statewide application for service.

H. AMENDMENTS and INTEGRATION

This Agreement contains the entire agreement of the parties with respect to the subject matter of this Agreement, and supersedes all prior contract, negotiations, agreement and understandings with respect thereto. This Agreement may only by amended by a written document duly executed by all parties.

I. TERMINATION

1. Either the CAA or the Vendor may terminate this Agreement by giving the other party at least 30 days written notice.

2. This Agreement will terminate immediately should the Vendor supply false information or attempt to defraud the CAA or the eligible customer. In such cases, no additional reimbursement will be made to the Vendor until such matter is resolved.

In witness hereto, the CAA and the Vendor have executed this Agreement on this_____day of _____, 20_____.

VENDOR: Complete Section 1-9. Do not leave anything blank.
Vendor must provide physical address or agreement is void.

1. _____
(Business or Vendor Name)

2. _____
(Mailing Address – Include City, State and Zip Code)

3. _____
(Street Address – Include City, State and Zip Code)

4. _____
(Area Code and Telephone Number)

5. VENDOR DOCUMENTATION

The Vendor must provide a Federal Employment Identification Number (FEIN), or, if you do not have a FEIN, a Social Security number (SSN) will be acceptable only if used with the proprietor's name (e.g. Hallman's Wood – (FEIN) or Mark Hallman (SSN).

Federal Employer Identification Number _____ **or**

Social Security Number _____

6. Energy Type – Circle all Types of Energy Provided

Fuel Oil	**Electricity**
Kerosene	**Wood**
Propane Gas	**Coal**
Natural Gas	**Landlord or Building Operator Who Provides Heat to Tenants**

7. Check all that apply:

□ **I certify that I am not subject to backup withholding.**

□ **I certify that the mailing address on file is correct and current.**

□ **A W-9 is enclosed as required for new vendor(s), or for existing vendors to report change of address or change in FEIN or Social Security number and/or business name.**

_____	_____
(Print Authorizing CAA Signature)	**(Print Authorizing Vendor Signature)**
_____	_____
(Authorizing Signature)	**(Authorizing Signature)**
_____	_____
(Witness)	**(Witness)**
_____	_____
(Date)	**(Date)**

PROGRAM YEAR _____
LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM
GRANT AGREEMENT

(CFDA 93.568)

Between

THE STATE OF SOUTH CAROLINA
Department of Administration
Office of Economic Opportunity (OEO)
UEI #: UL2HEZMR7HN1
1205 Pendleton Street
Columbia, South Carolina 29201

And

Subgrantee Name
UEI #:
Address
Address

EFFECTIVE DATES:
January 1, ___through December 31, ____

PROGRAM YEAR ____
LOW-INCOME HOME ENERGY ASSISTANCE
GRANT AGREEMENT

(CFDA 93.568)

This Grant Agreement effective as of the 1st day of January ____ by and between the Department of Administration, Office of Economic Opportunity, hereinafter referred to as the "Grantee" and Subgrantee Name, hereinafter referred to as the "Subgrantee."

WHEREAS, the Secretary of the United States Department of Health and Human Services (USDHHS) has allocated funds under the Low-Income Home Energy Assistance Act, hereinafter referred to as the "Act," to the State of South Carolina for the conduct of human service programs to assist eligible households in meeting home energy expenses within all of South Carolina's 46 counties; and,

WHEREAS, the Grantee meets applicable standards as a provider to administer the energy assistance program associated with the Low-Income Home Energy Assistance Act of 1981, as amended by the Low-Income Home Energy Assistance Amendment of 1998, and the Energy Policy Act of 2005;

NOW THEREFORE, the parties to this Grant Agreement, in consideration of the mutual promises, terms, conditions, covenants, and stipulations set forth herein agree as follows:

I. **ENGAGEMENT OF SUBGRANTEE:** The Grantee hereby agrees to engage the Subgrantee and the Subgrantee hereby agrees to perform the services hereinafter set forth in this Grant Agreement.

II. **SERVICE AREA:** The Subgrantee shall perform the services provided under this Grant Agreement in the following counties: List counties served

III. **GRANT PERIOD:** The Grant Agreement shall take effect as of January 1, ____ and shall continue in full force through December 31, ____, unless sooner terminated in accordance with Section XI herein.

IV. **DEFINITIONS:** Terms used in this Grant Agreement, unless another meaning is clearly indicated by context, are defined as follows:

A. Act: Low-Income Home Energy Assistance Act of 1981 (Title XXVI of The Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, as amended); and the Energy Policy Act of 2005;

B. Administrative Guide**:** A comprehensive manual containing program guidelines;

C. DA**:** Direct Assistance Heating (DAH) or Direct Assistance Cooling (DAC);

D. ECIP**:** Emergency Crisis Intervention Program;

E. Federal Award Date: The date the Federal Award was signed by the authorized Federal awarding agency.

F. Federal Award Period: The timeframe federal funding is available for obligation.

G. FFY**:** Federal Fiscal Year means the October 1, 2023 through September 30, ____;

H. Grantee**:** The State of South Carolina, Department of Administration, Office of Economic Opportunity;

I. LIHEAP**:** Low-Income Home Energy Assistance Program;

J. PY**:** Program Year means the Grant period January 1, ____ through December 31, ____;

K. Recipient**:** A household or individual that has been determined eligible for services as outlined in the ____ State Plan;

L. Secretary**:** The Secretary of the U.S. Department of Health and Human Services;

M. State**:** The State of South Carolina;

N. State Plan**:** The State of South Carolina's PY ____ State Plan for Low-Income Home Energy Assistance, which describes the methodology, policy and procedures for implementing the grant program;

O. Subgrantee**:** Community Action Agency (CAA)

P. Subgrantee Period of Performance: The timeframe a subgrantee has to obligate funds.

Q. Subgrantee Closeout Period: The timeframe a subgrantee must liquidate or pay all obligations incurred under the award for the funding period, conduct final reconciliations, data collection, and other administrative activities necessary to close the grant; and

R. Vulnerable Households**:** Households with frail, older individuals, individuals with disabilities, and/or those with very young children that meet LIHEAP program and income eligibility standards.

V. PURPOSE OF THE STATE LIHEAP PROGRAM: The Low-Income Home Energy Assistance Program (LIHEAP) is designed to assist low-income households in meeting home heating and cooling expenses. LIHEAP helps to alleviate home energy crisis through the provision of home energy assistance, energy education, home weatherization, income management counseling, and intervention with energy providers.

The goals for PY ____ include:

A. Expand outreach in one or more vulnerable household categories;

B. Target energy assistance to eligible households with the highest energy needs and lowest incomes;

C. Increase efficiency of energy usage by applicant households; and

D. Address inefficient home heating/cooling systems through repair and/or replacement utilizing LIHEAP Weatherization.

VI. FUNDING

A. Grantee agrees to provide the Subgrantee the PY ____ allocation of $ _____

US Department of Health and Human Services-Office of Community Services
Federal Award Date: 10/23/2023
Federal Award Period: 10/01/2023 – 09/30/2025
Federal Award Identification Number: 2402SCLIEA
Assistance Listing Number: 93.568
Low-Income Home Energy Assistance Program
Subgrantee Period of Performance: 01/01/____ to 12/31/____
Subgrantee Budget Period: 01/01/____ to12/31/____
This is not an R&D award.

