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# Policy Handbook

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2014 - 2020

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American Samoa  
Small Business Development  
Center

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## Introduction

The American Samoa SBDC operates a lead center at the American Samoa Community College ASCC main campus at Mapusaga on the main island of Tutuila. Site selection was based on several factors that make the campus conducive as a central point for the delivery of SBDC services. The campus site offers immediate access to training facilities, educational resources and training personnel. In addition, the ASCC Mapusaga campus lies adjacent to the main federal highway corridor route (route 001) in the territory. The campus is located within the TualautaCounty. The TualautaCounty is the fastest growing county in the territory in terms of business development, population and residential construction. Several government services are located in the county including the industrial park, international airport, public works maintenance facilities and the main sporting complex. The county has the largest concentration of private businesses in the territory that includes 2 shopping malls and the only warehouse-shopping outlet. The lead center is also central to the largest area of arable land (with slopes of less than 15%) in the territory known as the Tafuna Leone Plain. Over 65% of all arable land in the territory lies within this plain.

The established area of service encompassed by the SmallBusinessDevelopmentCenter network is the land area of islands identified as the United States Territory of American Samoa and its 200-mile exclusive economic zone (EEZ). The service area is to include inhabited SwainsIsland (approximately 240 miles north of TutuilaIsland). Population of American Samoa is approximately 65,000 people.

To enhance public access and to extend out-reach of SBDC services within the designated service area; the service area is divided into 7 service districts. The American Samoa SBDC will continue to provide basic services to businesses in each district at satellite centers. Satellite centers are primarily conference/classroom facilities and communication equipment shared/provided by SBDC partners for delivery of modular business training curricula and business workshops within an SBDC district. Satellite centers will also serve as business-counseling venues for scheduled one-to-one counseling sessions. Clients may have access to e-mail and Internet services through satellite centers during periods predetermined and announced by the SBDC host partner agency. SBDC activities in shared facilities will be scheduled and advertised in advance to avoid conflict with partner agency activities. SBDC facilities in the Manu'a Islands were phased in during years 2 and 3 of the project.

The SBDC facilities in the Manu'a Islands are identified as extension centers and provide the same basic services as SBDC satellite centers; however, they are supported by part-time ASCC Land Grant staff trained in distance learning with access to videoconference equipment under the supervision of the SBDC State Director.

Facilities and support for satellite and extension centers are arranged through partnership agreements with the appropriate service provider, local business and government agency operating within the SBDC district.

<b>#</b>	<b><u>Center</u></b>	<b><u>SBDC</u></b>	<b><u>Location</u></b>	<b><u>Service Provider</u></b>
L	Lead Center	Central West	Mapusaga Campus	Am. Samoa Comm. Col.
1	Satellite	West	Leone High School	Department of Education
2	Satellite	Central	Executive Office Bldg.	Department of Commerce
3	Satellite	Central East	ASPA Satala	Am. Samoa Power Authority
4	Satellite	East	Fagaitua High School	Department of Education
E1	Extension	Manu'aEast	Olosega Elem. School	Department of Education
E2	Extension	Manu'a West	Ta'u High School	Department of Education

## **Policies and Values**

The American Samoa SBDC is a values-based organization. An organization achieves its mission and sustains the achievement of that mission over time only when its values are explicit and support that mission. The values chosen by the staff of the SBDC are intended to support its mission by influencing policy, decisions, and actions. The fundamental obligation of each staff person, individually and when acting as part of a group, is to judge all decisions and actions against these values and to provide corrective decisions and behavior as necessary.

## **Accessibility**

### **Hours of Operation**

The policy of the American Samoa SBDC regarding hours of operation is to meet the needs of its clients.

American Samoa SBDC office is to be open 40 hours per week during the hours maintained by American Samoa Community College, which is 7:30 a.m. to 4:00 p.m. with a 30-minute lunch, or by the organization within which they operate if it differs. While offices should normally be staffed during these hours, the director can make exceptions. If closed during normal business hours, offices should use voicemail or other telephone answering systems for messages.

Any regular exceptions to normal operational hours require the prior approval of the State Director. If evening or weekend hours are required in order to meet training schedules or the needs of clients, it is the obligation of the Director to arrange them. "When a client cannot meet during normal working hours, an appointment will be scheduled to accommodate that client, including in the evening or on a week-end."

## Telephone Access

### Voicemail

The American Samoa SBDC should have a voicemail or telephone answering system in place. These systems are necessary to maintain access during business hours when no one is in the office or the only person in the office is the director or consultant who is in session with a client. Importantly, quality service demands that a staff person can be reached routinely by telephone at all but exceptional times (which is deemed to be at least 85% of the time).

### Yellow Page Listing

The American Samoa SBDC will maintain a publicly listed telephone number.

## Signage

American Samoa SBDC Network office must be clearly identified by appropriate signs in a format compliant with current SBA policy and approved by the State Office. Signage must be highly visible to the public and in all places the public would expect to see a sign, such as on a building directory. All signage must use the name "American Samoa Small Business Development Center" or, if space is not adequate, "AS-SBDC". Whenever possible, signage should include the tag line "In partnership with American Samoa Community College and the U.S. Small Business Administration."

## Parking

The AS-SBDC facility must be able to direct clients to convenient parking locations at an affordable cost. Parking will in the near future include handicapped access.

## Handicapped Access

American Samoa SBDC is continuing its work to upgrade its Center facility and in the near future will be completely accessible to those with handicaps and will conform to the requirements of the Americans with Disabilities Act. (See [www.usdoj.gov/crt/ada/adahom1.htm](http://www.usdoj.gov/crt/ada/adahom1.htm))

## Accreditation

### SBA Policy

Federal regulations provide that state/regional SBDC Programs be accredited (13 CFR 130.810(c)). This regulation is reflected in an agreement between the SBA Office of SBDCs and the Association of SBDCs (ASBDC) that each state/regional SBDC Program will have an accreditation review every four years. Failure to be accredited will result in loss of funding. "The SBA may not renew or extend any cooperative agreement with an SBDC unless it has been approved under the certification program" (see SBA Program Announcement).

### ASBDC Accreditation

The ASBDC has adopted Accreditation Standards (see [www.asbdc-us.org/directors/index.html](http://www.asbdc-us.org/directors/index.html)). Under Links for State Directors, click on ASBDC Accreditation Standards.) Based upon the Malcolm Baldrige Criteria (see Quality and Malcolm Baldrige Criteria) and an Accreditation Process. Members of the ASBDC Accreditation Committee conduct reviews. Both the Accreditation Standards and Process are reviewed annually by the Accreditation Committee, which puts forth recommended changes to the ASBDC membership for approval.

In recent years, changes have been introduced rapidly in order to increase alignment between the ASBDC Accreditation Standards and the Malcolm Baldrige Criteria.

(See [www.asbdc-us.org/directors/index.html](http://www.asbdc-us.org/directors/index.html). Under Links for State Directors, click on ASBDC Accreditation Standards.)

## Accreditation and Certification

Initially, the ASBDC Accreditation Standards were referred to as Certification Standards. In 2001, it was recognized that the word accreditation generally refers to organizations whereas the word certification generally refers to individuals, and the name of the process was changed.

## American Samoa SBDC Network Approach to Accreditation

It is the policies of the American Samoa SBDC too not only maintain accreditation, but to continuously move closer and closer to fulfillment of the Malcolm Baldrige Criteria. This process is fundamental and is reflected in the American Samoa SBDC's annual cycle of activities.

## Advocacy

### Advocacy on Behalf of Small Businesses

The American Samoa SBDC advocates on behalf of small businesses by determining their needs and representing them and their needs in public forums. This strategy is fulfilled in many ways, including (a) by conducting an annual needs assessment of small businesses in American Samoa and by reporting upon this assessment to state leaders and through the work of directors serving on organizational boards and committees throughout the state.

