

# First 5 Butte County Children and Families Commission

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## Supplanting Policy

### Guidelines for Determining Compliance

- Pursuant to Proposition 10, Section 30131.4, no Commission funds shall be used to supplant state or local general fund money for any purpose. Commission funds shall be used only to supplement existing levels of service and not to fund existing levels of service.
- To that end, no Commission funds shall be granted or used for any existing project or program funded by state or local general funds unless the proponent demonstrates to the Commission's satisfaction that the Commission's funding will be used to improve or supplement the quality or quantity of an existing service.
- The prohibition on supplanting does not make reference to privately funded or federally funded programs. Therefore, the prohibition applies only to programs and services currently funded by state or local government general funds.
- The prohibition on supplanting was not intended to prevent, stifle or discourage state or local government agencies from funding pilot programs, which provide valuable innovations and formation. Therefore, the prohibition should not be interpreted to apply to pilot programs.

### Policy:

1. The First 5 Butte County Children and Families Commission establishes the following policy with the understanding that the intent of Proposition 10 is to maximize resources. Funds are to be used to augment, add to, or enhance existing program funds, grants and/or services. Moneys cannot be used to fund any levels of service that were or are currently in existence at the time of the purported expenditure.
2. The supplanting provisions in Proposition 10 moneys apply only to local and state general funds, not federal or private funds.
3. The supplanting provisions in Proposition 10 apply only to general funding, not categorical funding. Categorical funding is defined as any funding from a fee or tax collected for a specific purpose, while everything not funded from a collected fee or tax for a specific purpose is considered part of the General Fund.
4. Section 30131.4 of Proposition 10 supports the Commission's ability to make grants to fund services that were previously provided and funded by a local public agency, but have been discontinued by budget constraints. Because these services were not in existence at the *time that the Commission made funding determinations*, they do not fall within a common sense definition of the word supplant. Given that California Law is silent on the question of when the expenditure of funds ceases to supplant and commences supplementing, it is the policy of the Commission that if there is any question regarding supplanting, it is

incumbent upon the proposer to address the issue to the Commission's satisfaction.

5. Every prospective funding recipient must disclose whether the program has received funding from other sources (whether local or state government, private, or federal) within the past three years, and as to any public funding, identify the law or program under which funding was received.
6. The Commission may require the applicant to provide any additional information regarding sources and uses of funds at any time during the application and/or contract period. Based upon all existing facts and circumstances, the Commission shall determine whether the proposal would violate this policy, prior to contract completion. For multi-year contracts or commitments, the Commission, reserves the right to re-examine its determination that its funds will not be used in violation of this policy.

Adopted on January 16, 2004, in Oroville, California

Revised on March 16, 2007, in Oroville, California

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Phyllis Murdock, Chair  
Butte County Children and Families Commission

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