County	**Administration**	**Operations & Outreach**	**Total ____ LIHEAP Allocation**

Total			

B. Minimum Performance

Each Subgrantee must expend the LIHEAP allocation according to the quarterly percentages in the following table. Any Subgrantee who does not expend the minimum percentage of LIHEAP funds will be required to submit a Plan of Action Report within ten (10) days of receiving notification from Grantee.

1st Quarter – January, February, March	-	25%
2nd Quarter – April, May, June	-	50%
3rd Quarter – July, August, September	-	75%
4th Quarter – October, November, December	-	100% expended

VII. TERMS AND CONDITIONS

Now, therefore, the parties to this Grant, in consideration of the mutual promises, terms and conditions, covenants, and stipulations set forth herein, agree to the following terms and conditions:

A. GRANTEE RESPONSIBILITIES

1. Monitoring and Evaluation

The Grantee is responsible for monitoring grant, sub-grant and contract supported activities to assure compliance with Federal and State requirements, and that performance goals are being achieved. Monitoring must cover each project, function and activity. (See 45 C.F.R. §75.342). In a timely, complete and accurate manner, the Subgrantee shall report all data and information requested by the Grantee. The Subgrantee agrees that the Grantee and its representatives may carry out monitoring and evaluation activities, including announced and unannounced activities. The Subgrantee agrees to ensure the cooperation of all Subgrantee employees and board members and make all program records and facilities available to the Grantee to examine and copy to complete monitoring requirements. (See 45 C.F.R. §75.364) During the visit, the Grantee may contact clients and vendors, and will review service delivery as specified in the Grant, as well as review current monitoring reports for other programs administered by the Subgrantee. In addition, internal program reviews shall be conducted by the Subgrantee in accordance with all other procedures issued by the Grantee.

A copy of each Subgrantee fiscal and program monitoring report shall be mailed to the Board Chairperson and the Executive Director; if issues are identified that could cause an agency to become at-risk, the entire board will receive a copy of the report and other correspondences.

Effective controls over and accountability for federal funds require subgrantees to assure funds are used solely for authorized purposes; i.e., those activities that relate to the approved Budget and Work Plan. Subgrantee must review and document client assistance file, as it is an effective tool in maintaining control and ensuring compliance over Federal funds.

2. Payments

45 C.F.R. §75.305 sets forth the payment guidelines that OEO will follow.

a. Method of Payments

Advance payments must be limited to the minimum amounts needed and be in accordance with the actual, immediate cash requirements of the Subgrantee in carrying out the purpose of the LIHEAP program. Therefore, OEO will release a scheduled one-time advancement of funds for the first two to four (2-4) months of expenses of the grant period for LIHEAP.

Subgrantees should request additional cash payments throughout the program year using the "Certification of Advancement of Funds" form. A separate form is required for each grant.

Cash payment requests should be made on a monthly basis but may be submitted as frequently as biweekly.

In determining the cash request, Subgrantees should take into consideration:

- The amount of funds that have been obligated;
- Commitments and other funds needed to continue daily operations; and
- Time for Grantee to process and release funds requested. It may take up to thirty (30) days for Grantee to process and release the requested disbursement.

Pursuant to 45 C.F.R. §75.305, the Subgrantee must maintain and demonstrate the willingness to maintain both written procedures that minimize the time elapsing between transfer of fund and disbursement by the Subgrantee, and financial management systems that meet the standards for fund control and accountability. As such, Subgrantees must continuously monitor grant funds received from Grantee to ensure compliance with this requirement. Grantee maintains the right to request additional information from the Subgrantee prior to disbursing payments.

b. Conditions of Payments

The Grantee shall only make payment for allowable costs that are authorized in the course of providing services pursuant to this Grant. Allowable costs shall meet the basic considerations prescribed in 45 C.F.R. §75.403. The Grantee shall make payments on the condition that the Subgrantee is in full and faithful compliance with the terms, conditions, covenants and stipulations of this grant.

c. Limit of Payments

The total payment to the Subgrantee shall not exceed the amount on Section VI, Funding, page 3 of this Grant Agreement unless authorized by an amendment issued by the Grantee.

d. Recall of Funds

The Grantee may request return of unexpended grant funds upon written notice to the Subgrantee. The notice will indicate the allowable time for the return of the funds and stipulate causes.

B. SUBGRANTEE RESPONSIBILITIES:

The Subgrantee shall do, perform and carry out, in a satisfactory manner, as determined by the Grantee, the services herein:

1. Description of Service**:**

The services to be provided are the program elements described in the ____ South Carolina LIHEAP State Plan and approved Subgrantee Work Plan for implementation of the Act. These services are listed below:

a. Administration:

Provides program and fiscal support, technical assistance and training, program development and oversight for the program elements outlined below in paragraphs b – d;

b. Direct Assistance (DA):

Assists eligible households with home heating and cooling expenses (Refer to PY ____ Administrative Guide);

c. Energy Crisis Intervention (ECIP):

Assists eligible households with home emergency heating and cooling expenses and/or home energy needs created by extreme weather-related temperatures, fuel supply shortages, and other emergency conditions as defined by the State (Refer to PY ____ Administrative Guide); and

2. Provision of Services**:**

The Subgrantee certifies it has the legal authority to apply for the Grant and the capability to ensure proper planning, management and completion of the program elements approved in the Work Plan and Grant Agreement.

a. Performance

The services shall be provided and performed in accordance with the ____ South Carolina LIHEAP State Plan and Administrative Guide as soon as practicable after the approval of the Work Plan and Budget and the execution of the ____ LIHEAP Grant Agreement. Subgrantees are required to report deviations from Budget and Work Plan and request prior approvals for Budget and Work Plan revisions, including changes in the scope or objective of the program.

b. Clients

The Subgrantee agrees to provide LIHEAP services only to households whose eligibility is established in accordance with the ____ South Carolina LIHEAP State Plan and Administrative Guide, and to disburse LIHEAP funds for heating and cooling components during the ____ Program Year as outlined in the Administrative Guide.

c. Notification of Payment to Client and Vendors

Subgrantee shall:

(A) notify each participating household of the amount of assistance paid on its behalf;
(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;
(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and
(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs.

See 42 U.S.C. §8624(b)(7).

d. Appeal and Fair Hearing

Subgrantee agrees to publicize procedures for an opportunity for a fair hearing for any applicant or recipient of services whose request for any service is not acted upon with promptness or is denied.

3. Personnel:

a. Generally

The Subgrantee agrees to secure the personnel required to perform the services under this Grant Agreement. Subgrantee should employ personnel who can demonstrate the knowledge and aptitude needed to serve recipients and achieve the Grant's Performance Targets, including fiscal requirements. Personnel engaged by the Subgrantee to perform services under this Grant shall be employed in accordance with Federal and State laws and regulations, as well as Subgrantee's Personnel Policies and Procedures. In the budget, the Subgrantee shall identify all positions to be funded by this Grant, full/part-time and temporary, by providing the Employee ID and the county served of each position to be occupied and the percentage of salary. If there are positions to be filled later, the Subgrantee shall submit an updated, final list within ninety (90) days of the beginning of the grant or whenever all positions have been filled, or whichever is sooner. If there are still position vacancies at the time of submission of the final list, the list must still be submitted to the Grantee with the vacancies noted.