The SBA added to the Program Announcement for 2002 the following statutorily required service: "Encouraging community development which can be supported by SBDC programmatic and financial resources."

## Certified Professional Consultant Program

The American Samoa SBDC adopted a Certified Professional Consultant Program to provide an orientation and training process (a) for new consultants joining the American Samoa SBDC and (b) for on-going professional development for existing consulting staff.

## Purpose of Program

The purpose of this program is to create a common body of knowledge and standards of performance among a diverse group of professionals. Staff

professionals, volunteer professionals, and student interns must all achieve a common standard of performance and quality.

## **Client Relations**

### **Importance of Clients**

Whether clients to whom services are delivered or clients from whom funding is received, working for their satisfaction and fulfilling their requirements is the most important activity the American Samoa SBDC performs.

### **Client Contact by Telephone**

Telephones are to be answered by staff in person at least 85% of the time. When not answered in person, they must be answered by a voice messaging system.

Voice mail messages (and all other phone messages) are to be returned promptly—best practice is within 4 hours.

Phones are to be answered by the third ring, with a greeting, name of the organization (American Samoa SBDC is permissible), and name of the individual answering (preferably both first name and surname).

### **Client Contact in Person**

Clients are to be acknowledged immediately with a greeting upon their entering a center and with a self-introduction if new to the center or by name if they have been to the center previously.

### **Client and Stakeholder Feedback Data**

All staff—support staff as well as professional staff— is to . . .

- Document all comments by clients and stakeholders that are evaluative of either the service or the consultant or any other aspect of the American Samoa SBDC. These comments must be documented honestly and fully. In the documentation, include the client's name, the date, and what was said or written. If the comments are critical, then explanatory comments should be included as to disposition.
- The documentation should be submitted with the Quarterly Performance Report. Letters may either be scanned into the report or sent separately.
- The state office will compile the documentation.

## Complaint System

### Overview

It is the policy of the American Samoa SBDC to treat complaints from clients and stakeholders as an opportunity to improve the quality of the services offered.

Implementing this policy requires a systematic process of collecting data, investigating complaints, reviewing complaints with centers and individuals with the intent of improving the quality of service delivered, and taking corrective actions.

Complaints are the result of many factors, such as: Unrealistic expectations, misunderstandings, lack of resources, lack of skills, lack of follow-through, poor training, psychological/emotional problems, etc. All of these factors can be reduced and sometimes eliminated through careful analysis and corrective actions.

All staff is empowered to resolve complaints. Written reports, with complete and honest descriptions, are to be included and sent immediately to the associate state director and state director by email.

### Conditions Necessary for Small Businesses to Thrive

Small businesses thrive when five conditions exist:

- There is an understanding of the concept of entrepreneurship,
- There is adequate access to capital at reasonable rates,
- There is adequate access to critical information,
- There is knowledge of continuous quality improvement concept of entrepreneurship, and
- There are few unnecessary governmental burdens, whether those of taxation, regulation, or bureaucratic control.

## Confidentiality

### Client Confidentiality Policy

It is the policy of the American Samoa SBDC that all client information, including client names, files, and records, is to remain confidential and is not to be divulged beyond the staff of the AS-SBDC.

## Exceptions to Client Confidentiality Policy

Following are the only exceptions to the confidentiality policy:

1. If a client authorizes in writing that their name and/or “story” may be released in some form. Even in this instance, staff should be careful that no proprietary information is disclosed and the client must approve the final release of information. If SBA personnel are conducting a programmatic review for purposes of oversight or ASBDC Accreditation Committee members are conducting an Accreditation Review or official auditors are reviewing the Network. In each of these instances, the individuals involved have the right to full access to files.
2. In all other instances, including a Freedom of Information Act (FOIA) request, refer the inquirer to the State Office. (See [www.usdoj.gov/](http://www.usdoj.gov/))

## Human Resources Confidentiality Policy

It is the policy of the American Samoa SBDC, in compliance with American Samoa Community College policy, to maintain strict confidentiality of human resources information. The sensitivity and personal nature of this information must be protected. Personnel files are maintained by the AS-SBDC by American Samoa Community College’s Human Resources Department. These files may be accessed only on a need-to-know basis and only by those staff that is performing an essential position function. Any breach of confidentiality will result in a penalty to include, but not be limited to, reprimand, suspension of employment, and/or termination of employment.

Requests for salary confirmation or other confidential information about current and former staff are to be referred to the State Director for response. Specific information will only be released following receipt of written approval from the staff person.

## Consulting

### **Definition of Small Business Development Center Terms:**

**Business.** A business is an enterprise that a client owns or manages. A client may own or manage more than one business. A business may have more than

one client involved with it. Cases may involve businesses or may involve the establishment of a business.

**Business Development Specialist.** A business development specialist is a consultant who does not have significant management duties in addition to being a consultant.

**Case.** A case is a defined series of consulting sessions between a client(s) and a consultant(s) covering one or more problems. Cases are closed upon the mutual consent of the consultant and client or following a period of inactivity of 90 to 120 days. A client may have more than one case, even in the same year. The SBA, when it uses the words Business, Case, and Client, uses them interchangeably, but almost always with the meaning that the SBDC attaches to the word case.

**Neoserra and EDMIS-2** are the American Samoa SBDC Client Data Information Systems for collecting consulting and training data and producing management reports, including those reports necessary for reporting to the SBA.

## Client

The client is the business, if it exists. In the case of a prospective business, the client is the individual.

**In Business:** Completed required registration(s), if applicable, with the local, state, and/or Federal government (e.g., DBA registration, get a business license, agency issued tax identifications, etc.)

AND

At least one of the following:

- Has documented a transaction from the sale of a product or professional or personal service for the purpose of gain or profit;
- Has contracted for or compensated an employee(s) or independent contractor(s) to perform essential business functions;
- Has acquired debt or equity capital to pursue business operations (e.g., to purchase inventory, equipment, building, business, etc.); or
- Has incurred business expenses in the operation of a business.

**Nascent (Pre-venture) Entrepreneur:** those individuals who have taken one or more active steps to form a business, according to the Kauffman Foundation ([www.kauffman.org](http://www.kauffman.org)). This includes individuals seeking assistance from SBA and/or one of its resource partners.

**Start-up:** those individuals who have been in business up to 12 months.

## **Counseling Terms/Definitions:**

Services provided to an individual and/or business that are: 1) Substantive in nature and require assistance from a resource partner or district office personnel in the formation, management, financing, and/or operation of a small business enterprise; AND 2) Specific to the needs of the business or individual

AND

**Face-to-face Counseling** Meets the definition of "Counseling" and,

The initial face-to-face counseling session should be no less than one hour (cannot include preparation time in this initial calculation) and includes any counseling session thereafter regardless of time.

**Online Counseling**

Meets the definition of "Counseling" and,

The recipient of the counseling must acknowledge, through an SBA Form 641 or an SBA approved "electronic substitute," the requirements imposed by accepting counseling assistance from the SBA or its resource partner(s).

AND

The initial online counseling session should be no less than 30 minutes (can include prep time in this initial consultation).

**Telephone Counseling**

Meets the definition of "Counseling" and,

The recipient of the counseling must acknowledge, through an SBA Form 641 or an SBA approved "electronic substitute," the requirements imposed by accepting counseling assistance from the SBA or its resource partner(s).

AND

The initial telephone counseling session should be no less than 30 minutes (can include prep time in this initial consultation).

### **Long-term Counseling**

(Extended Engagement Client)

Meets the definition of "Counseling" and,

Includes 5 or more hours of contact time per individual or business during that fiscal year or any prior year.

### **Contact Hours**

(Form 641, line 50a)

The amount of time spent directly counseling/interacting with a business or individual client.

### **Preparation Hours**

(Form 641, line 50b)

The amount of time spent preparing and researching information for a business or individual client.

