



Notice of Intent to Adopt Rules

Revised October 2014

1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Contact Person	f. Contact Telephone Number	
g. Contact Email Address		
h. Date of Public Notice	i. Comment Period Ends	
j. Program		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

a. If "New," provide the Enrolled Act numbers and years enacted:

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

c. The Statement of Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

Complete all that apply:

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):
_____ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Reasons).
_____ (Provide chapter numbers)

N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

d. N/A In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).

e. A copy of the proposed rules* may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.

3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. Yes No

	If "Yes:"	Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?
 By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

		<p>A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:</p> <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____
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c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

4. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. Yes No

	If "Yes:"	Applicable Federal Law or Regulation Citation:
		<p>Indicate one (1):</p> <input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements. <input type="checkbox"/> The proposed rules exceed minimum federal requirements.
		<p>Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:</p> <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____

5. State Statutory Requirements

a. Indicate one (1):
 The proposed rule change *MEETS* minimum substantive statutory requirements.
 The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):
 The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____
 Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). Electronic copies (PDFs) of all items noted (in addition to hard copies) may be emailed to LSO at Criss.Carlson@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.

CHAPTER 1

Rules and Regulations for the Wyoming Senior Services Board Intent to Adopt Amended Rule

Statement of Reasons

The Wyoming Department of Health proposes to adopt the following Amended Rule pursuant to the provisions of W.S. § 9-2-1212 (a)(iv) and the Wyoming Administrative Procedure Act at Wyo. Stat. § 16-3-101, *et seq.*

The Department is promulgating these Rules to update and reduce the number of pages per the Governor's request and adding language to clarify the funding process and expectations of the Board and Grantees. The Wyoming Senior Services Board (WSSB) Rules have been reduced by three (3) pages, one thousand, ninety (1,090) words or by fifty-four percent (54%).

As required by Wyo. Stat. § 16-3-103(a)(i)(G), the Rules and Regulations for the Wyoming Senior Services Board meet minimum substantive state statutory requirements.

Wyoming Senior Services Board

Chapter 1

Section 1. Authority. These rules are promulgated by the Wyoming Senior Services Board, in consultation with the Aging Division, pursuant to Wyo. Stat. Ann. § 9-2-1212 (a)(iv) and the Wyoming Administrative Procedures Act at Wyo. Stat. Ann. §§ 16-3-101 through -115.

Section 2. Definitions.

(a) “Board” or “WSSB” means the Wyoming Senior Services Board created by Wyo. Stat. § 9-2-1211.

(b) “Division” means the Aging Division within the Wyoming Department of Health designated pursuant to Wyo. Stat. Ann. § 9-2-1302(a)(iv).

(c) “Eligible Senior Center” means an organization that receives funds under the federal administration on aging Title III-B supportive services program or Title III-C nutrition program, excluding organizations that only receive Title III-B supportive services funds used exclusively for transportation. The term “eligible senior center” may include a community facility or statewide service, which is the focal point for providing a broad spectrum of services, including health, mental health, social, nutritional, recreational, and educational services for senior citizens.

(d) “Emergency” means a serious situation that happens unexpectedly and demands immediate attention.

(e) “Grants” means the basic, formula and emergency grants and may include others as approved by the Governor and/or legislators in the future.

(f) “Senior citizen” means any person sixty (60) years of age or older.

(g) “This act” means Wyo. Stat. Ann. §§ 9-2-1201 through 9-2-1215.

(h) “Probation” means a period of time when a grantee is under corrective action per Section 15 of these rules.

Section 3. Duties and Responsibilities of the Board.

(a) Review emergency grant proposals.

(b) Adopt the basic grant amount, grant formula, and approve criteria for emergency grant applications through rules and regulations promulgated by the Board to meet the public purposes identified in Wyo. Stat. Ann. § 9-2-1212(a)(ii) to serve the senior citizens of Wyoming.