All services required will be performed by the Subgrantee or under the direct supervision of the Subgrantee as approved by the Grantee. The Grantee considers Subgrantee's Personnel Policies and Procedures an integral part of this Grant, as are any amendments, and will be reviewed during the OEO monitoring.

b. Subcontractors

Unless otherwise expressly authorized by the Grantee, all services hereunder shall be provided by the Subgrantee directly and no grant for the provision of such services shall be entered into by the Subgrantee. Authorized subcontracts under this Grant shall be in writing, attached to this Grant and shall be subject to the term of this Grant. The Subgrantee will, of necessity due to limitations of administrative funds, be expected to establish cooperative procedures with such other organizations and procedures will be in accordance with the approved Work Plan. The Subgrantee shall establish outreach procedures for eligible households using assistance from volunteer private and public agencies.

Subgrantee shall require any subcontractor to comply with the provisions of this Grant Agreement. Subgrantee shall be responsible for the performances of any subcontractor and shall monitor the performance of any subcontractor.

Subcontractors engaged by the Subgrantee to perform services under this grant shall be contracted with in accordance with state laws and local ordinances. Under this Grant Agreement, an employee of the Subgrantee is not eligible to provide services to recipients as a subcontractor. Applicable procurement laws and procedures as outlined in the OEO Fiscal Guidance and Procedural Manual will be followed in securing subcontractors who provide services. See Section VII, Paragraph (B), Subsection (10), of this Grant Agreement.

c. Confidentiality and Safeguarding Information

Any reports, information or data obtained by Subgrantee, or prepared at the request of Grantee by Subgrantee, shall not be made available to any individual or organization without the prior written approval of Grantee. Subgrantee shall not disclose any personally identifiable information (PII) (see 45 CFR §75.2) of a recipient to any third party without the express written authorization of the client or of his/her legal guardian.

The Subgrantee shall safeguard the use and disclosure of information concerning applicants and recipients of services in accordance with applicable Federal or State laws or regulations and shall restrict access to, use and disclosure of such information, in accordance with said laws and regulations. Any question regarding access to information should be referred in writing to the Grantee. Accessibility will be permitted only at the direction of the Grantee.

Subgrantee must comply with 45 C.F.R §75.365 Restrictions on public access to records.

Subgrantee must develop and implement a confidentiality policy for all employees, consultants and volunteers to sign and adhere to while working with personal information of household members being serviced under this Grant Agreement.

d. Safety

The Subgrantee must take necessary steps to protect itself and its personnel while providing services through this grant. The Subgrantee will comply with all applicable local, State and Federal occupational and safety acts, rules and regulations. The Grantee assumes no responsibility with respect to accident, illness or claims arising out of any work undertaken with funds provided through this grant.

4. Time of Performance:

Services by the Subgrantee shall commence as soon as practicable**,** only after the approval of the Work Plan and Budget, and the execution of this Grant Agreement. Services shall be undertaken to assure completion in accordance with timelines**,** goals and objectives, as stipulated in the approved Work Plan.

5. Client Files

Subgrantee agrees to maintain files that contain source documents that (1) support recipient eligibility, (2) support costs that are allowable and traceable to the accounting system, and (3) are in accordance with provisions of cost principles, conditions of this Grant Agreement and 45 CFR §75.305(b). The review of files can be used to support future individual or agency training, employee performance evaluation and other human resource procedures.

Subgrantee agrees to secure and protect client information collected, used, stored, and maintained in the execution of this grant.

6. Work Plan:

The Subgrantee shall submit a Work Plan describing the agency's operational plan, Performance Targets, Outcome Statements, goals and objectives for the LIHEAP Program, to include a clear description of advertising outreach, of how identified linkages will be utilized to fill identified gaps in services, and to prevent the duplication of services within the designated service area. The Work Plan will provide the total number of low-income households in the service area and clearly indicate the percentage of vulnerable households that the agency is planning to target. Projections must include: target elderly, disabled, households with children age 5 and younger, and households with a high burden (energy bill is 20% or greater than the total household monthly income).

The Subgrantee shall immediately notify the Grantee of significant developments potentially impacting or changing the approved scope of work or in case of problems, delays, or adverse conditions which could impair the ability to meet the objectives of the award. The notification shall include a statement of action(s) to be taken or contemplated and identify any assistance needed to resolve the situation(s). Any revised Work Plans must be approved by the Grantee.

7. Budget

a. General Requirements

Subgrantee must submit to OEO a budget package through the statewide database system, which has been approved by their Board of Directors. The budget must set forth a plan summarizing the financial aspects of their program, specifically stating the estimated revenues and expenses. Subgrantee also agrees to adhere to the cost principles set forth in 45 C.F.R. §75 - Subpart E.

b. Allowable Costs

Pursuant to 45 C.F.R. §75.403, an allowable cost is a cost that meets the following general criteria:

- Be necessary and reasonable for the performance of the grant and be allocable thereto;

- Conform to any limitations or exclusions as to types or amounts of cost items;
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the Subgrantee;
- Be accorded consistent treatment. A cost may not be assigned to a grant as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the grant as an indirect cost;
- Be determined in accordance with generally accepted accounting principles (GAAP);
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-funded program in either the current or prior period;
- Be adequately documented.

c. Reasonable Costs

Pursuant to 45 C.F.R. §75.404, a cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

d. Direct Costs

Pursuant to 45 C.F.R. §75.413, direct costs are those costs that can be identified specifically with a particular final cost objective, such as grant funds, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

e. Indirect Costs

Pursuant to 45 C.F.R. §75.2, indirect costs means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

Pursuant to 45 C.F.R. §75.414, indirect costs shall be classified within two broad categories: "Facilities" and "Administration."

- "Facilities" is defined as depreciation on buildings, equipment and capital improvement, interest on debt associated with certain buildings, equipment and capital improvements, and operations and maintenance expenses.
- "Administration" is defined as general administration and general expenses such as the director's office, accounting, personnel and all other types of expenditures not listed specifically under one of the subcategories of "Facilities."

The Subgrantee shall establish an indirect cost rate in accordance with the cost principles and procedure by the cognizant agency. See 45 C.F.R. §75.414(e) for requirements for development and submission of indirect cost rate proposals and cost allocation plans. The Subgrantee shall provide documentation to substantiate an approved rate from the cognizant agency and provide subsequent re-issuance of such rate agreement. The Subgrantee shall utilize the approved IDC in accordance with the cost principles and procedures set forth by the cognizant agency.

f. Allocable Costs

Pursuant to 45 C.F.R. §75.405, a cost is allocable to a particular grant or other cost objective if the goods or services involved are chargeable or assignable to that grant or cost objective in accordance with relative benefits received. This standard is met if the cost:

- Is incurred specifically for the grant;
- Benefits both the grant and other work of the Subgrantee and can be distributed in proportions that may be approximated using reasonable methods; and
- Is necessary to the overall operations of the Subgrantee and is assignable in part to the grant funds in accordance with costs principles set forth in Subpart E.

g. Program Income

Program income means gross income earned by the Subgrantee that is directly generated by a supported activity or earned as a result of the LIHEAP funds during the period of performance. See 45 C.F.R. §75.2.

Program income that is earned may be retained and deducted from the total allowable costs pursuant to 45 C.F.R. §75.307(e)(1).