### **Travel Hours**

(Form 641, line 50c)

The amount of time spent traveling to/from a location (separate from assigned post-of-duty) to meet with business or individual clients. If meeting with more than one client, travel time is only counted once.

## **Training Term/Definitions:**

### **Training**

(including long-term training)

An activity or event presented or cosponsored by a resource partner, district office or other SBA office which delivers a structured program of related subject.

The training must last for a minimum of one hour and include two or more clients in attendance.

### **Co-hosted Training**

Meet the definition of "Training" and further defined as, An activity where each host organization actively participates and contributes substantially to the training.

## **Total Hours of Training**

Total hours of training hours are the number of hours that the trainer spends teaching the training session.

**Online Training** Online training is a structured program of knowledge, information or experience on an entrepreneurial or business-related subject.

It must be of a quality and substantive nature, and include a registration process as well as an evaluation process (e.g. 1-5 star ranking). Online training can be synchronous or asynchronous. The training must be for a minimum of 30 minutes and a course evaluation must be made available. Online training must include one or more participating clients

**Synchronous:** A group of clients proceed through the training module(s) or program as a group.

**Asynchronous:** A client individually proceeds through the training module(s) or program individually and is self-paced.

## **Other Terms:**

### **Capital Infusion**

Capital infusion includes all forms of capital debt, investments from all sources (i.e., lines of credit, consumer debt products used specifically for the business, angel investors, owner's capital contributions, etc.). Credit lines and other revolving debt facilities/instruments are to be recognized for the full amount of the line of credit when established and not to be based on individual drawdowns.

Aggregate total of the following:

- Dollar amount of SBA loans
- Dollar amount of non-SBA loans
- Dollar amount of equity capital (to include private investment)

### **Information Transfer**

This item has been deleted.

## Reporting Instructions:

### **Reporting Online counseling**

At a minimum the following fields should be completed on SBA Form 641 or an SBA approved electronic substitute, for an SBA approved electronic substitute, for online counseling.

#3 – Client Name or approved client-coded name/number

#4 – Email Address

#10 – Zip Codes

### **Reporting Telephone Counseling**

At a minimum the following fields should be completed on SBA Form 641 or an SBA approved electronic substitute, for telephone counseling.

#3 – Client Name or approved client-coded name/number

#5 – Telephone Number

#10 – Zip Codes

### **Reporting Face-to-Face Counseling**

Each client will be counted once in a fiscal year, with the reporting to include both the number of sessions and the number of hours spent with each.

Case management refers to a particular approach to consulting used by the American Samoa SBDC.

If multiple people participate from one business, only one person will complete SBA Form 641. The counselor will note how many people were there so that the number of people served can be tracked. This will only be collected on the initial SBA Form 641. The SBA Form 888 is used to collect and report information on traditional classroom-style training. There must be two or more clients in attendance.

### **Reporting Training**

The agenda and/or program content, attendee list, and evaluations are required for each training event. Records for these training events must be kept at the resource partner location and available for site review.

### **Reporting Online**

An SBA Form 888 is required for all online training events.

## Training

There must be one or more clients participating in the online training.

At a minimum, the following fields should be completed on a registration form for online training.

Client Name or approved client-coded name/number  
Email Address  
Zip Code

*Every attempt should be made to collect these data:*

Race  
Ethnicity  
Gender  
Disability  
Veteran Status  
Military Status

Client registration records and other course information must be retained and made available for review.

e.g. If the resource partner holds an online training session with five satellite events with individual sign-ins, facilitators, etc., they should count as five different training sessions, as each meets the definition of "online training."

## Reporting Co-hosted training (collaborative)

When reporting training numbers for a co-hosted training, the hosts must work together to determine how too equitably divide the number of clients among themselves. Double counting of clients is not permitted.

*Examples involving multiple resource partners contributing to a single training event:*

- A) If each resource partner contributes a significant amount of presentation time (defined as one hour or more per partner), then each host could count all attendees.

Accordingly, if five partners co-hosted a training event with five hours of total presentation time (each partner

delivering training for at least one hour) and fifteen persons attended the event, each partner could count fifteen persons trained for one hour each.

- B) If each partner puts in less than one hour (per partner) of presentation time, the attendee count would be divided among the hosts based on mutual agreement.

Accordingly, if five partners co-hosted a training event with 1.5 hours of total presentation time (each partner delivering training for less than one hour) and fifteen persons attended the event, the partners would negotiate how to divide the number of attendees (e.g., each partner could count three persons trained for 1.5 hours).

### **Reporting Training with Multiple Sessions**

**Each session of a multiple-session training program or course may be** counted as an individual course on SBA Form 888 correspond with the minimum training duration identified in the definitions listed above.

### **Mentor-Protégé Roundtables**

Mentor-protégé roundtables link more experienced businesses over a significant time, with less (including WNET roundtables) experienced businesses or nascent entrepreneurs.

The participants usually meet on a regular basis, either one-on-one or in a group setting. The SBA and/or its resource partners provide the staff time and forge the partnerships necessary to pair mentors and protégés. The counselors' time should be allocated equally to attending clients.

### **Reporting Capital Infusion**

Capital infusion will be tracked throughout each fiscal year and compiled from year-to-year to collect aggregate data. Additional detailed procedures regarding the collection, recognition, documentation and reporting of this item will be established and communicated in 2007.

## *FORM NOTATION*

### **Services Provided**

Face-to-face, Telephone, Online, Prep only, Team Counseling,

## **STAFF DEVELOPMENT**

### **1. Professional Behavior and Attitude**

Professional Employees and Support Staff will maintain a wholly professional behavior and attitude toward those they serve, including other members of the SBDC and its clients, stakeholders, and the general public.

Professional Employees and Support Staff will actively embrace the *Mission* of the AS-SBDC.

### **2. Professional Behavior and Ethics**

Professional Employees and Support Staff not only subscribe to ethical behavior, but also endeavor to recognize when they are in a situation requiring an ethical decision. When confronted with the need for an ethical decision, they will seek advice as appropriate, and then they will make the best possible decision based on ethical considerations without undue regard for short-term consequences.

Professional Employees and Support Staff, prior to final decision-making (whether as an individual or the member of a group), ask: “What are the ethical implications of this decision?”

### **3. Proprietary or Inside Information**

Professional Employees and Support Staff will not take personal, financial, or other advantage of material or inside information resulting from their professional relationship with clients. They will not provide material or inside information to others who might take advantage of clients.

Professional Employees and Support Staff will not provide to client proprietary information learned from previous clients or other sources without first obtaining proper authorization from those who might be adversely affected by the unauthorized release of information.

### **4. Conflicts of Interest**

Professional Employees and Support Staff will not accept any type of reward or gift from individuals (including clients) or from organizations *in exchange*

*for recommending* equipment, supplies, or services of such individuals or organizations.

They will not accept a material reward or gift. A “material gift” is one whose value exceeds \$50. To receive any gift in excess of \$50 requires disclosure to and approval by the state director.

Professional Employees and Support Staff may not work in the employ of a client or enter into any business relationship with a client or enter into an agreement of future employment or business relationship that would require the termination of a client.

Professional Employees and Support Staff will strive diligently to recognize conflicts of interest, potential conflicts of interest, and the appearance of conflicts of interest by asking themselves, “Is the action I am contemplating or the situation I am about to enter a possible conflict of interest?”

## **5. Understanding of Client Needs**

Professional Employees and Support Staff when consulting will, as a first task, confer with a client in sufficient detail and gather sufficient facts that, together with the client, they may reach an understanding of the perceived problem, the objectives to be achieved, the scope of assistance needed, and the possible benefits that may accrue to the client. Only then will they jointly proceed in the consulting process.

Professional Employees understand that *active listening* is the foundation of the consulting process. “Active listening,” means hearing the words said, understanding them with their full implications, and realizing what is not said. No advice or recommendation is appropriate without first actively listening.