(c) Review and monitor the expenditure of monies awarded under Wyo. Stat. Ann. § 9-2-1214.

(d) The Board shall select one (1) of its voting members to serve as chairman, one (1) of its voting members to serve as vice chairman, and one (1) of its voting members to serve as secretary. The selection shall be made by a majority of voting members at the first full Board meeting of each odd numbered fiscal year.

(e) The Board shall meet not less than two (2) times each year. Members shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their official duties in the manner and amounts provided by law for state employees. Members who are government employees or public officials shall be considered on official business of their agency when performing duties as members of the board.

Section 4. Disbursement of Funds

- (a) Funding will be dispersed per Wyo. Stat. Ann. § 9-2-1214.
- (b) The Board, in consultation with the Division, shall develop funding criteria, based on the purposes in Wyo. Stat. Ann. § 9-2-1212, and provide information on the anticipated funding levels for each grant period.

Section 5. Public Notice to Accept Grant Applications/Contracts.

(a) The Division, in consultation with the Board, will provide written notice regarding the acceptance by the Board of applications for the basic grant and the formula grant. Notice of the process for grant applications, as determined by the Board, will be distributed no later than March 31 for a grant period covering July 1 through June 30 of the following year. Information will be sent directly to eligible senior centers by the Division.

- (b) Applications for emergency funds will be accepted on an as needed basis.

Section 6. Grant Applications.

- (a) Grant applications shall include, at a minimum:
 - (i) A cover page, in a format approved by the Board in consultation with the Division, with the original signature of the applicant organization's Board Chairman, or authorized official, and the original signature of the organization's Director.
 - (ii) Supporting budget pages and budget justification.
 - (iii) Funding request narrative in the format approved by the Board.

Section 7. Approval or Denial of Grant Applications.

- (a) Grant applications must be received in the office of the Division by the date set by the Board, in consultation with the Division.

(i) Grant applications postmarked after the specified date may not be accepted.

(b) Each application will be reviewed by the Board, in consultation with the Division, to determine if it is complete and accurate and that it serves the purposes Wyo. Stat. Ann. § 9-2-1212 (a) (ii)(A)-(F).

(c) If approved, by a formal vote of the WSSB at an advertised public board meeting, the grant will be processed, and a Notice of Grant Award will be issued by the Division, along with a contract for the disbursement of funds.

Section 8. Carryover of Funding. The Board, in consultation with the Division, will review the final reports from grantees within thirty (30) days of the end of the grant period. If a grantee has not spent all of its awarded funds by the end of the grant year, the Board may approve an extension of time in which to use those unspent funds, contingent upon the following:

(a) The grantee must submit to the Board, within thirty (30) days prior to the end of the grant period, a letter of explanation outlining:

(i) Why the grantee will be unable to spend the funds by June 30.

(ii) The date by which the carryover funds will be spent, not to exceed three (3) months after the end of the previous grant period.

(b) Any unspent funds must be returned to the Board by July 15 each year, unless an extension for carryover has been approved by the Board.

Section 9. Payment. The Division, at the direction of the Board, will make payments to grantees, contingent on the following:

(a) The Board, in consultation with the Division staff, will review and analyze required quarterly program performance reports and fiscal reports.

(b) The Board reserves the authority to suspend or delay funding if terms and requirements of the contract are not being met.

(c) First quarter grant expenditure reports shall be approved by the Board prior to the further release of any WSSB funding.

Section 10. Budget Revisions. Any modification to the original budgeted amount in any expense category must be approved, in advance, by the Board. A written letter of request and explanation must be submitted to the Chair of the Board, who will seek timely approval by the Board, and will notify the requesting entity of the Board's decision.

Section 11. Monitoring and Assessment. The Board, in consultation with the Division, will review and analyze required grantee quarterly grant expenditure forms and end of year program performance reports. The Board may request other documentation from the grantee to ensure compliance with the terms of WSSB funding.

