

Chapter 6
Senior Center
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Chapter 6

SENIOR CENTERS

Section 6-1: Description of Program/Service

Through the Older American's Act, Title I, Section 102 (36) U.S.C, The term "multipurpose senior center" means a community facility for the organization and provision of a broad spectrum of services, which shall include provision of health (including mental and behavioral health), social, nutritional, and educational services and the provision of facilities for recreational activities for older individuals. In Tennessee, a multipurpose senior center is an organization that provides or facilitates the services listed above in a safe environment and is open at a minimum of four days per week for a minimum of four hours per day.

The Area Agency on Aging and Disability (AAAD) serves as the agency designated by the Tennessee Commission on Aging and Disability (TCAD) to administer a comprehensive and coordinated system of services for adults age 60 and over and adults with disabilities, including Senior Centers, as a part of the system within the boundaries of a defined planning service area (PSA). Each AAAD will carefully take into consideration when choosing a site giving preference to location in areas with the greatest incidence of older individuals with social or economic need, with particular attention to low-income older persons (including low-income minority, older individuals, older individuals with limited English proficiency, and older individuals living in rural areas). Special consideration will be given to transportation accessibility, neighborhood safety and security of participants and staff, convenience for collocation of services, and availability of supportive and nutritional services to be provided at the Senior Center.

A Senior Center may be: 1) a single purpose agency with programs and activities designed and operated only for the benefit of adults age 60 and over; or 2) a multi-purpose agency with a broad spectrum of services, which shall include provision of health, social, nutritional, and educational services and the provision of facilities for recreational activities for adults age 60 and over.

The AAAD serves as the focal point for services to adults age 60 and over in the region and the Senior Centers serves as partners with the AAAD in this role.

Section 6-2: General Requirements

In order for an organization to receive federal Older Americans Act (OAA) funds or State funds, the organization must demonstrate to the Area Agency on Aging and Disability (AAAD) the ability to meet the requirements set forth in this chapter and comply with the applicable state and federal laws, regulations or orders which prohibit discrimination on the grounds of race, sex, color, religion, disability or national origin.

The Senior Center shall target state and federal resources to meet the needs of adults age 60 and over with the greatest economic and/or social need with particular attention to low-income minority persons.

Section 6-3: Eligible Organizations

Organizations eligible for state and federal funds for the operation of a senior center must be chartered in the State of Tennessee as a non-profit corporation or be a division of a city or county government. A Senior Center which is part of a city or county government must operate in accordance with policy and procedures of the city or county government. Governmental agencies must be created by statute, resolution, or ordinance.

If the Senior Center is a part of a city or county government, the city or county government must have policy and procedures that address the administrative and fiscal policies that govern the operation and management of the Senior Center.

6-3-01: Non-Profit Status

If the Senior Center is chartered as a non-profit corporation, the Senior Center must have a governing entity that is responsible for the overall operation and fiscal integrity of the organization with a written set of bylaws that defines the governing entity and establishes its organizational structure. The governing entity is a group of individuals responsible for the administration and fiscal integrity of the Senior Center and the Senior Center's policy and procedures, programs, and services. The bylaws shall include the roles and responsibilities of the governing entity, Senior Center director, staff, participants, and fiscal integrity and responsibilities.

Section 6-4: Requirements to Receive Funding for Programs and Services

This section identifies the requirements that **must be met** in order for any Senior Center to remain in good standing and be eligible to receive state or federal funding.

6-4-01: Non-Discrimination

The Senior Center agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of programs or services or in the employment practices on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal, Tennessee state constitutional, or statutory law. The Senior Center shall, upon request, show proof of nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

6-4-02: Accessibility

The senior center's public area must be accessible for participants who have limited mobility including those participants using canes, walkers, or wheelchairs. Public areas include, but are not limited to, parking lot, entrance, restrooms and activity spaces.

6-4-03: Posting Requirements

At a minimum, the Senior Center shall post the following:

- Participant Grievance Procedures
- Title VI Civil Rights Notice
- Equal Employment Opportunity Poster
- Public Accountability Poster (800# TN Comptroller's Office)
- Call 911 for Emergency
- Location of First Aid Kits
- Monthly Calendar of Events

6-4-04: Annual Report

The Senior Center must submit an annual report to the AAAD. Non-profit senior centers must also include a copy of the senior center's 990 Form for the most recent fiscal year (if applicable). (Note: these are also requirements of the TN Secretary of State for Non-Profit Corporations.)

6-4-05: Annual Satisfaction Survey

A Participant Satisfaction Survey must be administered by the Senior Center and the results submitted to the AAAD annually. The results should be used to improve services.

Section 6-5: Fiscal Integrity and Management

The Senior Center must ensure fiscal integrity and management following the financial standards outlined in Chapter 1 of the TCAD Policy and Procedure Manual. The Senior Center or governing entity must have policies and procedures to ensure the fiscal integrity of the organization receiving funding from the Tennessee Commission on Aging and Disability (TCAD) or from the grantee agency of the AAAD.