Professional Employees know that consulting is a process that requires both the consultant and the client to work together toward understandings.

While advice and recommendations are to be given, they should be given with humility and not until the client is ready to hear the advice or recommendations. While when to give advice is an art and requires judgment, striving to understand when to give advice is also a professional obligation.

## **6. Client Confidentiality**

Professional Employees and Support Staff will hold as strictly confidential the identity of a client, as well as all files, records, and information concerning

the affairs of a client gathered during the course of a professional engagement.

The only exception occurs when the client has provided written authorization for the release of information or information is legally subpoenaed or files are read as part of an SBDC or SBA review process. Any questions concerning the proper fulfillment of this article should be referred to the state director for resolution.

Professional Employees and Support Staff will fully document all client contacts, but with an understanding that client records can be subpoenaed by a court of law and should not contain information extraneous to the professional engagement.

## **7. Impartiality**

Professional Employees ensure advice to clients is based on impartial consideration of all pertinent facts and opinions and without bias or prejudice. Their clients depend on them to provide objective solutions to their problems. The fulfillment of this article requires understanding of and attention to the *Conflict of Interest Policy*.

## **8. Outside Influences**

Professional Employees will inform their clients immediately of any special relationships, circumstances or interests that might influence, or give the appearance of influencing, their judgment or impair their objectivity. When appropriate, the Professional Employee will offer to withdraw from the client relationship and refer the client to another Professional Employee.

Professional Employees will always inform a new client if the Professional Employee is at that time consulting with another client that is or potentially is a competitor. To continue in such a relationship, requires the documented approval of both clients.

## **9. Recommendations**

Professional Employees will ensure that sufficient relevant information is evaluated in developing conclusions and recommendations. Solutions should be realistic and practical, clearly understood by the client, and capable of being implemented by the client.

## **10. Quality Assurance**

Professional Employees and Support Staff will demonstrate a commitment to the quality of their advice, assistance, and resulting products through sufficient planning, reviews, and controls.

They will continually seek to advance their own knowledge in order to better serve their clients.

Professional Employees and Support Staff will demonstrate a commitment to the quality performance of the American Samoa SBDC and to the incorporation of the Malcolm Baldrige Criteria, as appropriate.

### **11. Avoiding Impropriety**

Professional Employees and Support Staff will strive to avoid not only improprieties, but also the appearance of improprieties. AS-SBDC procured goods and services may not be used personally if such usage has a cost for the Center unless there is prompt reimbursement for that cost. Integrity and honesty are critical personal characteristics of the Professional Employee and Support Staff person.

### **12. Professional Contribution**

Professional Employees must recognize their responsibilities to the public interest and to their own professional development by contributing to the understanding of better ways to manage small businesses. This contribution may be through the development and dissemination of information to peers as well as to the public.

### **13. Professional Image**

Professional Employees and Support Staff are expected to dress in business attire appropriate to the situation. In American Samoa that means using the Aloha-wear dress standards and grooming maintained by the major banks for their professional and support staff.

Professional Employees and Support Staff do not keep clients waiting. It is extremely important to be well prepared, to be on time, and to be ready to begin the session. In the event of an emergency, the client is to be contacted immediately. Whenever a session does not begin on time or must be cancelled, an apology is owed to the client and should be proffered.

### **14. Supporting the *Code of Professional Conduct***

Professional Employees and Support Staff will strive continuously to advance and protect the professional standards of the American Samoa Small Business Development Center Network and to support this Code by reporting rules violations to the State Director and/or the Associate State Director.

## **Conflict of Interest Policy for Professional and Support Staff**

### **I. Purpose**

The purpose of this policy is (a) to prevent the actions of any agent of the American Samoa Small Business Development Center (SBDC) from constituting a conflict of interest.

### **II. Definitions**

**A. Conflict of Interest** -- a situation in which regard for a private interest or gain leads or has the potential to lead to a disregard of the needs of the AS-SBDC or the rights of its clients.

**B. Client** -- a business, individual or legal entity with which the AS-SBDC has entered into a contract, written or verbal, to provide any or all of the SBDC available services.

**C. SBDC Services** – include counseling; training; research of materials for a client; referrals to other agencies; provision of printed copies or magnetic media information; or other services that the SBDC may commonly and routinely perform for its clients.

**D. Agent of the AS-SBDC** -- any person currently employed by or working on behalf of the SBDC to provide counseling, training, research or any other services. This may include students, faculty and staff of ASCC, volunteers, and paid consultants.

**E. Gift** -- real property, or tangible and intangible personal property of material value, which is provided directly or in trust for the benefit of the recipient. Included in this definition are the similar terms included in Section 3 below.

### **III. Standards of Conduct**

**A. Relations with Present and Former Clients** - *No agent of the American Samoa SBDC . . .*

1. Shall solicit or accept, or appear to solicit or accept, any gift, loan, reward, and promise of future employment, favor, or service from any current client;
2. Shall solicit or accept, or give the appearance thereof, any compensation or other monetary remuneration for counseling or related services provided to a client while acting as an agent of the AS-SBDC.
3. Shall recommend to a client the purchase of goods and/or services from a firm in which the agent has a material or financial interest;
4. Shall accept fees, commissions, gifts or other favors from third parties who have supplied goods and/or services to SBDC clients;
5. Shall solicit the private engagement of his or her services by a client at any time during the term of the client's relationship with the SBDC;
6. Shall release information about any client's relationship with the SBDC, or any information about the business or personal matters of any client to any person or agency outside the SBDC without written permission of the client; and
7. Shall invest monies, personal services or property in the business of current clients of the SBDC.

**B. Consulting Activities** - With regard to "moonlighting" or other for-profit activities outside the normal working hours and service delivery of the SBDC, agents of the SBDC will . . .

1. Assure that the outside activity does not interfere with the full performance of the agent's SBDC responsibilities;
2. Notify, in writing and in advance, the SBDC state director (or his/her designated person), advising of the nature of the proposed or current activity and any potential for conflict of interest that might arise from it;
3. Utilize neither AS-SBDC material, equipment or property or publications, texts or other documents that were developed or prepared with SBDC funds;

4. Ensure that outside activity with other organizations does not create competition for the SBDC.

**C. Agreements** - To assure compliance with the above standards, the agent of the AS-SBDC agrees to:

1. Provide, upon request, a statement of financial interests in any and all business entities with which the agent has such interest and

#### **IV. Miscellaneous Provisions**

**A.** Generally, penalties for violation of any of these policies may include, but not be limited to, reprimand, suspension of employment and/or termination of employment.

**B.** The determination of conditions required to constitute a conflict-of-interest situation will be made by the state director of the American Samoa SBDC based upon this policy.

### Conflict of Interest Policy for Contracted, Volunteer, and Intern Staff

#### **I. Client Confidentiality**

All American Samoa SBDC agents are required to maintain complete confidentiality concerning client identities and information given to the SBDC and to its agents by clients. Many clients are still employed prior to opening their businesses, others are involved in a very competitive industry, and others may be inventors who require strict secrecy. The SBDC agents do not discuss clients' businesses or names with non-employees. We make this promise to each client prior to counseling. Without this promise clients would be very reluctant to discuss their ideas with us.

The SBDC agents are also prohibited from recommending goods or services, or from accepting fees or commissions for services. If, for example, a client asks you to recommend an attorney or accountant, you cannot name just one individual.

Instead, you may give the client the names of three or more individuals. For more information on the topic of conflict of interest, please review the SBDC Network's [Conflict of Interest Policy](#).

## II. Client Waiver

Occasionally, as a contracted consultant, you may work with a client who needs assistance that you cannot provide through your counseling contract with the SBDC.

