

200 Series

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COMMUNITY SERVICES POLICY MANUAL	SUBJECT General Policy: ACRONYMS		EFFECTIVE DATE 04/01/03 ISSUE DATE 04/01/03

ISSUANCES AFFECTED: A. REFERENCES None

B. RESCISSIONS None

BACKGROUND:

Many acronyms are used with programs administered by federal and state entities.

The following list of acronyms is provided to assist the user of this manual.

ADA	Americans with Disabilities Act
ADC	Aid to Dependent Children
AFDC	Aid to Families with Dependent Children
BC&JOS	Building Check and Job Order Sheet
CAA	Community Action Agency
CAP	Community Action Plan
CAP	Community Action Program
CAP	Corrective Action Plan
CAP	Cost Allocation Plan
CSBG	Community Services Block Grant
DHS	Department of Human Services
DOE	U.S. Department of Energy
FIP	Family Independence Program
FIS	Family Independence Specialist
HHS	U.S. Department of Health and Human
Services	
Program	
LIHEAP	Low Income Home Energy Assistance
LWO	Local Weatherization Operator
NEAT	National Energy Audit
OMB	Office of Management and Budget
PY	Program Year
SDA	State Disability Assistance
SEF	State Emergency Funds
SER	State Emergency Relief
SFA	State Family Assistance
SSI	Supplemental Security Income
TANF	Temporary Assistance for Needy Families
T/TA	Training and Technical Assistance
WAP	Weatherization Assistance Program
WFM	Weatherization Field Manual
WGM	Weatherization Guidance Memo
WX	Weatherization

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Community Services Policy Manual	SUBJECT:	General Policy FORMS	EFFECTIVE DATE 10/01/07 ISSUE DATE 11/16/07

ISSUANCES AFFECTED:

REFERENCES None

BACKGROUND:

The various agreements with the Grantee and the Community Services Policy Manual require certain forms to be completed. This section of the policy manual summarizes and provides the various forms to be utilized by the Grantee.

POLICY:

The following attached forms (identified in numerical order) are to be utilized by the Grantee. Instructions for completing these forms are either in the specific program agreement or in this manual.

- *CSBG Grant-LITR-EX (06/07)*
- *DHS-76 LCA Programmatic Report (02/06)*
- *DHS-129 DHS Narrative Report (05/97)*
- *DHS-129 (CSBG-M07) DHS Narrative Report (02/07)*
- *DHS-303 TANF Programmatic Narrative Report (10/06)*
- *DHS-304.xls EITC Programmatic and Narrative Report (04/07)*
- *DHS-304-TTR.xls EITC Programmatic Report (04/07)*
- *DHS-440 MPSC Narrative Report (04/07)*
- *DHS-441 MPSC-WX Programmatic Report (04/07)*
- *DHS-442 MPSC Client Education Program Programmatic Report (03/07)*
- *DHS-CM-468 CSBG Expenditure Plan (08/07)*
- *DHS-CM-468-CSBG-D.exl Electronic Budget (05/07)*
- *DHS CM-469.exl (OCRS REV. 6/00) Budget Adapted for CSBG-T Contracts (12/06)*
- *DHS-551 DOE WAP Equipment Purchase Request (03/07)*
- *DHS-552 Michigan Weatherization Program Health & Safety Assessment Findings (04/07)*

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- *DHS-552-A Release of Liability and Waiver of Claims (04/07)*
- *DHS-1057 Community Action Agency Board Roster (08/06)*
- *DHS-1058 Modification Request (04/06)*
- *DHS-1062 CSBG Summary of Work Program and Planned Expenditures (08/07)*
- *DHS-1064 CSBG Work Program (08/07)*
- *DHS-1065 Staff Respondents (08/07)*
- *DHS-1070 CSBG Statement of Expenditures for Contracts (10/05)*
- *DHS-1070A.exl CSBG GRANT - Monthly Program Report and Statement of Expenditures (10/05)*
- *DHS-1071 WX Assistance Program Monthly Programmatic Report (03/07)*
- *DHS-1073 LIHEAP Activity Report*
- *DHS-3470 TANF- Statement of Expenditures (10/07)*
- *DHS-CM-4074 Line Item Transfer Request (08/05)*
- *DHS-4283 Application for Weatherization Assistance (05/07)*
- *DHS-4285 Confirmation of Receipt of Lead Pamphlet (06/00)*
- *DHS-4321 WX Unit Production and County Unit Production Schedule (03/06)*
- *DHS-4322 Weatherization Goals Summary (03/07)*
- *DHS-4326-A WAP Vehicle Purchase (02/05)*
- *DHS-4326-DOE Statement of Expenditures (WX) (03/06)*
- *DHS-4326-LIHEAP- Statement of Expenditures (LIHEAP) (03/06)*
- *DHS-4326-MPSC Statement of Expenditures (MPSC-Wx & Client Ed)(03/07)*
- *DHS-4328 CSBG Program – Equipment Waiver Request (08/05)*