8. Financial Management System**:**

a. General Requirements

By accepting this grant, the Subgrantee certifies that it has established an effective and efficient system of accounting and administrative internal controls to properly conduct this grant with full accountability for the resources made available. The Subgrantee's financial management systems, including records documenting compliance with State and Federal statutes, regulations and the terms and conditions of this grant, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracking of funds to a level of expenditures adequate to establish that such funds have been used according to State and Federal statutes, regulations and the terms and conditions of this grant.

Subgrantee's financial management system must comply with 45 C.F.R. §75.302 (b).

b. Cash Management
Grantee is required to comply with the Cash Management Act (CMIA) 31 CFR 205 (amended 1992). The payment guidelines for the Subgrantee are set forth in 45 CFR §75.305(b).

See 45 CFR §75.305 (a) and (b).

c. Identification of Accounts

Subgrantee must have a separate fund account for LIHEAP funds and must be able to identify the source and application of funds for LIHEAP activities. The Subgrantee's records must contain information pertaining to the LIHEAP award, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. Program and grant fund identification must include, as applicable, the CFDA title and number, grant identification number and year, name of the Federal Agency, and name of the pass-through entity, OEO.

No portions of LIHEAP funds may be used for the purpose of making loans to employees or other programs within the agency without approval from OEO and HHS.

9. Internal Control Systems:

Subgrantee agrees to establish and maintain effective internal control over the grant funds that provides reasonable assurance that the funds are being managed in compliance with Federal and State statutes, regulations, and the terms and conditions of this agreement. These internal controls must be in compliance with 45 C.F.R. §75.303.

Subgrantee must take prompt action when instances of noncompliance are identified, including but not limited to noncompliance identified in audit findings and/or monitoring activities.

10. Procurement

Subgrantee shall follow the South Carolina Consolidated Procurement Code set forth in S.C. Code Ann. §11-35-10, et seq., in conducting procurements unless the proposed purchase is from a vendor

that is selected from the current State Procurement Contract list, which must be verified through the State's Materials Management Office (MMO). Subgrantee also agrees to follow the requirements set forth in §§45 C.F.R. §§75.327 through 75.335, any applicable memorandums issued by the State and Grantee's Fiscal Guidance and Procedural Manual. Subgrantee's agreements and contracts with subcontractors shall follow the procurement guidelines.

All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. The subgrantee shall be alert to organizational conflicts of interest and noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, invitation for bid and/or requests for proposals shall be excluded from competing for such procurements. Any and all bids or offers may be rejected when it is in the subgrantee's interest to do so.

The use of sole source contracting is highly discouraged. Sole source contracts will be awarded only under exceptional circumstance and in compliance with Section 11-35-1560 of the South Carolina Consolidated Procurement Code. Subgrantee must also refer to the OEO Fiscal Guidance and Procedural Manual for specific guidance and requirements. Subgrantee is required to submit a written explanation justifying this type of procurement, with support documentation, to OEO prior to entering into a sole source contract.

Grantee will review the Subgrantee's procurement procedures and purchases during their monitoring. Grantee may request, at any time, justification and documentation supporting any purchase as a direct cost in this grant.
As stated in §507 of Public Law 103-333, to the extent practicable, all equipment and products purchased with grant funds should be American made.

11. Program and Fiscal Records

    a. General Requirements

    The Subgrantee must maintain records which adequately identify the source and application of funds provided for grant activities. The Subgrantee also agrees to prepare, retain, and permit the Grantee and its authorized representative(s) to inspect Subgrantee records as the Grantee deems necessary for monitoring purposes. In addition to inspections, the Subgrantee agrees to give access to the Grantee and its authorized representative(s) to the following records:

    - Fiscal transactions;
    - Audits;
    - Personnel files;
    - Administration;
    - Program; and
    - Any other record deemed relevant by the Grantee.

    See 45 C.F.R. §75.364.

    b. Statewide Database System

    Subgrantee must fully utilize the statewide database system as prescribed by Grantee. Subgrantee is required to ensure that all staff with access to the statewide database system remain current with access requirements and documentation (i.e. SANS Training and User Confidentiality Agreement). Subgrantee is also required to ensure that staff who will be given access to the statewide database system meet all requirements, documentation and training.

    If Subgrantee determines a need to maintain client information outside of the statewide database system, Subgrantee agrees to appropriately protect the information, and dispose of the information in a manner that renders the information unreadable, indecipherable, and irrecoverable.

c. Record Retention

All pertinent grant records including financial, program, supporting documents, statistical and non-expendable property records must be retained for three (3) years after the Subgrantee submits the final expenditure report to the Grantee. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.

To see additional exceptions, see 45 C.F.R. §75.361.

12. Reporting Requirements

Subgrantee will file all required reports using Grantee's on-line Budget and Financial Status Reporting process. For further details, see the Grantee's Fiscal Guidance and Procedural Manual, § IV.

All required reports, fiscal and programmatic, must be sent to Grantee in a manner acceptable to Grantee. "Acceptable to Grantee" means that the work product was submitted accurately and complete within the required time frame and completed in accordance with generally accepted accounting principles and is consistent with the Budget, Work Plan and Grant Agreement. When Grantee receives an incomplete report, Subgrantee shall provide additional fiscal and program records, updates or information as may be required by Grantee.
When reports are not submitted within the required time frame, nor completed in accordance with generally accepted principles, nor consistent with the approved budget, Work Plan or this Agreement, the State may exercise its right to temporarily stop grant funding. Among other required data, this includes, but is not limited to program reports, quarterly reports, annual reports, budgets and budget revisions, Financial Status Reports, individual audits, close-out reports, Board Meeting Minutes, and submission of carryover (when required). **Failure to submit timely and accurate FSRs may result in delayed payments of advancements.**

Required reports, prescribed above, must be sent to the Grantee in a manner acceptable to the Grantee, or the Grantee may withhold further payments/awards until they are completed or may take action as set forth in "Section X– Administrative Enforcement" of this Agreement.

a. Financial

The Subgrantee shall furnish the Grantee monthly Financial Status Reports (FSR) no later than the 15th day of the following month (refer to OEO Fiscal Guidance and Procedural Manual). The FSR reports shall include an accounting of all financial activity completed during the reporting period. A final FSR report shall be required within forty-five (45) days after the completion of the grant period (time-frame subject to change).

b. Programmatic

The Subgrantee shall provide the Grantee monthly household reports no later than fifteen (15) days after the end of each quarter of the program year and shall continue to provide the reports each quarter until submission of the annual close-out report is due forty-five (45) days after termination of this Agreement.