If the client insists upon hiring you to provide more extensive services, you must comply with the following steps:

- A.** Advise the client that you will guide and counsel him/her on how to perform the work by their selves. You have agreed to provide these counseling services free of charge.
- B.** Advise the client that there are other professionals in the community who are capable of providing the same service on a for-fee basis.
- C.** Be very careful not to solicit, or give the client the impression that you have solicited, their business.

## Professional Development

### Purpose

The purpose of a Professional Development Policy is to ensure the professional development of employees on an ongoing basis. The policy ensures the American Samoa SBDC that its staff maintains the competitive skills and knowledge required to provide high quality service to its clients and stakeholders in the fulfillment of its mission.

### Programs

The SBDC will have an ongoing, formal professional development program that will be tied to the Strategic Plan. The program will include: (a) a formal training/orientation program for new consultants and (b) an ongoing staff education, training, and professional growth program to enable advancement of employees and to improve their job performance.

### Policy

It is the policy of the SBDC to:

- Create and implement individual professional development plans.

- Fund one mainland trip for all professional staff for the purpose of educational and training opportunities.
- Incorporate into all Professional Staff Council and All-Staff meetings, education/training sessions.
- Encourage all staff to take skill-building workshops as needed.

## Quality and Malcolm Baldrige Criteria

### Core Values and Concepts of the Baldrige Criteria

Following are the core values and concepts of the Malcolm Baldrige Criteria that every employee is obligated to know and understand and to work to implement within the Network:

- **Client-Driven Quality.** Quality is judged by clients, whether those who receive services or those who pay for services. Quality must take into account all service features and characteristics that contribute value to clients and lead to client satisfaction. Client-driven quality is a strategic concept, demanding constant sensitivity to changing and emerging client and market needs and the factors that drive client satisfaction.
- **Leadership.** The organization's leaders need to set directions and create a client orientation, clear and visible values, and high expectations. The values, directions, and expectations need to address all stakeholders. Leaders need to ensure the creation of strategies, systems, and methods for achieving excellence and building knowledge and capabilities.
- **Continuous Improvement and Learning.** Achieving the highest levels of performance requires a well-executed approach to continuous improvement and learning. Improvement and learning need (a) to be a regular part of daily work, (b) to seek to eliminate problems at their source, and (c) to be driven by opportunities to do better. Sources of improvement and learning include staff ideas, research and development, client input, and benchmarking.
- **Employee Participation and Development.** An organization's success depends increasingly on the knowledge, skills, and motivation of its work force. Staff success depends increasingly on having opportunities to learn and to practice new skills.

- **Fast Response.** Success in meeting client needs demands ever-shorter cycles for new or improved service introduction. It is beneficial to integrate response time, quality, and productivity objectives.
- To achieve fast response requires agility at all levels of the organization, both bottom up and top down and within levels.
- **Design Quality and Prevention.** Organizations need to emphasize design quality, which means building quality into services and efficiency into delivery processes. Costs of preventing problems at the design stage are usually much lower than costs of correcting problems that occur “downstream”.
- **Long-Range View of the Future.** Leadership requires a strong future orientation and a willingness to make long-term commitments to key stakeholders. Planning needs to anticipate many changes, such as clients’ expectations, new service opportunities, technological developments, and new client segments and community/societal expectations. Plans, strategies, and resource allocations need to reflect these commitments and changes.

**Management by Fact.** Modern organizations depend upon measurement and analysis of performance. Measurements must derive from the organization’s strategy and provide critical data and information about key processes, outputs, and results. Data and information needed for performance measurement and improvement is of many types, including client and service performance, operations, market, “competitive” comparisons, vendor, staff-related, and cost and financial. Analysis entails using data to determine trends, projections, and cause and effect.

A major consideration in performance improvement involves the creation and use of performance measures or indicators. Performance measures or indicators are measurable characteristics of services, processes, and operations the organization uses to track and improve performance. *The measures or indicators should be selected to best represent the factors that lead to improved client, operational, and financial performance. A comprehensive set of measures or indicators tied to client and/or company performance requirements represents a clear basis for aligning all activities with the company’s goals.* Through the analysis of data from the tracking processes, the measures or indicators themselves may be evaluated and changed to better support such goals.

- **Partnership Development.** Organizations need to build and manage strategic alliances with other organizations in order to support and leverage

resources and services. These strategic alliances may be with educational institutions, governmental agencies, and other business assistance organizations.

- **Company Responsibility and Citizenship.** The organization’s leaders need to stress its responsibilities to its clients and the taxpayers and to practice good citizenship. This responsibility should be reflected in the values espoused by the organization, both internally and externally.
- **Results Focus.** An organization’s performance measurements need to focus on key results. Results should be guided by and balanced by the interests of all stakeholders. The use of a balanced composite of performance measures offers an effective means to communicate short- and longer-term priorities, to monitor actual performance, and to marshal support for improving results.

## Records Management

### Purpose

To insure compliance with governing federal and state laws, as applicable, and to provide for proper safekeeping and destruction of network records.

### Laws and Regulations

The American Samoa SBDC falls under SBA, Office of Management and Budget (OMB), ASCC records management guidelines.

- Federal Grants and Contracts – OMB Circular no. A-110 ([www.whitehouse.gov/omb/circulars/a110/a110.html](http://www.whitehouse.gov/omb/circulars/a110/a110.html)) or ([www.grants.gov](http://www.grants.gov))

### Generic Guidelines

Item Description	Retention Period	Start Date	Responsible
Financial Records, supporting documents and all records pertinent to an agreement (i.e. external financial reporting) This includes all documents	1. 3 years or until all litigation, claims or audit findings are resolved. 2. For non-	Date of submission of final expenditure report, or annual financial status report for annual renewable grants and agreement, or date of final	Financial Services

relating to grants, contracts and agreements such as correspondence and notes.	expendable property acquired with Federal funds 3 years after its final disposition.	payment for contracts or notice of resolution of an audit finding.	
Client Records including: case notes, narratives, and documents; Government Forms	3 years for closed or inactive cases for original documents and 6 years for electronic media.	Date case is closed per SBA guidelines.	SBDC
Training Records pertaining to an educational activity sponsored by the network.	3 years for closed or inactive cases for original documents and 6 years for electronic media.	Date training activity is completed	SBDC and/or Financial Services
All other Internal documentation including minutes, policies, procedures and correspondence.	3 years for original documents and 6 years for electronic media.	Date of documentation or activity	SBDC

## Reporting Deadlines & Master Calendar

### Purpose of Documentation and Record keeping

The American Samoa SBDC needs to maintain complete and accurate records and supporting documents in order:

- 1.** To improve management by fact in accordance with Malcolm Baldrige Criteria,
- 2.** To facilitate thorough audits by sponsoring agencies and organizations,
- 3.** To enhance effective and efficient management oversight, and

4. To provide an accurate reflection of the organization and effectiveness of each office.

### Required Deadlines and Best Practices Guidelines

<b><u>Description</u></b>	<b><u>Best Practices Guidelines</u></b>	<b><u>Required Deadlines</u></b>	<b><u>Comments</u></b>
<b>Consulting:</b>			
Form 641 entered in EDMIS-2 and placed in file	Entered within 24 hours	Entered within 48 hours	Form 641 required by SBA
Form 1062 with narrative entered in EDMIS-2 and in file	Entered within 24 hours	Entered within 48 hours	
Determination of client eligibility	Prior to 2nd meeting with client	Prior to 3rd meeting with client	Does not require separate documentation.
Exception to client eligibility	Prior to 1st meeting with client	Prior to 3rd meeting with client	State Director approval in writing required
Determination of economic impact	Immediately following 5 hours of consulting	Immediately following 10 hours of consulting	Determined by consultant according to policy. (See Consulting.)
Permission for a case to exceed 90 hours		Prior approval required	State Director approval needed
Closing of inactive cases	Within 60 days following last substantial activity	Within 90 days following last substantial activity	SBA Requirement: 120 days from last contact
<b>Training:</b>			
Signed co-sponsorship agreement in Center	Prior to training event	On day of training event	
Signed conflict of interest form in	Prior to training event	On day of training event	

Center			
Training file with Forms 888 and 201	5 working days after training event	5 working days after month end	If Guideline missed, must notify Network Services
File completed in CDIL	5 working days after training event	Last day of month	
Monthly training report completed on EDMIS-2	Last day of each month	5 working days after month end	Should include 12 month projection of training events

## Research Interns

From time-to-time, centers will have research interns to help clients develop specific projects, such as marketing plans. This practice is encouraged.