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Community Services Policy Manual	SUBJECT General Policy: MODIFICATIONS TO PLAN DOCUMENTS		EFFECTIVE DATE 01/01/97 END DATE

ISSUANCES AFFECTED: A. REFERENCES Community Services Block Grant Agreement
Weatherization Assistance Program Agreement
State Emergency Funds Agreement

B. RESCISSIONS None

BACKGROUND:

A Grantee's plan may be modified whenever the Grantee proposes to: change the types of activities in the approved plan; the Grantee's expenditures are expected to exceed allowable budget flexibility limitations; as determined by the Agency because of funding level changes; or the Agency requests a modification to ensure maximum production and expenditure of program funds.

POLICY:

Section II.C.2. of each of the agreements above states:

The plan modification request must be submitted on Form DHS-1058 and signed by the Grantee's executive director and board chairperson or authorized designee. The plan modification request must be accompanied by appropriate documentation as required by the Agency.

The Grantee is required to complete a Modification Request, DHS-1058, for any of the changes identified above. The Program Account Budget I, DHS-4323 and DOE/LIHEAP Program Account Budget I, DHS-4375 must accompany the Modification Request for any line item changes to the budget. See Item 202 for forms. Appropriate documentation for other changes will be determined by the Agency.

Four copies, two copies with original signatures, of the Modification Request will be submitted to:

The Department of Human Services
Grand Tower, Suite 1313
P.O. Box 30037
235 South Grand Avenue
Lansing, Michigan 48909

One original signature copy will be returned to the Grantee with the appropriate Agreement Amendment upon approval.

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Community Services Policy Manual	SUBJECT General Policy: BOARD OF DIRECTORS CHANGES		●EFFECTIVE DATE 01/01/00 ●END DATE N/A ●ISSUE DATE 12/08/99

REFERENCES: • Master Agreement

RECISIONS: • None

BACKGROUND:

Section 26 of the Master Agreement states:

The Grantee shall inform DHS of any changes in its Board in the following instances:

- as part of the Grantee’s annual CSBG community action plan,
- within 30 days following the Grantee’s annual elections, and
- within 30 days following changes in the Chairperson/President

For the above instances, the Grantee shall submit the Community Action Agency Board Roster (DHS-1057) to inform DHS of the board changes.

POLICY:

The Grantee is required to submit the CAA Board Roster, DHS-1057, whenever the above circumstances occur. See Item 202 for forms.

The board roster shall be submitted to the Grantee’s DHS grant manager at the following address:

Department of Human Services
Grand Tower, Suite 1315
P O Box 30037
235 South Grand Avenue
Lansing, Michigan 48909

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Community Services Policy Manual	SUBJECT General Policy: APPEAL POLICY		EFFECTIVE DATE 01-01-97 END DATE

ISSUANCES AFFECTED: A. REFERENCES R400.19201 of the Community Action Program Administrative Rules of 1990

R400.19404 of the Community Action Program Administrative Rules of 1990

B. RESCISSIONS None

BACKGROUND: R400.19201(5) of the Community Action Program Administrative Rules of 1990 requires the Agency to establish guidelines for receiving and processing appeals requests for the following:

- a. Applicants who are denied a service funded by the Agency.
- b. Grantees that are denied a contract or have funding terminated for cause.
- c. A Community Action Agency whose designation status has been rescinded or altered for cause.
- d. Contractors that are denied a contract or have funding terminated for cause.

POLICY: R400.19404(1) of the Community Action Program Administrative Rules of 1990 requires the Grantee to establish an appeals mechanism which provides the opportunity to appeal any of the following:

- a. An application for a low-income service if there has been a partial or complete denial of assistance and if all of the following provisions have been satisfied:
 1. The services denied are specific, tangible benefits for which the Agency provides funding.
 2. Funds are currently available.
 3. The Grantee has the authority to provide or disburse funds.
 4. The applicant has completed a formal, written application for such services.