Upon reasonable notice, the Subgrantee shall provide such additional fiscal and/or program updates or information as may be required by the Grantee.

c. Monitoring Reports from Other Funding Sources

The Subgrantee shall provide the Grantee current monitoring reports for other programs administered by the Subgrantee, including but not limited to any federal funding sources and Project Share, within thirty (30) days of receipt. (See 45 C.F.R. §75.364).

d. Board of Directors

Within thirty (30) days of the date of execution of minutes, one copy of each set of approved Board Meeting Minutes is to be submitted to the Grantee by uploading them to the BoardPro module of the statewide database system. Board Rosters are to be updated as needed and a revised copy is to be submitted to the Grantee within thirty (30) days of the revision(s).

e. Subcontractor and/or Consultants

The Subgrantee shall send Grantee written notification identifying all subcontractors and/or consultants that Subgrantee directly contracted with for services for its organization, funded in whole or in part by this grant. (Refer to OEO Fiscal Guidance and Procedural Manual, page 35, which further defines Contractual/Professional Services.) Subgrantee will provide to the Grantee copies of all relevant business licenses and insurance certificates of the subcontractors and/or consultants.

f. Property

Pursuant to 45 C.F.R. §75.2, Property means real property or personal property and equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the Subgrantee for financial statement purposes, or $2,500. Title to all property shall vest with the Subgrantee so long as it is used for the purposes of this Grant. When the Subgrantee determines that property is no longer required for the purposes of this Grant, the Subgrantee is to contact the Grantee for disposition instructions and approval (refer to OEO Fiscal Guidance and Procedural Manual).

Subgrantee must maintain property records that include a description of the property, a serial number or other identification number, the source of funding for the property (including FAIN), who holds title, the acquisition date and cost of the property, the percentage of Grantee's participation in the project cost for the grant funds under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

Subgrantee must perform an annual physical inventory of the property and reconcile the results as of the end of the fiscal year. Subgrantee will submit a final equipment inventory to Grantee no later than April 30, ____.

See 45 C.F.R. §75 - Property Standards, §§75.316 through 75.323 and Grantee's Fiscal Guidance and Procedural Manual for further details.

13. Single Audit

Subgrantees that expend $750,000 or more in a fiscal year in federal funds are federally required to have a single audit conducted for that year in accordance with 45 CFR §75 Subpart F –Audit Requirements.

Within thirty (30) days of receipt of the independent audit report, or nine (9) months after the year end, whichever comes first, the Subgrantee is required to electronically submit the completed data collection form and reporting package to the Federal Audit Clearinghouse per 45 CFR §75.512. If findings are reported, the subgrantee is required to submit a corrective action plan compliant with 45 CFR §75.511(c). Subgrantee must make copies available for public inspection.

C. CLOSE-OUT

1. General Requirements

The Grantee will close-out the grant when it is determined that all applicable administrative actions and all required work of the grant have been completed by the Subgrantee within the grant period. The Grantee will provide close-out procedures, which comply with 45 C.F.R. §75.381, in the Fiscal Guidance and Procedural Manual and the close-out memorandum.

2. Reports

No later than 45 calendar days after the end date of the period of performance, the Subgrantee shall submit all financial, performance, and other reports as required by the terms and conditions of the grant.

3. Cost Adjustments

The Grantee will make adjustments upward or downward to allowable costs based on the final close-out financial report.

4. Cash Adjustments

The Subgrantee shall, within the close-out period, refund to the Grantee any balance of unobligated funds unless otherwise directed by the Grantee.

The Subgrantee will make payment to the Grantee for all unallowable costs within thirty (30) days of notification.

5. Later Disallowed Costs and Adjustments

The close-out of this Grant does not affect the following:

- The Grantee's right to disallow costs and recover funds on the basis of a later audit or other financial review;
- The Subgrantee is obligated to return any funds due as a result of later refunds, corrections or other transactions; and
- Record retention as required in §VII, (B)(10)(c) of this Grant Agreement.

D. MISCELLANEOUS

1. Political Activities

The Subgrantee agrees that no funds shall be utilized, nor services provided, or personnel assigned in a manner supporting or resulting in the identification of such programs with:

- Any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office;
- Any activity to provide voters and prospective voters with transportation to the polls or to provide similar assistance in connection with any election;
- Any voter registration activity; or
- Any political activities as set forth in the U.S. Code, Title 5, Chapter 15, Section 1502(a)(i)(2) and (3).

2. Nondiscrimination

No persons shall because of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available through this Grant. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (U.S.), or with respect to an otherwise qualified disabled individual as provided in Section 504 of the Rehabilitation Act of 1978 (U. S.), and Americans with Disabilities Act of 1990 (U.S.) shall also apply to any such activity conducted under the provisions of this Grant.

3. Investigations

   The Subgrantee will permit and cooperate with any Federal investigation undertaken by the Secretary, Comptroller General, or any State investigation to determine compliance with the provisions of this Grant. The Subgrantee will make available any books, documents, papers and records to any authorized representatives for examination, copying or mechanical reproduction on or off the premises of the Subgrantee based upon a reasonable request. Subgrantee will disclose, in a timely manner, in writing to Grantee all investigations s potentially affecting the award.

4. Limitations of Construction

   Funds made available under this Grant may not be used by the Subgrantee for improvement of land or the purchase, construction, or permanent improvements (other than low-cost residential weatherization or other energy-related repairs) of any building or other facility. The Secretary only may waive this limitation.

5. Professional Services

   Costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of Subgrantee, are allowable when reasonable in relation to the services rendered and when not contingent upon recovery of the costs from the Grantee. Subgrantee must comply with 45 C.F.R. §75.459.

   Additionally, legal and related services are limited under 45 C.F.R. §75.435.

6. Copyright / Publications

   Except as otherwise provided in the terms and conditions of this Grant, the Grantee or a Subgrantee paid through this Grant, is free to copyright any books, publications or other copyrightable materials developed in the course of or under this Grant. However, the Federal awarding agency and State funding agency (SFA) reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal government and SFA purposes:

   - The copyright in any work developed under this Grant, or through a contract under this Grant; and,
   - Any rights of copyright to which a Subgrantee purchases ownership with Grant support.

   The Federal government's rights and the SFA's rights identified above must be conveyed to the publisher and the language of the publisher's release form must ensure the preservation of these rights.

7. Information related to Illegal Acts

   The Subgrantee shall furnish the Grantee information about all illegal acts/criminal activities discovered or alleged. Any attempt to conceal illegal acts/criminal activities, withhold information from the Grantee or otherwise obstruct justice will be cause for enforcement action, which may result in suspension or termination of this Grant Agreement. See 45 C.F.R. §75.113.

8. Certifications

   Subgrantee and/or their subcontractors must maintain the following certifications:

   - Certification for Contracts, Grants, Loans and Cooperative Agreements
   - Drug-Free Workplace Certification
   - Debarment, Suspension, Ineligibility & Voluntary Exclusion Certification
   - Lobbying Certification
   - Environmental Tobacco Smoke Certification

9. Insurance

   Subgrantee shall provide adequate insurance coverage for the following, but not limited to, assets, real property and equipment acquired with or improved by Grantee funds in compliance with 45 C.F.R. §75.317.

   Subgrantee must provide and certify that any subcontractor provided adequate insurance coverage.

10. Utilization of Minority Business

    Subgrantee must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. See 45 C.F.R. §75.330.

11. Americans With Disabilities Act of 1990 (ADA)

    The Subgrantee shall comply with the Americans With Disabilities Act of 1990 (ADA), as applicable.

12. Section 504 of the Rehabilitation Act of 1973 (Disabled)

    All subgrantees must comply with Section 504 of the Rehabilitation Act of 1973 (U.S.), and Americans with Disabilities Act of 1990 (U.S.) shall also apply to any such activity conducted under the provisions of this Grant. Therefore, the subgrantees, pursuant to the requirements of The Act, hereby gives assurance that no otherwise qualified disabled person shall, solely by reason of disability, be excluded from the participation in, be denied the benefit of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The subgrantee agrees it will ensure that requirements of The Act shall be included in the agreements with and be binding on all of its subgrantees, contractors, subcontractors, assignees or successors.