## Other Research Resources

Following are resources that all consultants should be familiar with and use:

- SmallBusinessDevelopmentCenter National Information Clearinghouse (SBDCNet).** This ASBDC and SBA sponsored national clearinghouse for information and research of value to SBDC consultants is an excellent source of information and publications. The SBDCNET web site and its many resources are available to the public. The web site contains links of interest to the budding entrepreneur, the established small business owner, and the business researcher including: business plans, industry information, associations, Spanish language business documents, and publications.

The research services of SBDCNET, however, are available to SBDC counselors assisting clients only through a specific request for information. These services are more in-depth and can include: market research, demographic information, basic patent and trademark searches and business maps. Counselors do not receive legal or medical interpretations or extensive marketing lists. It also maintains downloadable SBA forms, has a document exchange, and a bimonthly newsletter. <http://sbdcnet.utsa.edu/>

- ASBDC ListServe.** The ASBDC List Serve, which is open to all SBDC consultants nationwide, is a place to obtain answers to questions from other consultants. Subscribing to it brings a wealth of

information of value to consultants. The list server can be subscribed to by writing an email to <http://sbdcnet.utsa.edu/>.

- **SmallBusinessLearning.Com.** SmallBusinessLearning.Com is a joint venture between the ASBDC and the SBA offering many services from setting up one's own web page to taking courses on a wide variety of small business topics. It is a valuable and useful resource for both consultants and for clients.  
[www.smallbusinesslearning.com/](http://www.smallbusinesslearning.com/).

## SBA

### The SBA's Role in the SBDC Program

The SBA Program Announcement, which by extension is part of the *Cooperative Agreement* between the SBA and the American Samoa Community College states:

"The SBDCs represent the Agency's [i.e., the SBA's] largest grant-funded service delivery network, and are responsible, in cooperation with SBA's Office of Small Business Development Centers (OSBDC) [in Washington] and the cognizant SBA District Office [in Honolulu], for developing programs and providing services that effectively meet the economic development goals and objectives of the U.S. Small Business Administration and of their respective states and local funding partners. Within statutory and regulatory boundaries, goals must be jointly negotiated and agreed upon with the full participation of the District Director and the SBDC State/Region Director... [The] project officer is the primary point of contact, but . . . [the] district director must sign off on the negotiated proposal."

"The cognizant SBA District Director is the primary contact for direction of the delivery of services to the small businesses in each District Office area, and for monitoring and overseeing the Cooperative Agreement and the ongoing operation of the SBDC.

Therefore, the District Director has the authority and is directly responsible for negotiating the *Cooperative Agreement* that will effectively deliver the services and achieve Agency Goals."

## Scheduling

### Flex-Time Scheduling

The SBDC encourages flexibility in scheduling in order to accommodate the needs of clients and the needs of staff. (See also [Accessibility of Services: Hours of](#)

Operation) The needs of the staff must not take precedence over the needs of clients. Flextime scheduling requires the approval of the staff member's supervisor.

## Stakeholder Relations

### Definition

Stakeholders are those organizations and individuals who have an interest or "stake" in the SBDC and its success. That includes clients, the population of small business people, other business assistance organizations (SCORE, WBC), other economic development organizations, legislators at the county, federal, and state levels, executive branches of government (governor, mayor, and president), executive departments and agencies, the American Samoa SBDC staff and Contracted Consultants and trainers, vendors, and taxpayers. The list is very broad and inclusive.

### The Purpose of a Focus on Stakeholder Relations

Stakeholders should be looked upon as if they are clients. They represent a point of focus and an opportunity. Note below what the Malcolm Baldrige Criteria states about clients and about building strategic alliances (short-term) and strategic partnerships (long-term) with stakeholders:

- **Client-Driven Quality.** Quality is judged by clients, whether those who receive services or those who pay for services [or other stakeholders]. Quality must take into account all service features and characteristics that contribute value to clients and lead to client satisfaction. Client-driven quality is a strategic concept, demanding constant sensitivity to changing and emerging client and market needs and the factors that drive client satisfaction.
- **Partnership Development.** Organizations need to build and manage strategic alliances and strategic partnerships with other organizations in order to support and leverage resources and services.

These strategic alliances and partnerships may be with educational institutions, governmental agencies, and other business assistance organizations [or other stakeholders so long as it supports the mission].

### Interacting with Stakeholders

The Code of Professional Conduct and the values of the SBDC should guide all SBDC staff in their interactions with stakeholders.

# Strategic Planning

## Purpose of Strategic Planning

The American Samoa SBDC engages in extensive strategic planning as the most appropriate method for guiding its future development in the most beneficial manner for clients, staff, and stakeholders and in the most efficient and effective (efficacious) manner.

## Strategic Planning Documents

The American Samoa SBDC Strategic Plan is designed to be a management document for the Center, and pointing the direction in which the SBDC should move in order to achieve its stated mission and to move ever closer to realizing its vision, while providing a scale for measuring its achievements in the past. The Strategic Plan is a tool, meant to be used by staff and stakeholders on a constant basis as an explanation of policy, a guide for decision-making, and a spur toward greater achievements. The Strategic Plan takes on value through use as a communications tool, its value deriving not only from its content, but also from its availability for use by different people.

## Requiring Clients To Attend Training Events

- While consultants may encourage prospective clients and clients to attend a particular training event, they may not require such attendance as a condition of consulting. Under no circumstances must a client be allowed to believe that a training event for which a fee is charged should be attended. The word encouraging must not be construed as a euphemism for requiring.
- If prospective clients or clients are encouraged to attend a training event, then a waiver of fees must be available to them for that event.

## Pricing/Fees

- If a fee is charged, then AS-SBDC Management Education and Training activities will be offered at a price reasonable for the average small business owner. Pricing should not be a barrier to the targeted attendee.
- As necessary, fee waivers should be provided to clients with a stated (not necessarily proven) financial need and for those for whom need can be reasonably assumed, such as for students. This policy should be interpreted liberally.
- Fee structures used will not be overly complex or cumbersome to administer.

- No purchase orders will be accepted for deposit to the SBDC program income account.

## Planning/Scheduling

- The SBDC Management Education and Training activity goals will be set each year as part of the SBDC Strategic Plan. These goals include the number of sessions, number of attendees, and number of training hours for each service delivery center.
- These goals are considered by the SBA to be goals negotiated between the SBDC and the SBA District Office.
- Each training activity must be at least two hours in duration, and have a planned attendance of six attendees, unless the subject matter or special circumstances justify a lower attendance. In those cases, the justification must be explicitly stated.

## Marketing

- The SBA/SBDC co-branding logo need not be used on training activity announcements. However, if it is used, it must be as large or larger than all other logos used in the promotion.

In promotional materials, the name of the SBDC should include when used as a heading the phrase, "A Partnership Program between American Samoa Community College and the U.S. Small Business Administration."

- All AS-SBDC Management Education and Training activity flyers and promotional materials will include the disclaimer required as a condition of the Cooperative Agreement with the SBA. (See [Tag Lines and Disclaimers](#).)

## Presenters

- All SBDC presenters will have demonstrable expertise in the relevant subject, as well as being skilled teachers/trainers. Their ability to attract attendance, hold an audience, and obtain favorable feedback survey results is an important factor in selection.

- All SBDC presenters will be selected according to Federal and ASCC procurement laws and regulations.