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5. The applicant falls within the program guidelines or believes that they can prove they fall within the program guidelines.
 - b. A service provider's contract has been suspended, terminated, or not renewed.
 - c. A contractor's or potential contractor's application or proposal to provide services was denied.
 - d. An administrative action that limits or imposes requirements on the contractor or service provider.

R400.19404(2) of the Community Action Program Administrative Rules of 1990 requires the Grantee, through the action of its Governing Board, to establish and issue an appeals procedure for the items covered in R400.19404(1)a and b above which will include all of the following:

- a. Written notice to the applicant, contractor, or service provider of the Grantee's action to suspend, terminate, not renew, or deny a contract or service, including a notice of the right to appeal.
- b. Notice that information or criteria on which the Grantee's action was based is available for review by the affected parties.
- c. Notice that the affected party may appear in person or through a designated representative to appeal the Grantee's action.
- d. Provision for, as the initial step of any appeal, a meeting with the governing body within 30 days to review items in dispute and seek clarification or resolution to the dispute.

A record of the meeting, including relevant facts, will be maintained and a determination rendered, in writing, by the governing body. Unresolved issues may be appealed to arbitration.

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- e. A specification that appeals proceedings will be conducted within an aggregate time frame of 60 days, within which time all of the following must occur:
 - 1. A notice of the right to appeal will be sent to the affected party within 20 days of the Grantee's action.
 - 2. Any formal appeal will be requested in writing by the affected party or parties within 10 days notice pursuant to the provisions of the item above.
 - 3. Upon receipt of an appeal request, a hearing will be conducted. The decision rendered will be in writing to the affected party or parties.
- f. Notice must be provided that a Grantee's hearing decision may be appealed to the Agency which will review and act on the appeal pursuant to R400.19201(5).
- g. A description of the circumstances under which a request for an appeal hearing may be refused. Such circumstances are limited to the failure to comply with the appeal procedures required by R400.19404(2) or to lack of standing by the appellant.

R400.19404(3) of the Community Action Program Administrative Rules of 1990 requires the Grantee, through the action of its Governing Board, to establish and issue an appeals procedure for the items covered in R400.19404(1)c above which will include all of the following:

- a. Written notice to all denied applicants, contractors, or service providers of the administrative appeals process.
- b. Written notice that denied applicants, contractors, or service providers may appeal administrative complaints to the Grantee's governing body.
- c. Written notice to the appellant of the governing body's determination within 30 days of the appeal's filing date.
- d. Written notice of the decision must include a statement that appellants may appeal the decision to the Department within 10 days of the written notice provided above.

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All procedures are to be submitted to the Department for review of content and form before final adoption. A complainant may file an appeal of the Grantee's decision within 15 days of the written decision by the Grantee or within 15 days of when the decision should have been made. The written appeal must be submitted to:

Michigan Department of Human Services
Bureau of Community Action and
Economic Opportunity
235 South Grand Avenue Suite 1314
Lansing, Michigan 48909

The written appeal must be in writing and should include, to the extent possible, the following information:

1. A copy of the original appeal and all correspondence relating to the appeal.
2. The full name, address, and telephone number of the person(s) making the appeal.
3. The full name and address of the party against whom the appeal is made, or other information sufficient to identify the party against whom the appeal is made.
4. A clear and concise statement of the facts, as alleged, including pertinent dates, constituting the alleged violation.
5. The provision of the act, regulation, grant, or other agreements believed to have been violated.
6. The relief requested.

The decision rendered by Administrative Hearings is the final step in the appeal procedure.

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Community Services Policy Manual	SUBJECT General Policy: CITIZENSHIP/ALIEN STATUS DETERMINATION For NONPROFIT CHARITABLE ORGANIZATIONS		EFFECTIVE DATE 2-01-2007 ISSUE DATE 2-01-2007

BACKGROUND

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 provides that only United States citizens, United States non-citizen nationals, and “qualified aliens” are eligible for federal, state, and local public benefits.

The Low Income Home Energy Assistance Program (LIHEAP), and the Temporary Assistance for Needy Families (TANF) programs are recognized as federal public benefit programs, while the Community Services Block Grant Program (CSBG) and the Department of Energy (DOE) programs have been determined **not** to be federal public benefits programs.