13. Coordination

    The Subgrantee agrees that it will coordinate any program activities conducted through this grant with other anti-poverty programs in the area to avoid duplication of services and to expand customer outcomes.

14. Mandatory Disclosures

    Subgrantee must disclose, in a timely manner, in writing to Grantee all investigations and violations of State and Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award. See 45 C.F.R. §75.113.

    Subgrantee must disclose, in a timely manner, in writing to Grantee all potential or pending litigation involving the Subgrantee which could potentially affect the award.

15. Conflict of Interest

    Subgrantee must disclose in writing to Grantee any potential conflict of interest in accordance with applicable policies. Personnel and other officials connected with this Grant shall adhere to the policies given below:

    a. Advice

       No official or employee of the State or a unit of local government or of non-government Grantees/Subgrantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative grant, claim controversy, or other particular matter in which these funds are used, where to his/her knowledge their immediate family, partners, organization other than a public agency in which s/he is servicing

as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

b. Appearance

In the use of these grant funds, officials or employees of the State or a local unit of government and non-governmental Subgrantees shall avoid any action which might result in, or create the appearance of:

- Using an official position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; and/or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

c. Nepotism

Subgrantees are restricted from the hiring of family members in accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 and to further restrict the hiring of relatives within the same office, program area, or the equivalent work unit.

In accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 (Ethics Act), no supervisory employee of the agency may cause the employment, appointment, promotion, transfer or advancement of a family member to a position in which the employee supervises or manages. Employees may also not participate in an action relating to discipline of their family members.

For the purpose of this section nepotism means appointing unqualified relatives and friends to positions in one's organization when an outsiders might be better qualified, see Black's Law Dictionary.

Definitions: The Ethics Act defines family member as an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild; or (b) a member of the individual's immediate family.

Immediate family is further defined as follows:
- A child/adult residing in an employee's household;
- A spouse of an employee;
- An individual claimed by the employee or employee's spouse as a dependent for income tax purposes.

Furthermore, for the purposes of this policy, the Grantee has defined relative as: spouse, parent, sibling, child, parent in-law, grandparent, grandchild, sibling in-law, grandparent in-law, step-grandchild, step-child, child in-law, aunt, uncle, niece, or nephew of the employee or a member of the employee's household. Grantee, the State, recognizes common-law marriage and the relationships that are created as a result. This policy also applies to all members of the Board of Directors.

Employees are expected to disclose relationships covered by this policy to the agency Executive Director and supervisor whenever the relationships come into existence. Employees have up to 90 days after marriage to find employment in either a suitable unit within the agency or outside the agency. An employee's failure to disclose such information will lead to discipline up to and including termination. Supervisors shall not recommend the hiring of an individual that result in violation of this requirement.

See 45 C.F.R. §75.112.

16. Community Action Agencies or Non-Profit Private Organizations

    Any Subgrantee which is a Community Action Agency or non-profit private organization to which funds are provided from the LIHEAP must have at the time of the Grant and must agree to maintain a Board of Directors consisting of: (1) one-third members who are elected public officials currently holding office, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the Board, membership on the Board of appointive public officials may be counted in meeting the requirement; (2) at least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served; and (3) the remainder of the members are officials or members of business, industry, labor, religious, welfare, education or other major groups and interests in the community. Board members must reside in the service area and must be able to participate actively in the development, planning, implementation, and evaluation of the program to serve low-income communities.

17. Fees for Services

    No fees shall be imposed by the Subgrantee upon any eligible person for services described in this Grant. Any attempt to collect such fees shall be grounds for termination of this Grant.

18. Acknowledgment

    The Subgrantee shall announce or print the following information when conducting any public relations activities related to this Grant: "Funded in whole or in part (whichever the case may be) by the Department of Administration, Office of Economic Opportunity, through funding from the U. S. Department of Health and Human Services."

19. Drug-Free Workplace

    The Subgrantee shall establish and implement policies, procedures and programs in accordance with the Certification Regarding Drug-Free Workplace Requirements as set forth in Appendix C to this Grant Agreement. The Subgrantee must submit to the Grantee a completed Place of Performance, Drug-Free Workplace Certification, contained in Appendix C to this Grant, within 30 days of the beginning of this Grant.

20. Compliance with Public Law 103-227, Part C - Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994.

    This Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments. Federal programs include grants, cooperative agreements, loans, or loan guarantees and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment.

    By signature, Subgrantees certify accordance. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to $1,000 per day.

21. Lobbying

    The Subgrantee shall certify compliance with terms and conditions stated in Appendix E. See 45 C.F.R. §75.450.

22. Religious Activities

    Direct grants, sub-awards, or contracts under this program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, Subgrantees

must take steps to separate, in time or location, their inherently religious activities from the services funded under this program.

VIII. CORRECTIVE ACTION AND SUSPENSION OF FUNDING

In administering this section, the Grantee will comply with 42 U.S.C. § 9915, 45 C.F.R. §§ 75.205 – 207, and 75.371- 75.374. The Grantee must evaluate the risks posed by the Subgrantee. If Grantee determines Subgrantee poses a risk, Grantee may impose additional specific conditions that correspond to the degree of risk assessed.

A. Special conditions and/or restrictions may be imposed when the Grantee determines that the Subgrantee:
   1. Is not financially stable;
   2. Has a management system and ability that does not meet the management standards set forth by the Grantee;
   3. Has a documented history of unsatisfactory performance;
   4. Has not complied with the general or specific terms, conditions, covenants and stipulations of previous grant awards; OR
   5. Is otherwise not responsible.

   See 45 C.F.R. §§75.205 and 75.207(a).

B. Special conditions and/or restrictions Grantee may impose include, but are not limited to the following:

   1. Payment to the Subgrantee on a reimbursement basis;
   2. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;
   3. Requiring additional detailed financial reports and/or data;
   4. Additional project monitoring and interim audits;
   5. Requiring the Subgrantee to obtain technical and/or management assistance;
   6. Establishment of additional prior approvals;
   7. Establishment of additional constraints as necessary and appropriate in the circumstances; AND/OR
   8. Require Board acknowledgement of agency's status.

   See 45 C.F.R. §75.207(b).

C. If Grantee decides to impose such special conditions and/or restrictions, Grantee will notify the Subgrantee as early as possible, of the following:

   1. The nature of and reason for the special conditions and/or restrictions;
   2. The corrective actions which must be approved Grantee and completed by the Subgrantee prior to the removal of the special conditions and/or restrictions;
   3. The time allowed for completing the corrective actions, if applicable;
   4. The method of appeal for reconsideration of the imposed conditions/restrictions; and
   5. The training and technical assistance Grantee is offering to the Subgrantee, if appropriate, to help correct the deficiency. If training and technical assistance are not appropriate, Grantee will include an explanation detailing the reason(s).

   See 45 C.F.R. §75.207(c).

D. Grantee will remove any special condition(s) and/or restriction(s) once the condition(s) prompting them have been corrected. See 45 C.F.R. §75.207(d).

