

## **Attachment 4 – Excerpts of Federal Statute and California Regulations Applicable to Composition of Community Action Agencies**

### **UNITED STATES CODE**

#### **Title 42**

#### **CHAPTER 106 - COMMUNITY SERVICES BLOCK GRANT PROGRAM**

#### **TITLE 42 -THE PUBLIC HEALTH AND WELFARE**

#### **CHAPTER 106 COMMUNITY SERVICES BLOCK GRANT PROGRAM**

#### **SECTION 9910 -Tripartite Board**

##### **(a) PRIVATE NONPROFIT ENTITIES**

**(1) BOARD** In order for a private, nonprofit entity to be considered to be an eligible entity for purposes of section 9902(1) of this title, the entity shall administer the community services block grant program through a tripartite board described in paragraph (2) that fully participates in the development, planning, implementation, and evaluation of the program to serve low-income communities.

**(2) SELECTION AND COMPOSITION OF BOARD** The members of the board referred to in paragraph (1) shall be selected by the entity and the board shall be composed so as to assure that-

**(A)** 1/3 of the members of the board are elected public officials, holding office on the date of selection, or their representatives . . .

### **CALIFORNIA GOVERNMENT CODE**

#### **Section 12750.**

(a) A community action agency shall be a public or private nonprofit agency that fulfills all of the following requirements:

(1) Has been designated by the director to operate a community action program.

(2) Has a tripartite board structure meeting the requirements of Section 12751.

(3) Has the power, authority, and capability to plan, conduct, administer, and evaluate a community action program, including the power to enter into contracts with other public and private nonprofit agencies and organizations to assist in fulfilling the purposes of this chapter.

...

#### **Section 12751.**

Each community action agency shall have a board of directors conforming to the following requirements:

(a) One-third of the members of the board are elected public officials, currently holding office, or their representatives . . .

**CALIFORNIA CODE OF REGULATIONS**  
**TITLE 22. SOCIAL SECURITY**  
**DIVISION 11. Department of Community Services and Development**  
**CHAPTER 9. Community Services Block Grant Program**  
**ARTICLE 6. Community Action Programs**  
**Section 100605**

(a) Tripartite Board Composition.

(1) Any community action agency which is an eligible entity to receive funding under CSBG shall have a tripartite board as described in the Government Code Sections 12750(a)(2) and 12751.

...

(b) Public Sector Representation.

(1) For the purpose of Government Code Section 12751(a), appointive public officials are defined to include employees of agencies and members of boards established under State or local law who have the responsibility and authority to decide and carry out the policy of those agencies or boards.

(2) Public officials who are designated for representation on the community action board may choose representatives to serve on the board in their place or in their absence. The representatives need not be Public officials themselves so long as they are entitled to speak and act for the officials whom they represent in connection with the board's business.

...