However, to ensure program continuity between the LIHEAP and DOE Weatherization programs, the DOE Weatherization Assistance Program will follow policies associated with the LIHEAP program.

POLICY

Nonprofit charitable organizations providing services with LIHEAP, TANF, CSBG, and DOE funds are not required to implement verification requirements promulgated by the Department of Justice which were published in the Federal Register on August 4, 1998 (63 FR 41662). In addition, a nonprofit charitable organization is not required under PRWORA to determine, verify, or otherwise require proof of eligibility of any applicant for federal, state, or local public benefits.

Non citizens, regardless of their alien status, should not be excluded from LIHEAP, TANF, CSBG, and DOE programs based solely on their alien status, unless such exclusion is already authorized by another law or rule.

DEFINITION OF NONPROFIT CHARITABLE ORGANIZATION

To be considered a nonprofit charitable organization, an organization must be both “nonprofit” and “charitable”.

An organization is “nonprofit” if 1) it is organized and operated for purposes other than making gains or profits for itself or its members, and 2) it cannot distribute any gains or profits to itself or its members.

An organization is “charitable” if it is organized and operated for charitable purposes.

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LEGAL REFERENCES

- Public Law 97-35, The Omnibus Budget Reconciliation Act of 1981
- 42 USC 2000a et seq.
- 8 USC 1641 et seq. (PRWORA)
- The Civil Rights Act of 1964
- Public Law 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, (PRWORA)
- Federal Register Notice 63 FR 41658
- Federal Register Notice 62 FR 61344 (PRWORA)
- Federal Register Notice 63 FR 41662
- DHHS Transmittal No. 30, September 30, 1998 Information Memorandum
- DOE Weatherization Program Notice 07-1 Effective 12/1/06

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Community Services Policy Manual	SUBJECT General Policy: CITIZENSHIP/ALIEN STATUS DETERMINATION For LOCAL GOVERNMENT ENTITIES		EFFECTIVE DATE 2/01/2007 ISSUE DATE 2/01/2007

BACKGROUND

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 provides that only United States citizens, United States non-citizen nationals, and “qualified aliens” are eligible for federal, state, and local public benefits.

The Low Income Home Energy Assistance Program (LIHEAP), and the Temporary Assistance for Needy Families (TANF) programs are recognized as federal public benefit programs, while the Community Services Block Grant Program (CSBG) and the Department of Energy (DOE) programs have been determined **not** to be federal public benefits programs.

However, to ensure program continuity between the LIHEAP and DOE Weatherization programs, the DOE Weatherization Assistance Program will follow policies associated with the LIHEAP program.

POLICY

Local Government Entities may have a process in place to verify whether an applicant applying for federal, state, or local public benefits is a U.S. citizen, U.S. non-citizen national, or a qualified alien. This process does not apply to other household members, only the applicant.

Acceptable documents to verify citizenship include:

- Birth certificate or other birth record
- U.S. Passport
- Voter Registration Card
- Naturalization papers
- Identification Card issued by the U.S. Citizenship and Immigration Services (USCIS)
- An applicant’s signed statement is also acceptable verification of citizenship/alien status. Page 4 of this item is a sample format that can be used.

Documentation must be included in the applicant’s file.

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Pursuant to Title VI of the Civil Rights Act of 1964, applicants must not be discriminated against on the basis of race, color, or national origin. Organizations must insure that all applicants are treated in the same manner and that individuals who look or sound foreign are not singled out for closer scrutiny.

DEFINITIONS

“Unites States citizen” is;

1. A person (other than the child of a foreign diplomat) born in one of the several States or in the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands who has not renounced or otherwise lost his or her citizenship;
2. A person born outside of the United States to at least one U.S. citizen parent; or
3. A naturalized U.S. citizen.

“United States non-citizen national” is;

1. A person born in an outlying possession of the United States (American Samoa or Swain’s Island) on or after the date the U.S. acquired the possession, or;
2. A person whose parents are U.S. non-citizen nationals (subject to certain residency requirements).