IX. REMEDIES FOR NONCOMPLIANCE

If Subgrantee fails to comply with Federal and/or State statutes, regulations or the terms and conditions of a Federal Award, Grantee may impose additional conditions, as described in §VIII of this grant agreement. If Grantee determines that noncompliance cannot be remedied by imposing additional conditions, Grantee may take one or more of the following actions, as appropriate in the circumstances:

A. Temporarily withhold cash payments pending correction of the deficiency by the Subgrantee;
B. Disallow all or part of the cost of the activity or action not in compliance;
C. Wholly or partly suspend or terminate the grant agreement;
D. Initiate suspension, debarment or termination of the grant agreement;
E Withhold further grant agreement funds for the project or program; and/or
F. Take other remedies that may be legally available.

See 45 C.F.R. §75.371.

X. ADMINISTRATIVE ENFORCEMENT

The enforcement remedies identified in the agreement do not preclude the Subgrantee from being subject to "Debarment and Suspension" as prescribed by the Grantee. When a Subgrantee fails to comply with the terms of this Agreement, as outlined in Section VIII (Corrective Action and Suspension of Funding) and/or grant requirements/reports are not submitted within the required time frame, nor completed in accordance with the generally accepted principles, nor consistent with the approved budget, Work Plan or Grant Agreement; a temporary suspension of funding for enforcement purposes may be instituted, but shall not constitute a statutory termination or reduction of funding.

A. Effects of Suspension (45 C.F.R. §75.375)

Costs incurred by the Subgrantee during a suspension or after termination of the Grant Agreement are not allowable unless the Grantee expressly authorizes such in the Notice of Suspension or Termination. Other Subgrantee costs during suspension or termination, which are necessary and not reasonably avoidable, are allowable if:

1. The costs result from obligations which were properly incurred by the Subgrantee before the effective date of the suspension or termination are non-cancelable; and
2. The costs would be allowable if the Grant was not suspended or expired normally at the end of the funding period in which the termination takes effect and the Subgrantee has written permission from the Grantee to incur such costs.

B. Relationship to Debarment and Suspension

If this Grant exceeds $25,000 or if the Subgrantee has critical influence on or substantive control over the transaction completion of the Grant, completion of the Debarment Certification, which is included in Appendix C to this Grant, is required. The Subgrantee is responsible for completing the Debarment Certification, monitoring the submission, and maintaining the official document.

XI. TERMINATION

Termination is defined as the permanent withdrawal of funding by the state administering authority of an eligible entity's authority to obligate previously awarded funds before that authority would otherwise expire, or the refusal of the state to continue funding to the eligible entity. A temporary suspension of funding for administrative enforcement purposes shall not constitute a statutory termination or reduction of funding.

Termination of this Grant Agreement may be initiated by the Grantee, the Subgrantee, or by mutual agreement of both parties as prescribed herein. The following shall apply to the termination of this Grant:

A. Termination for Lack of Funds

The parties hereto covenant and agree that their liabilities and responsibilities, one to another, shall be contingent upon the availability of funds, Federal or State, for the funding of LIHEAP activities. This Grant shall be terminated if such funding ceases to be available. The Grantee shall have the sole authority for determining the lack of availability of such funds. The Grantee shall immediately notify the Subgrantee of any cutback in funds of which it becomes aware.

B. Termination for Breach of Grant

This Grant may be suspended or terminated by the Grantee at any time within the Grant period whenever it is determined by the Grantee that the Subgrantee has breached or otherwise failed to comply with its obligations.

C. Termination for Breach of Previous Contracts and Grants or Non-Payment of Previous Audit Disallowances

This Grant may be suspended or terminated by the Grantee at any time within the Grant period if the Subgrantee has failed to make payment in full to the Grantee for audit disallowances pursuant to any previous Contract or Grant Agreement between the parties or the Subgrantee has failed to comply with the maintenance and inspection of records requirements of any previous Contract or Grant between the parties.

D. Termination by Subgrantee

The Subgrantee may terminate this Grant by giving the Grantee 30 days written notice of intent to do so. Expenditures legitimately incurred by the Subgrantee prior to the date of termination of this Grant will be permitted providing they are in accordance with provisions of this Grant.

E. Termination for Convenience

The Grantee and Subgrantee may mutually agree to terminate the Grant in whole or in part. In which case, the two parties shall agree upon the termination conditions, the effective date and in the case of partial termination, the portion to be terminated.

F. Termination for Insolvency

This Grant is subject to immediate termination by the Grantee upon the Subgrantee's insolvency, including the filing of proceedings in bankruptcy.

G. Notice of Termination

In the event of Grant termination, except Termination for Insolvency in F above, the party terminating the Grant shall give notice of such termination in writing to the other party. Notice of Termination shall be sent by certified mail, return receipt requested, and shall be effective 30 days after the date of the receipt, unless otherwise provided by law; provided however, if terminated pursuant to Paragraph A of this section, said termination shall be effective upon receipt of such notice.

H. Process for Termination

If Grantee believes cause for funding termination exists, the following steps shall be followed:

1. If Subgrantee fails to correct any and all deficiencies identified during a corrective action plan or if based on the seriousness of any of the deficiencies, Grantee determines Termination is appropriate, a certified letter will be sent from Grantee's Director to Subgrantee's Board Chairperson advising him/her of Grantee's recommendation to terminate the grant, along with the reasons for this recommendation. Within fifteen (15) days of receipt of this recommendation, Subgrantee may request a hearing in writing to appeal this recommendation.

2. If Subgrantee appeals Grantee's recommendation, the Department of Administration's Chief Legal Counsel will select a Hearings Officer to conduct the hearing within thirty (30) days of receipt of the letter of appeal, utilizing informal hearing procedures. All proceedings will be recorded.

3. The decision made by the Hearings Officer shall be the final decision of OEO.

4. In the event funding termination occurs, Grantee may either extend the geographic service area of an existing eligible entity or submit a Request for Proposal and bid for a new eligible entity. This will be

done, as necessary, to provide services to the low income population in that service area and shall be administered in accordance with existing Federal and State legislation.

I. Return of Data upon Termination

In the event of a termination of the grant, the Grantee shall immediately revoke the Subgrantee's access to the statewide database system. The Subgrantee shall return all relevant records to the Grantee, including electronic and paper records. The transfer of records must be done in a secure manner to ensure confidentiality.

XII. MISCELLANEOUS LEGAL PROVISIONS

A. Conformity with Law

The provisions of this Grant and performance hereunder are subject to all applicable laws, regulations, ordinances and code of Federal, State and local governments. If it appears that the terms hereof are in conflict with such, then the terms hereof, which conflict therewith, shall be deemed inoperative and null and void to the extent of the conflict and shall be deemed modified to conform therewith. In the event the regulations contradict each other, State and Federally imposed regulations always supersede.

B. Collected Information

Pursuant to Section 30-2-40(B) of the S.C. Code of Laws, information collected by and/or provided to the Office of Economic Opportunity may be personal information as defined by "The Family Privacy Protection Act of 2002" (S.C. Code Section 30-2-10 et seq.) and subject to public scrutiny or release. This grant agreement and all materials associated with it may be released pursuant to FOIA or media request.

C. Legal Services

Subgrantee shall not use grant funds to engage an attorney-at-law pursuant to any term of this Grant Agreement unless Grantee has provided written permission to Subgrantee. Such permission will only be granted by Grantee after consultation with the Attorney General of South Carolina.