## Program Income

**Definition of Program Income.** Program Income consists of the fees received for specialized services and training activity fees. It does not include fees for consulting with small business clients, which by law cannot be charged.

**Purpose of Program Income.** The purpose of program income is to earn monies that can be used to further eligible program objectives.

**Restriction on Program Income.** Program Income cannot be used as match for federal funds.

**Collecting Program Income.** Program Income are collected, recorded and documented in person by a designated SBDC staff. A receipt is issued to the person who paid the fee.

**Accounting Program Income.** Program Income is turned over to the Business Office for accounting. A receipt is issued to SBDC by the American Samoa Community College (ASCC) Business Office. The receipts are compiled and kept at the SBDC office.

## Procurement Procedure

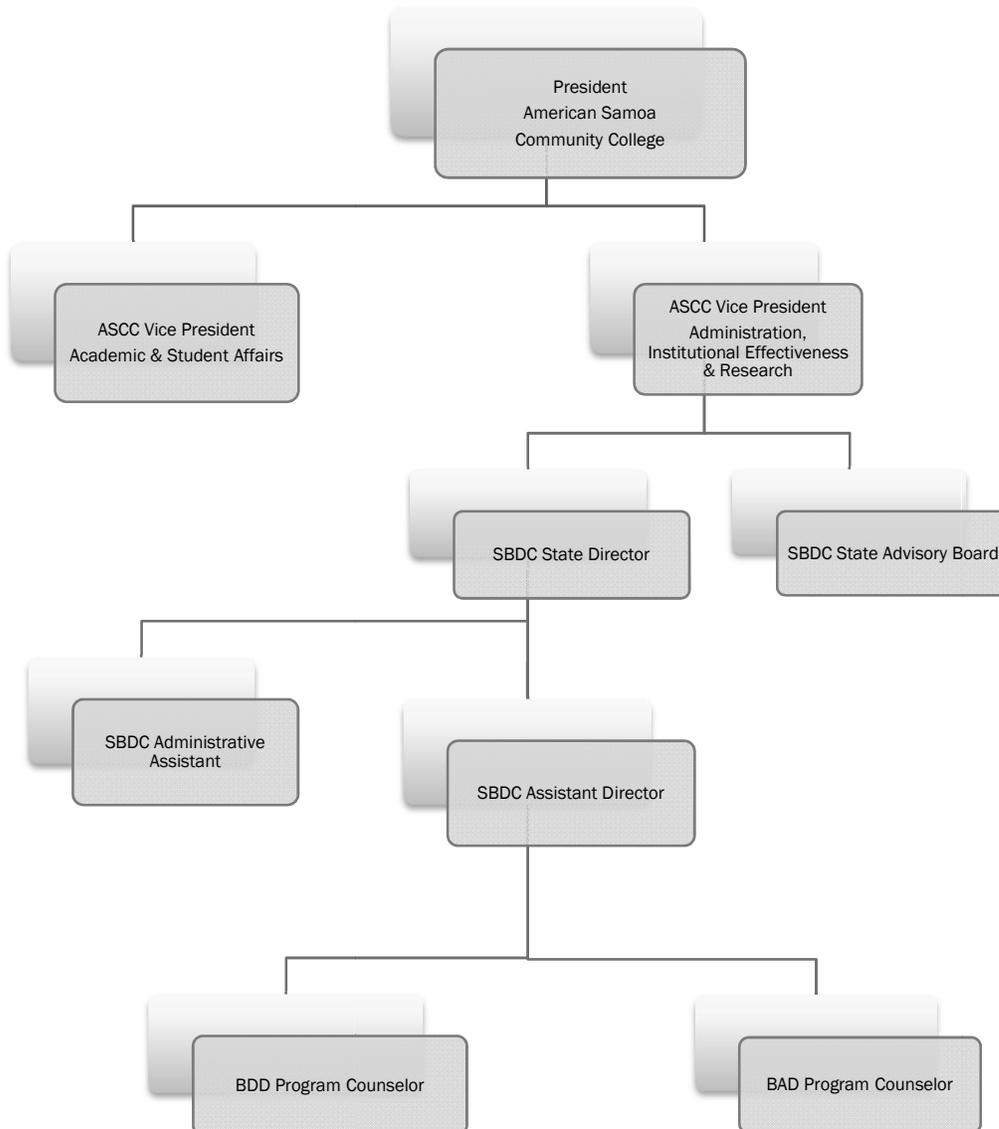
The American Samoa Small Business Development Center (AS SBDC) is required to adhere to the procurement policies of its host institution and applicable federal regulations regarding the purchase of goods and services from small business entities.

To protect AS SBDC from any actual or perceived conflict of interest, AS SBDC shall hold a strict policy restricting procurement of goods and services from active clients, and shall include a reasonable wait time after the client engagement is complete before the business entity becomes eligible to receive contracts from AS SBDC.

## Program Management

The SBA District Office in Hawaii provides management oversight for the American Samoa Small Business Development Center (AS SBDC). The State Director, Mr. Herbert Thweatt, and the Project Officer, Ms. Mary Dale, also oversee and approve proposal negotiations. In the territory, the SBDC Director provides management oversight for the overall program with assistance of the local Advisory Board, and local SBDC network partners.

## Organization and Structure



## SBDC Organizational Structure

The American Samoa SBDC operates as a department within the organizational structure of an educational institution (American Samoa Community College). Within the organizational structure, the SBDC program director will report to the President of the American Samoa Community College (ASCC).

## Incubator Program

The process of selecting participants in the AS SBDC/ ASCC incubator program shall not be solely decided upon by the State Director. To ensure broad participation by small business entities and avoid any appearance that the AS SBDC is providing material benefit to one client over another, an outside selection committee composed of representatives from local commercial financial institution shall be appointed and would decide on the future incubator tenants.

## Frequently Asked Questions

### Definitions & Data Collection Questions

#### Q&A Regarding "Clients"

**Question:** Is a client who receives both training and counseling a client "once"?

**Answer:** A client is counted once annually for counseling. In addition that same client is counted once for each training unit received according to reporting training guidelines. EDMIS will not have the capacity to capture attendee-by-attendee information for training events.

**Question:** If one person has two businesses are there two clients?

**Answer:** The business is the client; therefore, there are two clients.

**Question:** If a client file is closed after 90 days and then reopened later in the year, how is the client counted?

**Answer:** Each client is counted only once a year. If the client file is reopened during that same fiscal year, the client is not counted again. For subsequent visits, the follow-on hours of service for that year are counted as follow-up counseling.

## Q&A Regarding “Counseling”

**Question:** If a client works with several different resource partners, would that business or individual be counted more than one time?

**Answer:** Yes. It is possible that the client could be counted more than one time. SBA has no way to track if a client receives services from more than one resource partner.

**Question:** If a counseling client returns for assistance in a new fiscal year, is the client counted again?

**Answer:** Yes. The client is counted again as a new client in the new fiscal year once they have completed a counseling session.

**Question:** If we start counseling a client in person and then end up communicating by e-mails back and forth, does the email counseling time involved count for counseling?

**Answer:** Yes. All counseling time can be attributable to the client throughout the fiscal year, regardless of how counseling services were delivered. The follow-up time in this case would be counted as e-mail follow-up.

**Question:** If there are two people looking to start a business together and they both come in for counseling, shouldn't we have each of them fill out and sign a 641 for liability purposes?

**Answer:** Both persons can fill out a 641, but you count and report only the one business venture as a client.

**Question:** Can the resource partners use the new forms if preparations have already been made to do so?

**Answer:** Yes, as long as the resource partner continues to report all the information required by SBA in FY 2006.

**Question:** Can resource partners use intake forms that have been designed for the specific location instead of the 641 and 641A?

**Answer:** Yes. As long as all elements of the 641 and 641A are included on the intake form, including the signed liability waiver.