“Qualified Alien” is;

1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (“INA”);
2. An alien granted asylum under section 208 of the INA;
3. A refugee admitted to the U.S. under section 207 of the INA;
4. An alien paroled into the U.S. under section 212 (d)(5) of the INA for at least one year;
5. An alien whose deportation is being withheld under section 243(h) of the INA as in effect prior to April 1, 1997, or whose removal is being withheld under section 241(b)(3) of the INA;
6. An alien granted conditional entry pursuant to section 203(a)(7) of the INA as in effect prior to April 1, 1980;
7. An alien who is a Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980; or
8. An alien who (or whose child or parent) has been battered or subjected to extreme cruelty in the U.S. and otherwise satisfies the requirements under section 431{c} of the PRWORA.

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LEGAL REFERENCES

- Public Law 97-35, The Omnibus Budget Reconciliation Act of 1981
- 42 USC 2000a et seq.
- 8 USC 1641 et seq. (PRWORA)
- The Civil Rights Act of 1964
- Public Law 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, (PRWORA)
- Federal Register Notice 63 FR 41658
- Federal Register Notice 62 FR 61344 (PWORA)
- Federal Register Notice 63 FR 41662
- DOE Weatherization Program Notice 07-1 Effective 12/1/06

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Citizenship/Alien Status Statement

Applicant Name: _____

*Applicant Identifier (birth date, etc.): _____

Agency: _____

I certify that I am ___(Enter "a U.S. citizen" or a "qualified alien")_____

 Signature

 Date

* Enter if needed for internal tracking

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Community Services Policy Manual	SUBJECT General Policy: BY-LAWS and ARTICLES OF INCORPORATION – CHANGES and AMENDMENTS		●EFFECTIVE DATE 01/01/00 ●END DATE N/A ●ISSUE DATE 12/08/99

REFERENCES

- The CSBG Act, P.L. 97-35 of 1981, as amended by the Coats Human Services Reauthorization Act of 1998.

PURPOSE:

To provide guidelines for the submission of information pertaining to an agency's designation, purpose and rules governing its internal affairs.

BACKGROUND:

Pursuant to the CSBG Act, Sections 676 and 678B, it is the duty of the state to conduct evaluations and reviews of eligible entities (CAAs) to determine whether they meet the performance goals, administrative standards, financial management requirements and other requirements as set by the state.

Such evaluations will include an ongoing review of the CAA's designation status (found in its Articles of Incorporation) and purpose and rules governing its internal affairs (found in its By-Laws).

POLICY:

- The Grantee is required to submit one copy of changes/amendments to its By-Laws within 30 days following Board approval.
- The Grantee is required to submit one copy of changes/amendments to its Articles of Incorporation within 30 days following receipt of documentation of filing with the State of Michigan. **Note:** For public CAAs, the Grantee shall submit a copy of official changes enacted by its local unit of government concerning the Grantee's status or purpose within that unit.

These documents shall be submitted to the Grantee's DHS grant manager at the following address:

Department of Human Services
 Grand Tower, Suite 1315
 P O Box 30037
 235 South Grand Avenue
 Lansing, Michigan 48909

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Community Services Policy Manual	SUBJECT:	General Policy POVERTY INCOME GUIDELINES	EFFECTIVE DATE 10/01/09 ISSUE DATE 11/24/09

REFERENCES:

Federal Register, Volume 74, No. 48, March 13, 2009, pp. 10922-10924.
 Federal Register, Volume 74, No. 14, January 23, 2009, pp. 4199-4200.
 DHS Agreements and Contracts

BACKGROUND:

The U.S. Department of Health and Human Services State Median Income Estimate for Federal Fiscal Year 2010 was published on March 13, 2009, in the Federal Register, Volume 74, No. 48, pp. 10922-10924.

The annual update of the U.S. Department of Health and Human Services poverty guidelines was published on January 23, 2009, in the Federal Register, Volume 74, No. 14, pp. 4199-4200.

POLICY:

The Grantee is required to use income guidelines to determine eligibility for DHS-funded activities. The table included on page 2 of this item includes the 60% of State Median Income (SMI) Estimates effective October 1, 2009, the poverty income guidelines effective January 23, 2009 and the DOE/LIHEAP and MPSC Weatherization Programs guidelines. The DOE/LIHEAP Weatherization Programs guidelines reflect each household's size eligibility based on the higher of 200% of poverty or 60% of State Median Income. The MPSC ONLY Weatherization Program guidelines are now based on 250% of poverty.

The Grantee is required to provide programmatic reports for DHS-funded activities. These reports include household income information. The table on page 2 of this item includes the income ranges to be used when collecting household income information for programmatic reporting purposes.