D. Non-Waiver of Breach

The failure of the Grantee at any time to require performance by the Subgrantee of any provision of this Grant shall in no way affect the right of the Grantee thereafter to enforce the same; nor shall the waiver by the Grantee of any breach of any provision hereof, be taken or held to be a waiver of any succeeding breach of such provision, or waiver of the provision itself.

E. Statute of Limitations

The Statute of Limitations applicable to the Grant is as stated in South Carolina Law.

F. Venue of Actions

Any and all suits or actions for the enforcement of the obligations of this Grant and for any and every breach thereof may be instituted and maintained, at the option of the Grantee, in any court of competent jurisdiction in the State of South Carolina.

G. Attorney Fees

In the event the Grantee shall bring suit or action to compel performance of or to recover for any breach of any stipulation, covenant, or condition of this Grant, the Subgrantee shall pay to the Grantee such attorney fees the court may adjudge reasonable in addition to the amount of judgment and costs.

H. Non-Assignability

No assignments of this Grant or of any rights hereunder by the Subgrantee shall be valid without the prior written consent of the Grantee.

XIII. AMENDMENT

Amendments or modifications to this Grant shall be valid if in writing and signed by both of the parties hereto.

XIV. INCORPORATION OF DOCUMENTS

The ____ South Carolina LIHEAP State Plan, OEO Administrative Guide, OEO Fiscal Policies and Procedural Manual, OEO Memoranda and Guidance, Office of Community Services (OCS) Memoranda and Guidance, Program Budgets, Appendices, Personnel Policies and Procedures, Audit Appeals Guide, Monitoring Guide, Program Evaluation Guide, and Work Plans, operational plans or procedures are expressly made a part of this Grant Agreement. There may be subsequent amendments to the State Plan and further notices, waivers and/or memoranda issued by OEO and HHS/OCS. By signature, Subgrantee affirms it has read the above-mentioned documents, statutes of and regulations and is responsible for complying with any subsequent changes.

IN WITNESS WHEREOF, the Subgrantee and the Grantee by their authorized agents, have executed this Grant Agreement to be effective as of **January 1, ____.**

The Department of Administration	
Office of Economic Opportunity	
1205 Pendleton Street	
Columbia, South Carolina 29201	
SIGNATURE AND DATE	SIGNATURE AND DATE
James Miller, OEO Director	
PRINT NAME AND TITLE	PRINT NAME AND TITLE
WITNESS SIGNATURE AND DATE	WITNESS SIGNATURE AND DATE
WITNESS PRINT NAME	WITNESS PRINT NAME

APPENDICES

Appendix A **Subcontractors/Consultants List**

Appendix B **Drug-Free Workplace Certification**

Appendix C **Debarment, Suspension, Ineligibility & Voluntary Exclusion Certification**

Appendix D **Lobbying Certification**

Appendix E **Environmental Tobacco Smoke Certification**

APPENDIX A

SUBCONTRACTORS/CONSULTANTS LIST

OFFICE OF ECONOMIC OPPORTUNITY

SUBGRANTEE: _____

GRANT NAME: PY ____ Low-Income Home Energy Assistance Program

GRANT PERIOD: January 1, ____ - December 31, ____

Subcontractor/Consultant (Professional services provided by an outside agency or individual, as the result of a written contract).

Official Name	Federal Employer's I.D. or Social Security Number

_____ _____

Signature **Date**

APPENDIX B
Drug-Free Workplace Certification

DRUG-FREE WORKPLACE (Subgrantees other than individuals) - Applicable to Grantees receiving $50,000 or more and all State agencies regardless of Grant amount.

As required by the S. C. Drug-Free Workplace Act #593 of 1990 and the Federal Drug-Free Workplace Act of 1988 and implemented under the applicable 10CFR, Part 1036 for grantees:

A. The undersigned certifies, acknowledges and will comply and continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b. Establishing an on-going drug-free awareness program to inform employees about:
   1. The dangers of drug abuse in the workplace;
   2. The grantee's policy of maintaining a drug-free workplace;
   3. Any available drug counseling, rehabilitation and employee assistance programs; and
   4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the Grant be given a copy of the statement required by paragraph a;

d. Notifying the employee in the statement required by paragraph a. that as a condition of employment under the Grant, the employee will:
   1. Abide by the terms of the statement; and
   2. Notify the employer in writing of their conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph d.2. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the State Funding Agency. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.2., with respect to any employee who is so convicted:
   1. Taking appropriate personnel action against such an employee, up to an including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
   2. Requiring such employees to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a., b., c., d., e. and f.

DRUG-FREE WORK PLACE (Grantees Who Are Individuals) - Applicable to Grantees Receiving $50,000 or More.

As required by the S. C. Drug-Free Workplace Act #593 of 1990 and the Federal Drug-Free Workplace Act of 1988, and implemented under the applicable CFR for grantees:

A. As a condition of the grant I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction to the State Agency.

_____ _____

(Signature of Executive Director) (Date)

APPENDIX B-1

PLACE OF PERFORMANCE
FOR CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Name of Subgrantee: _____

Grant Program Name: PY Low-Income Home Energy Assistance Program

Grant Period: January 1, ____ - December 31, ____

Subgrantee shall insert in the space provided below the site(s) expected to be used for the performance of work under the grant covered by the certification:

Place of Performance (include street address, city, county, state, and zip code for each site):

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Agency name and site(s) for the performance of work done in connection with the grant:

_____

_____

_____

_____

Name and Title of Authorized Official (Typed or Printed)

_____

Signature of Authorized Official **Date**

APPENDIX C

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when HHS determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, HHS may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the HHS agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction, debarred, suspended, ineligible, lower tier covered transaction, principal, proposal, and voluntarily excluded," as used rules implementing Executive Order 12549, "Debarment and Suspension." See 45 CFR 92.35.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is Debarred, Suspended, Declared Ineligible, or Voluntarily Excluded from participation in this covered transaction, unless authorized by HHS.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by HHS, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless frequency by which it determined the eligibility of its principals. Each participant may, but is not required to, check the Non-Procurement List (of excluded partied).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered from participation in this transaction, in addition to other remedies available to the Federal Government, HHS may terminate this transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS.

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

   a. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;
   b. have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
   c. are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State of local) with commission of any of the offenses enumerated in paragraph 1 b of this certification; and
   d. have not, within a three-year period preceding this application/proposal, had one or more public transactions (Federal, State or Local) terminated for cause or default.

2. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

GRANT NAME AND DATE: Low-Income Home Energy Assistance Program, PY____

_____ _____

(Signature) (Date)

APPENDIX D

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Grant, the making of any Federal loan, the entering into any of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) Federal grant funds provided under this award may not be used to support lobbying activities to influence proposed or pending Federal or State legislation or appropriations. This prohibition is related to the use of Federal grant funds and is not intended to affect an individual's right or that of any organization, to petition Congress, or any other level of Government, through the use of other resources. (See 45 CFR Part 93.)

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all subgrantees shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature _____

Print Name _____

Title _____

Date _____

Low-Income Home Energy Assistance Program, PY____

APPENDIX E

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 per day.

Signature _____

Print Name _____

Title _____

Date _____

Low-Income Home Energy Assistance Program, PY ____