Section 12. Reporting. The Board, in consultation with the Division, will review and evaluate program and fiscal reports:

(a) Signed, original quarterly fiscal reports must be submitted to the grantee's WSSB Board representative by the fifteenth (15th) day of the month following the end of each quarter.

(b) Signed, original year-end performance reports must be submitted to the grantee's WSSB Board representative by the fifteenth (15th) day following the end of the fiscal year.

(c) Quarterly grant expenditure and year-end performance reports shall be approved by formal WSSB action at an advertised public WSSB meeting.

Section 13. Compliance. If grantee contract violations are found, the Board, in consultation with the Division, may:

(a) Work with the grantee to determine the corrective steps and/or plan of action to be taken by the grantee.

(b) Develop a written plan of action and/or corrective steps to be completed by a mutually agreed upon date.

(c) Re-assess or re-evaluate the grantee at the end of each quarter until full compliance with all grant requirements is achieved.

Section 14. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.

Wyoming Senior Services Board Chapter 1

Section 1. Authority. These rules are promulgated by the Wyoming Senior Services Board, in consultation with the Aging Division, pursuant to ~~W.S. Wyo. Stat. Ann. § 9-2-1212~~ (a)(iv) and the Wyoming Administrative Procedures Act at ~~W.S. Wyo. Stat. Ann. §§ 16-3-101 et seq. through -115.~~

~~Section 2. Applicability.~~

~~(a) — These rules have been adopted to guide the operation and activities of the Wyoming Senior Services Board. The Board shall consult with the Aging Division to determine the award of grants under W. S. 9-2-1214.~~

~~(b) — These rules apply to all eligible grantees/contractors under the Aging Division.~~

~~(c) — The Board may issue provider manuals, provider bulletins, or both, to interpret the provisions of these rules and regulations. Such provider manuals and provider bulletins shall be consistent with and reflect the policies contained in this Chapter. The provisions contained in provider manuals or provider bulletins shall be subordinate to the provisions of these rules and regulations.~~

~~(d) — The incorporation by reference of any external standard is intended to be the incorporation of that standard as it is on the effective date of this Chapter.~~

Section ~~2~~ 3. Definitions. The following definitions shall apply in the interpretation and enforcement of the rules. Where the context in which words are used in the rules indicates that such is the intent, words in the singular number shall include the plural and vice versa. Throughout the rules, gender pronouns are used interchangeably, except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers, in random distribution. Words in each gender shall include individuals of the other gender.

For the purpose of the rules, the following shall apply:

(a) “Board” or “WSSB” means the Wyoming Senior Services ~~Advisory~~ Board created by ~~W.S. Wyo. Stat. Ann. § 9-2-1211~~. The Wyoming Senior Services Board shall consist of seven (7) voting members and a non-voting, ex-officio member, as follows:

(i) — ~~The administrator of the Aging Division within the Department of Health or his designee shall serve as a nonvoting, ex-officio member;~~

(ii) — ~~One (1) member of the Advisory Council on aging appointed by the governor;~~

(iii) — ~~Three (3) persons who are senior citizens appointed by the governor;~~

~~(iv) Three (3) members at large appointed by the governor.~~

(b) “Division” means the Aging Division within the Wyoming Department of Health designated pursuant to ~~W.S.~~ Wyo. Stat. Ann. § 9-2-1302(a)(iv);

(c) “Eligible Senior Center” means an organization that receives funds under the federal administration on aging Title III-B supportive services program or Title III-C nutrition program, excluding organizations that only receive Title III-B supportive services funds used exclusively for transportation. The term “eligible senior center” may include a community facility or statewide service, which is the focal point for providing a broad spectrum of services, including health, mental health, social, nutritional, recreational, and educational services for senior citizens;

(d) “Emergency” means a serious situation that happens unexpectedly and demands immediate attention.

(e) “Grants” means the basic, formula and emergency grants and may include others as approved by the Governor and/or Legislatures in the future.