6-5-01: Matching Funds Requirements

Federal funds may be used to pay part of the cost of services provided by a multipurpose Senior Center. The federal funds must be matched with at least a minimum of 10% local cash or in-kind. The state funds must be matched with at least a minimum of 50% local cash or in-kind.

6-5-02: Membership Dues

If membership dues are required, no adult age 60 and over may be denied a service provided by the federal Older Americans Act funds or state funds because of non-payment of dues and provision shall be made for those unable to pay dues.

6-5-03: Program Income/Voluntary Participant Contributions

Voluntary contributions may be solicited for services which are provided with Older Americans Act funds or State funds if the method of solicitation is non-coercive. Such contributions shall be encouraged for individuals whose self-declared income is at or above the 185% of the poverty line.

All contributions made by older persons who are recipients of services are considered program income and reported as “participant contributions.” All contributions must be expended during the budget year in which it is received. (See: Chapter 1 of the Program Policies and Procedure Manual— Financial Management Standards and Procedures for Area Agencies on Aging and Disability and their Sub-recipients.)

6-5-04: Relationship with Vendors and Protection of Participants

The Senior Center may invite vendors to the facilities to provide education on specific topics such as insurance, health care, etc.; however, vendors shall not sell any products and/or enroll adults age 60 and over or adults with disabilities in any programs and/or services, as such actions may be interpreted as an endorsement of such products, programs, and/or services by the Senior Center. The vendor may provide on-site handouts such as, but not limited to, key chains, pencils, candy, and/or calendars, but not provide any gratuities that must be redeemed off Senior Center property such as, but not limited to, free dinners. The vendor shall not collect contact information from any of the participants on the Senior Center premises.

6-5-05: Bingo and Gaming

No senior center shall hold a bingo game that requires, or suggests, an entrance fee of cash or some other item of value, such as toiletries or baked and canned goods; by allowing such activity, the senior center is engaging in illicit gaming activity. This includes payments labeled as “donations,” “contributions,” or other similar language. However, bingo games that do not require an entrance fee or donation of any kind do not fall under the state definition of gambling and may occur at the senior center.

Section 6-6: Provision of Non-Registered Services

Under this chapter, contracts between the grantee agency of the AAAD and the Senior Center will be for the provision of non-registered services using Older Americans Act funds or State funds. These services are: health education, education/training, and health screening, physical

fitness/exercise, recreation, and telephone reassurance. The Senior Center must provide one or more of these services depending upon the level of funding available.

6-6-01: Examples of Eligible Non-registered Services

In accordance with the approved taxonomy, the definitions of the individual non-registered services are:

1. **Health Education IIB/State Aging**
Individual and/or group sessions that assist participants understand how their lifestyle impacts their physical and mental health and to develop practices that enhance their total well-being. Includes programs relating to prevention and reduction of chronic disabling conditions, (including osteoporosis and cardiovascular disease), alcohol and substance abuse reduction, smoking cessation, weight control and stress management.
2. **Education/Training IIB/State Aging**
Activities designed to assist individuals to acquire knowledge, experience or skills; provided to a group of older persons regarding issues related to their health, welfare, or well-being. Includes sessions to increase awareness in such areas as nutrition, financial management/consumerism, crime or accident prevention, promoting personal enrichment, increasing or gaining skills of a craft or trade.
3. **Health Screening IIB/State Aging**
Services which utilize diagnostic tools to test large groups of people for the presence of a particular disease or condition or for certain risk factors known to be associated with that disease or condition (such as hypertension, glaucoma, high cholesterol, vision and hearing problems, or diabetes).
4. **Physical Fitness/Exercise IIB/State Aging**
Programs providing activities designed to improve strength, flexibility, endurance, muscle tone, reflexes, cardiovascular health and/or other aspects of physical functioning (including group exercise, music therapy, art therapy, and dance-movement therapy).
5. **Recreation IIB/State Aging**
Providing activities (structured or unstructured) which foster the health and/or social well-being of individuals through social interaction and the satisfying use of leisure time.

6. Telephone Reassurance IIIB/State Aging

A telephone service to provide comfort or help to participants, usually staffed by volunteers.

6-6-02: Calendar of Activities

The Senior Center must develop and post a monthly calendar of activities including one or more of the non-registered services listed above. It is recommended that recreation activities are provided each day of operation. It is also recommended that opportunities for education, health education, health screening, and/or exercise are provided at least one to three times per week.

Section 6-7: Required SAMS Database Documentation of Non-Registered Services

The following is the minimum requirements for recording participant data. Each AAAD may require additional data to be collected.

