

State of Washington

DEPARTMENT OF COMMUNITY DEVELOPMENT

(agency name)

Administrative Order No. 89-04

(1) I, Chuck Clarke, director of Department of Community Development

do promulgate and adopt at Ninth and Columbia Building, MS: GH-51, Olympia, Washington (place)

the annexed rules relating to:

The conditions and procedures under which state funds will be made available to Head Start programs.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 89-13-078 filed with the code reviser on June 21, 1989. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [ ] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026' that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

- [ ] (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.
[ ] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

[X] (c) This rule is promulgated under the general rule-making authority of the Department of Community Development

(agency)

as authorized in RCW 43.63A

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED October 10 19 89

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED

By Chuck Clarke Director

Title

OCT 16 1989

TIME: 11:04 AM WSR 89-21-056

AMENDATORY SECTION (Amending Order 87-20, filed 12/16/87)

WAC 365-40-020 DEFINITIONS. (1) "Applicant" means a ~~((unit(s) of local government, a qualified private organization, or a combination thereof, which applies for state))~~ public or private nonsectarian organization which receives federal Head Start funds.

(2) "Contractor" means an applicant which has been allocated state Head Start funds ~~((and which has entered into a contract to carry out a))~~ under the state Head Start match program.

(3) "Department" means the department of community development.

(4) "Director" means the director of the department of community development ~~((hereafter, the agency))~~.

~~((4))~~ (5) "Head Start program" means an operation undertaken in accordance with the program performance standards set forth in the OCD-HS HEAD START POLICY MANUAL (OCD Notice N-30-364-4) "Head Start program performance standards," published by the United States Department of Health, Education, and Welfare July ~~((7))~~ 1975.

AMENDATORY SECTION (Amending Order 86-02, filed 8/27/86)

WAC 365-40-041 FINANCIAL SUPPORT APPLICATION PROCESS. (1) Each potential applicant will be notified by the ~~((agency))~~ department that application for state Head Start financial assistance is to be made to the ~~((agency))~~ department.

(2) An applicant must make formal application in the form and manner specified by the ~~((agency,--Such application shall be for the period--July 1--June 30 of each fiscal year))~~ department. Failure of an applicant to make application in the specified time will result in no state Head Start funds being allocated.

(3) Applications for state Head Start ~~((funds))~~ financial assistance shall contain ~~((the following information, in detail:~~

~~(a))~~ a description of the services to ~~((be provided or activities proposed to be undertaken by the applicant--consistent with the provisions of WAC 365-40-051 and 365-40-061,~~

~~(b)--A budget specifying intended uses of))~~ be provided with state Head Start funds.

(4) The ~~((agency))~~ department shall provide a contract for signature to the applicant or a request for additional information.

AMENDATORY SECTION (Amending Order 87-20, filed 12/16/87)

WAC 365-40-051 ELIGIBILITY CRITERIA. In order to receive state Head Start funds, a contractor must ~~((provide services to families and individuals eligible according to federal Head Start guidelines--who are in need of skills, knowledge, opportunities and motivation to become economically self-sufficient,--Each Head Start program must be designed to improve the health and general well-being of the children involved, develop their mental processes, and enhance their conceptual and verbal skills))~~ currently be receiving federal funds to operate a Head Start program. State Head Start funds may be used only for activities which result in direct and measurable services to Head Start program children. ~~((State Head Start funds are allocated to programs based on the federal enrollment levels,--An additional set-aside of 3% of the pass-through funds are allocated for programs with 60 or less children\*))~~ The department shall determine the formula for distribution of state funds based on current federal enrollment levels at the time of funding.

AMENDATORY SECTION (Amending Order 87-20, filed 12/16/87)

## WAC 365-40-071 METHOD OF PAYMENT AND REPORTING REQUIREMENTS.

(1) State Head Start funds will be paid in accordance with the provisions of the applicable contract and these regulations.

(2) ~~((All contracts will specify procedures for expenditure reimbursement, with vouchers submitted within a specified time as required by the agency.~~

~~{a}--If vouchers are not submitted in a timely manner, the agency may recapture unclaimed funds.~~

~~{b}--If a contractor fails to file a claim for expense reimbursement within any six-month period, the agency may elect to terminate the contract.~~

~~{c}--Funds allocated for a program may be reduced by the amount unclaimed in the program year immediately preceding the new funding year.~~

~~{3}--If an intended use is not allowable under these rules or the approved contract, the contractor will not be reimbursed for the cost of the items.~~

~~{4}--The agency will notify the contractor within ten days of its discovery of any deficiency and of the need to take corrective actions.~~

~~{5}--In the event corrective action is not taken within thirty days, the contract will be terminated. Funds allocated to the contractor may be subject to redistribution upon termination of any contract.~~

~~{6}--By agreement between the agency and the contractor, the provisions of the contract may be amended.~~

~~{7})) Reports to the ((agency)) department to assure that funds are being expended for purposes authorized in the approved contract are required in a format approved by the ((agency)) department.~~

~~((8)) {3} The contractor at time of application, and annually thereafter, shall submit ((an annual)) a current audit of funds by an independent auditor or office of state auditor and resolution of findings provided under this rule ((by an independent auditor using)). Standard accepted auditing techniques shall be used. Such audit may be that conducted for and provided to other funding sources. This audit report must include a breakdown of state funds by contract number.~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 365-40-061 ALLOWABLE AND UNALLOWABLE COSTS.