~~(e-f)~~ “Senior citizen” means any person sixty (60) years of age or older;

~~(f g)~~ “This act” means ~~W.S.~~ Wyo. Stat. Ann. §§ 9-2-1201 through 9-2-1215.

(h) “Probation” means a period of time when a grantee is under corrective action per Section 15 of these rules. where a grantee is put on a trial basis in order to be evaluated. Probation also includes taking action against an eligible grantee for non-compliance.

Section 3 4. Duties and Responsibilities of the Board.

~~(a) The Board shall, as per W.S. 9 2 1212:~~

~~(a)(i)~~ Review emergency grant proposals;

~~(b) (ii)~~ Adopt the basic grant amount, grant formula, and approve criteria for emergency grant applications through rules and regulations promulgated by the Board to meet the following public purposes identified in Wyo .Stat. Ann. § 9-2-1212(a)(ii) to serve the senior citizens of Wyoming.

~~(A) To meet the demands of Wyoming’s growing elderly population;~~

~~(B) To enhance services to Wyoming’s senior citizens;~~

~~(C) To strengthen the opportunity for senior citizens to age in the least restrictive environment possible;~~

~~(D) To be cost effective in the provision of services to senior citizens;~~

~~(E) To promote compliance with federal and state mandates requiring placement of people in the least restrictive environment;~~

~~(F) — To supplement and enhance existing programs providing services to senior citizens in the state.~~

~~(c) (iii) Review and monitor the expenditure of monies awarded under W.S. Wyo. Stat. Ann. § 9-2-1214;~~

~~(iv) — In consultation with the Division, promulgate reasonable rules and regulations in accordance with the Wyoming Administrative Procedures Act to implement the provisions of W.S. 9-2-1210 through 9-2-1215; and~~

~~(v) — Consider other necessary matters.~~

~~(b) — In fulfilling its duties under subsection (a) of this section, the Board shall:~~

~~(i) — Consult with the Division and the Advisory Council on Aging, appointed pursuant to W.S. 9-2-1206, as necessary; and~~

~~(ii) — Consider, and may accept, federal grants and other contributions, grants, gifts, bequests, and donations from any source. Any funds received pursuant to this paragraph are continuously appropriated to the Board to be separately accounted for and expended by grants to senior centers for the public purposes specified in paragraph (a)(ii) of this section, and need not be expended as part of an authorized basic or emergency grant.~~

~~(de) The Board shall select one (1) of its voting members to serve as chairman, and one (1) of its voting members to serve as vice chairman, and one (1) of its voting members to serve as secretary. The selection shall be made by a majority of voting members at the first full Board meeting of each odd numbered fiscal year.~~

~~(ed) The Board shall meet not less than two (2) times each year. Members shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their official duties in the manner and amounts provided by law for state employees. Members who are government employees or public officials shall be considered on official business of their agency when performing duties as members of the board.~~

~~Section 5. — Duties and Responsibilities of the Division.~~

~~(a) — The Division shall, as per W.S. 9-2-1213:~~

~~(i) — Maintain, manage, and be responsible for the distribution of the funds appropriated for distribution under W.S. 9-2-1212 and W.S. 9-2-1214;~~

~~(ii) — Disburse the funds appropriated in accordance with awards made by the Board pursuant to W.S. 9-2-1212 and W.S. 9-2-1214.~~

~~(b) — The Division shall provide administrative support, technical services, and statistical information, as requested by the Board.~~

Section 46. Disbursement of Funds

(a) Funding will be dispersed per Wyo. Stat. Ann § 9-2-1214.