## Q&A Regarding “Online/Telephone Counseling”

**Question:** When collecting information from the client for telephone counseling or online counseling, can counselors indicate on the 641 that the client has agreed to the waiver by initialing the form?

**Answer:** No. There must be a signature in the file from the client (either a fax of the 641 or a mailed in copy of the 641) indicating that the client has agreed to the conditions of the waiver. It does not suffice to have the counselor complete the waiver for the client. Until the SBA has electronic signature capabilities, we are requiring that a signature be on file indicating that the client has agreed to the liability waiver.

**Question:** What is the difference between online counseling and e-mail communication?

**Answer:** E-mail counseling is communication online that occurs as an aftermath or follow up to face-to-face counseling. On the new forms effective in FY 2006, there will be areas to indicate what type of counseling occurs and we will be able to track. Online counseling is where the onset of counseling occurs online, most commonly through a web site set up to accommodate this. After the initial onset of the counseling, follow up counseling can be done in any medium – online, phone, in-person, etc. With the new forms in effect in FY06, there will be a place to indicate what type of initial onset occurred (in person, online, phone, etc.) and it can be tracked that way.

## Q&A Regarding “Training”

**Question:** Is there a supplemental form for the SBA Form 888?

**Answer:** Yes, it will be issued in an upcoming procedural notice. The supplemental form will include a breakdown of demographic data for ethnicity and race. OMB allowed an extension on the old Form 888 with the provision that SBA resource partners attempt to collect ethnicity and race information.

**Question:** Can training provided to lenders by district offices be counted as training for Entrepreneurial Development (ED) goals?

**Answer:** No. To be counted as ED training, the training topic must be related to an ED program or service or be entrepreneurial in nature (a structured program of knowledge, information and/or experience on a business-related topic). Lender training does not meet these criteria.

**Question:** Our center offers a pre-business training series that is offered in four separate sessions. Attendees can sign up for the entire series or just one segment. How should I count and report on this training format?

**Answer:** Since the training event is being offered as a series, you would report on the event using one SBA Form 888. Attendees would be counted once, no matter how many sessions of

the course they attended. So if an attendee attended all four of the sessions, they would be counted once for the entire series. You will also count once an attendee who attended just one of the four training sessions. An attendee list for each session should be attached to the SBA Form 888.

**Question:** How are training attendees counted if they sign up for two separate training seminars on different topics?

**Answer:** If a training attendee signs up for two separate trainings in one year, they would be counted twice. The SBA Form 888 and EDMIS do not have the capability to allow for attendee-by-attendee information for SBA training. However, if an attendee attends different sessions of a long-term training class, they are counted once.

**Question:** With regard to training breakout sessions, it appears that the total number of attendees reported at various breakout sessions of an event can exceed the total number of attendees at the event. If the event has 30 attendees and three breakout sessions in the morning and three breakout sessions in the afternoon and ten people attend each breakout session, a total of 60 attendees could be reported.

**Answer:** Breakout sessions can be counted as training as long as they meet the same requirements as regular training. There would need to be an agenda, SBA Form 888, an attendee list, and evaluation forms and the session must last for one hour. Every effort to collect race/ethnicity information must also be made. Otherwise, the breakout should be counted as an information transfer. It is correct that attendees may be counted more than once, but as long as the requirements for the training are being met – the definition is being implemented correctly.

**Question:** If a seminar includes a speaker or panel of speakers discussing a topic for 45 minutes and then there is a 15-minute question and answer session from the audience does it count as a training session?

**Answer:** Yes, if all trainers are from the same resource partner. Thus, to comply with the definition of training, each respective resource partner must be recognized for providing at least one hour of training to the audience. If, however, there are multiple resource partners sharing the hour, it is an information transfer for each of them. It must also meet the other requirements of a training activity.

**Question:** Please address new guidelines or restrictions for co-sponsored events? Our WBC has co-sponsored many classes with the SBDC in our state and neither party is entirely sure how the numbers will be counted this year.

**Answer:** There are certainly no restrictions with conducting co-sponsored events, and SBA certainly wants to encourage these types of activities. For joint events that meet the requirements of a training event, the SBA co-sponsors should agree in advance who will take

credit for the attendees. If the event were being jointly planned and executed, for instance, the WBC and the SBDC would each get credit for 50% of the attendees.

However, if the event has breakout sessions, the breakout sessions can be counted as training as long as they meet the same requirements as regular training. There would need to be an agenda, SBA Form 888, an attendee list, an evaluation form and the session must last for one hour. In this last case, the sponsor of the event might count the attendees of this session twice, once in the breakout and again.

**Question:** If an event is hosted by other entities such as chamber of commerce or economic development groups, should the ED resource partner include the training presentations (of an hour or more) that they make at the event?

**Answer:** Yes. The ED resource partner can count the training they present at an event sponsored by an outside organization if it meets the definition of training. There needs to be a completed SBA Form 888, agenda, evaluation information, attendee list, and the program as presented by the resource partner representative(s) must last for at least one hour as noted above. If these requirements are not met, the presentation must be counted as an information transfer.

**Question:** If we conduct a one hour presentation to a college or high school business class, can that be counted?

**Answer:** Yes. As long as the training is a structured program of knowledge, information or experience on a business-related topic, training to college or high school business students can be counted. As with all training, there needs to be an agenda, attendee list, and valuations and be documented with an SBA Form 888. Additionally, every attempt to collect race/ethnicity information must be made.

**Question:** If you are providing a long-term training course with multiple segments, is an evaluation form needed at the end of each segment?

**Answer:** No. An evaluation is only required at the end of the course.

## Q&A Regarding "Information Transfers"

**Question:** How do we count information transfers?

**Answer:** Information transfers are counted based on activity alone. If the client accesses information day one and on day two asks for additional information - two information transfers have occurred.

**Question:** If a marketing brochure or e-mail is sent to the target consumer, is it considered an information transfer?

**Answer:** Yes. The exchange is considered an information transfer if the information is sent to a specific targeted consumer or at the request of a counselor. However, the circulation of a newsletter or mass mailing does not count as an information transfer.

**Question:** With regard to information transfers, do they include visitors to an exhibit booth?

**Answer:** Yes. Visitors to an exhibit booth can be counted as an information transfer as long as there was a substantive exchange of business related information at the booth. (You should not include everyone that signs ups for the trade fair.)

**Question:** If a contact with an individual is recorded as an information transfer and there is a follow up later, do we aggregate the total amount of time to receive credit for the 30 minutes of counseling?

**Answer:** No. We are not requiring resource partners to collect client-by-client data on information transfers. Information transfers are reported as an aggregate number. Therefore, we would not expect you to link an information transfer to a counseling session. These two activities should be kept separate, even if someone who received an information transfer returns for counseling assistance. The assistance rendered later would have to meet the definition of counseling on its own merits

**Question:** If we insert a brochure in our newsletter, would this be considered an information transfer? This brochure is done monthly and it includes a schedule of classes and events. If the document were mailed separately, would it be considered an informational transfer?

**Answer:** It would not count as an information transfer if the brochure were included with a newsletter. Circulations of bulk mailings should not be counted. However, if a client called and asked for information on classes and the brochure were mailed as a response, this would count as an information transfer.

## Q&A Regarding "Mentor-Protégé Roundtables"

**Question:** Do mentor-protégé roundtables need to be reported as counseling, training or informational transfers?

**Answer:** Yes. ED mentor-protégé activities would count as counseling, training, or as an information transfer depending on the format of the sessions. EDMIS will not have a separate section for mentoring roundtables.

## Q&A Regarding "Other Topics"

**Question:** Can counseling and training be counted if done by someone contracted by the resource partner (or other third party), not an employee of the resource partner?

**Answer:** Yes. For the Women’s BusinessCenter program, up to 49 percent of the training and a third party can provide counseling. The SBDC program also allows for third parties to provide training.