1. Each Senior Center participant will complete the Participant Registration Form (PRF) and it must be entered into the SAMS database and updated as changes occur. Some Senior Centers may choose to up-date annually to ensure that their membership contact information is kept up-to-date.
(Note: The Senior Center may create an attractive, user-friendly form for the participants to complete as long as the questions are the same as those on the official Participant Registration Form provided in SAMS.(See attached SAMS generated questions.)
2. Senior Center shall document individual participation.
 - a. Keep a daily sign in sheet or use a computer system of monitoring daily attendance by individual.
 - i. Tally total attendance for the month by each individual participant. Give each participant a unit of service for each day they attended that month. (For example, if the participant attended the senior center 5 days they will receive 5 units of service that month).
 - b. Create a Roster in SAMS titled Senior Center.
 - c. List each participant that attended the senior center that month on the roster.
(Note: Once one monthly participant roster is created, that same participant roster can be utilized every month thereafter. The copied roster must be edited monthly by adding or deleting any participants to reflect who attended the senior center that month.)
 - d. Place on that roster the total units of service (total days attended the senior center) next to each participant's name.
3. By the 20th day of the following month, the participant attendance for the preceding month shall be entered into the SAMS database.

(Note: Some AAADs require the Senior Centers to enter data directly into the SAMS database and other AAADs require that the Senior Centers submit their participant data to the AAAD so that the AAAD can enter the data into SAMS. The AAAD may require an earlier due date such as the 10th of the month to allow for the AAAD to complete the data entry by the 20th each month.)

See Appendices for example of roster and data entry process.

Section 6-8: Background Check

To increase safety, it is *recommended* that senior centers conduct background checks on all paid and volunteer staff. However, it is *required* that all senior centers must verify individual background information for newly hired employees and volunteers who provide direct care for, have direct contact with, or have direct responsibility for the safety and care of older persons and adults with disabilities in their homes.

Appendix A

Prohibition on Bingo and Other Games of Chance



**STATE OF TENNESSEE
COMMISSION ON AGING AND DISABILITY**

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Memo

August 30, 2019

From: Charles Ferguson, General Counsel, TCAD
To: Area Agency on Aging and Disability Directors
State Funded Senior Center Directors
Tennessee Comptroller of the Treasury, Division of State Audit

Re: Prohibition on Bingo and Other Games of Chance

The purpose of this memorandum is to remind all Area Agency on Aging and Disability (AAAD) Directors and Senior Center Directors who are contracted through the AAADs about the State prohibition on games of chance, particularly Bingo, and the state requirements to hold a raffle.

Per Tenn. Code Ann. § 3-17-101 et. seq., games of chance are strictly prohibited in Tennessee except those expressly authorized to operate by statute. Specifically, “pulltabs, punchboards, bingo, instant bingo, video lottery, instant and on-line lottery games of a type operated by the Tennessee education lottery corporation, keno and games of chance associated with casinos including, but not limited to, slot machines, roulette wheels, and the like” are all prohibited activities by any organization or person regardless of how the agency is set up. Tenn. Code Ann. § 3-17-102(8)(A) An organization may continue to play any of the above games, including Bingo, as long as there is no money charged for any part of participation and participants are not required to bring any item, or other consideration, to donate as part of the prize for winning. Questions regarding whether or not certain operations constitute gambling should be directed to the local District Attorney’s office.

Non-profit senior centers, and other non-profit organizations, can operate certain types of preapproved types of lottery games including, “raffles, reverse raffles, cakewalks and cakewheels” as long as statutory and regulatory requirements are met through the Secretary of State, Division of Charitable Solicitations. Tenn. Code Ann. § 3-17-102(8)(A) et. seq. There are several statutory and regulatory requirements to review and ensure compliance with before these types of games can be conducted. For further information about compliance and requirements you should contact The Secretary of State, Division of Charitable Solicitations at <https://sos.tn.gov/charitable/gaming> or by phone at (615) 741-2555. Due to the requirements to hold raffles it is strongly discouraged for senior centers to hold any raffles,

reverse raffles, cakewalks, or cakewheels unless they contact the Secretary of State's office and are confident their center can follow all guidelines, regulations, and statutes.

Further guidance will be given at a later date in the updated Tennessee Commission on Aging and Disability Policy and Procedure Manual Chapter 6 "Senior Centers".

Helpful resource websites

<https://sos.tn.gov/products/charitable-solicitations-and-gaming/nonprofit-gaming-law-0>

A PDF version of State statutes on charitable solicitations and gaming.

<https://sharetn.gov.tnsosfiles.com/sos/rules/1360/1360-03/1360-03-03.20150907.pdf>

Secretary of State Rules and Regulations 1360-03-03 "Procedures for Operating Gaming Events"

<https://sos.tn.gov/products/charitable-solicitations-and-gaming/charitable-gaming-faqs>

Charitable Gaming FAQs

<https://sos.tn.gov/products/charitable-solicitations-and-gaming/who-can-hold-raffle>

Information about who can hold a raffle

<https://sos.tn.gov/products/charitable-solicitations-and-gaming/2019-nonprofit-guidebook>

2019 Nonprofit Guidebook

If you have any questions on this memo please contact Charles Ferguson at Charles.B.Ferguson@tn.gov or 615.253.3339.

c: Jim Shulman, Executive Director, TCAD
Kathy Zamata, Deputy Executive Director, TCAD
LaVerdia McCullough, Aging Program Consultant, TCAD