~~(a) — Appropriated funds shall be disbursed, as follows:~~

~~(i) — From the funds available for distribution, the Aging Division may first retain not more than one percent (1%) to pay allowable expenses of the Board. The Board may award grants to senior centers throughout the state to support the purposes specified in W.S. 9-2-1212(a)(ii) from remaining funds available for distribution. The Division shall disburse grant funds in accordance with awards made by the Board under this section.~~

~~(ii) — The Board, in consultation with the Division, shall by rule and regulation establish a plan for distribution of funds remaining available for distribution under this section, as follows:~~

~~(A) — Each eligible senior center in the state shall receive the same basic grant of up to thirty thousand dollars (\$30,000.00) annually from the funds available for distribution;~~

~~(B) — Of the amounts remaining after the basic grants are awarded, the Board shall annually award ninety five percent (95%) for grants to eligible senior centers, based on the formula developed by the Board, in consultation with the Division.~~

~~(C) — Funds remaining after the award of basic and formula grants under this section shall be used for emergency grants, based upon these rules and criteria and procedures adopted by the Board, in consultation with the Division. Emergency grants shall be paid only if the center has no other available source of funds for the emergency. No emergency grant shall exceed twenty thousand dollars (\$20,000.00) for any single occurrence.~~

~~(iii) — Notwithstanding W.S. 9-4-207, unobligated or unencumbered funds retained by the Division under this section shall not lapse at the end of a fiscal period, and shall remain available for distribution, as provided in this section. All funds retained pursuant to this subsection shall be accounted for separately. These funds shall not be required to be distributed pursuant to any grant formula adopted pursuant to this article, but shall be available for emergency grants, or may be distributed according to a grant formula, as determined by the Board.~~

~~(a)(b) The Board, in consultation with the Division, shall develop funding criteria, based on the provisions of Section 6(a)(ii) of these rules and the purposes in W.S. Wyo. Stat. Ann. § 9-2-1212, and provide information on the anticipated funding levels for each grant period.~~

~~(i) — Each eligible senior center shall receive the same basic grant of up to thirty thousand dollars (\$30,000.00) through the funding process to address the center's needs for serving the elderly in the community.~~

~~(ii) — Ninety five percent (95%) of the amount that remains after the basic grants are awarded, and the one percent (1%) for Board expenses has been retained by the Division, will~~

~~be available for eligible senior centers to apply for additional funding, based on the formula developed and adopted by the Board in consultation with the Division, as per the following criteria:~~

~~(A) The formula will be based on services data, as reported to the Division, and other appropriate data.~~

~~(iii) Funds remaining after the basic and formula grants are awarded will be available to eligible senior centers in the form of emergency grants, based upon Board approval of emergency grant proposals. No emergency grant shall exceed twenty thousand dollars (\$20,000.00) for any single occurrence. Emergency grant applications will be funded based on, but not limited to, such factors as:~~

~~(A) Availability of funding;~~

~~(B) The center has no other available sources of funds for the emergency;~~

~~(C) Approval of the emergency grant application and its proposed purposes, as decided by the Board, in consultation with the Division.~~

Section 5.7. Public Notice to Accept Grant Applications/Contracts.

(a) The Division, in consultation with the Board, will provide written notice regarding the acceptance by the Board of applications for the basic grant and the formula grant. Notice of the process for grant applications, as determined by the Board, will be distributed no later than March 31 for a grant period covering July 1 through June 30 of the following year. Information will be sent directly to eligible senior centers by the Division.

(b) Applications for emergency funds will be accepted on an as needed basis.

Section 6. ~~8.~~ Grant Applications.

(a) Grant applications shall include, at a minimum:

(i) A cover page, in a format approved by the Board in consultation with the Division, with the original signature of the applicant organization's Board Chairman, or authorized official, and the original signature of the organization's Director;

(ii) Supporting budget pages and budget justification;

(iii) Funding request narrative in the format approved by the Board.

Section 7.9. Approval or Denial of Grant Applications.

(a) Grant applications must be received in the office of the Division by the date set by the Board, in consultation with the Division.

(i) Grant applications postmarked after the specified date may not be accepted.

(b) Each application will be reviewed by the Board, in consultation with the Division, to determine if it is complete and accurate and that it serves the purposes Wyo. Stat. Ann. § 9-2-1212 (a) (ii)(A)-(F). ~~according to following criteria:~~

~~(i) The grant application was received by the specified date;~~

~~(ii) The grant shall be complete and accurate;~~

~~(iii) The grant shall meet the needs of the elderly, per the purposes of this funding, as described in Section 4(a)(ii) of these rules.~~

(c) If approved, by a formal vote of the WSSB at an advertised public board meeting, the grant will be processed, and a Notice of Grant Award will be issued by the Division, along with a contract for the disbursement of funds.

~~Section 8.40. Carryover of Funding.~~ The Board, in consultation with the Division, will review the final reports from grantees within thirty (30) days of the end of the grant period. If a grantee has not spent all of its awarded funds by the end of the grant year, the Board may approve an extension of time in which to use those unspent funds, contingent upon the following:

(a) The grantee must submit to the Board, within thirty (30) days prior to the end of the grant period, a letter of explanation outlining:

(i) Why the grantee will be unable to spend the funds by June 30.

(ii) The date by which the carryover funds will be spent, not to exceed three (3) months after the end of the previous grant period.

(b) Any unspent funds must be returned to the Board by July 15 each year, unless an extension for carryover has been approved by the Board.

~~Section 9.44. Payment.~~ The Division, at the direction of the Board, will make payments to grantees, contingent on the following:

(a) The Board, in consultation with the Division staff, will review and analyze required quarterly program performance reports and fiscal reports.

(b) The Board reserves the authority to suspend or delay funding if terms and requirements of the contract are not being met.

(c) First quarter grant expenditure reports shall be approved by the Board prior to the further release of any WSSB funding.

~~Section 10.42. Budget Revisions.~~ Any modification to ~~an approved budget that exceeds ten percent (10%) of the original budgeted amount in any expense category~~ must be approved, in advance, by the Board. A written letter of request and explanation must be submitted to the Chair

of the Board, who will seek timely approval by the Board, and will notify the requesting entity of the Board's decision.

Section 11.13. Monitoring and Assessment. The Board, in consultation with the Division, will review and analyze required grantee quarterly grant expenditure forms and end of year program performance reports, and fiscal reports, and Board requested Division assessment reports, as applicable. ~~The Board may request other documentation from the grantee to ensure compliance with the terms of WSSB funding. At the request of the Board, the Division staff will conduct an on-site review of grantees. A written report will be sent to the Board and the grantee within thirty (30) days of the requested on-site review.~~

Section 12.14. Reporting. The Board, in consultation with the Division, will review and evaluate program and fiscal reports:

(a) ~~Written program performance and fiscal reports are required for each quarter of the grant year. Signed, original quarterly fiscal reports must be submitted to the grantee's WSSB Board representative. Two (2) copies of the reports must be received by the Division by the fifteenth (15th) day of the month following the end of each quarter.~~

(b) Signed, original year-end performance reports must be submitted to the grantee's WSSB Board representative by the fifteenth (15th) day following the end of the fiscal year.

(c) Quarterly grant expenditure and year-end performance reports shall be approved by formal WSSB action at an advertised public WSSB meeting.

Section 13. Compliance. If grantee contract violations are found ~~deficiencies or non-compliant conditions~~ are found, the Board, in consultation with the Division, may:

(a) Work with the grantee to determine the corrective steps and/or plan of action to be taken by the grantee;

(b) Develop a written plan of action and/or corrective steps to be completed by a mutually agreed upon date, ~~not later than ninety (90) days from the date of the agreed upon plan of action;~~ and

(c) Re-assess or re-evaluate the grantee at the end of each quarter until full compliance with all grant requirements is achieved. ~~the ninety (90) day correction period for compliance with all applicable rules and the plan of action.~~

Section 14.16. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.