

Grant Recipient Training

Part I: Administrative & Fiscal Management

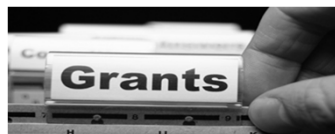


CRIME PREVENTION AND JUSTICE
ASSISTANCE DIVISION (CPJAD)
GRANTS AND PLANNING BRANCH

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Introductions

Grants & Planning Branch



Branch Chiefs:

Calleen Ching, Shaleigh Tice

Criminal Justice Planning Specialists:

Rima Ah Toong, Randi Barretto, Jennifer Cullen, Dawn Martin, Memory Tanuvasa, Courtney Velazquez

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Schedule

- Morning Session (9:00 a.m. – 12:00 noon)
 - Part I: Administrative & Fiscal Management for Project Directors & Fiscal Officers
- Afternoon Session (1:00 – 3:00 p.m.)
 - Part II: Grant Reporting Requirements



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Purpose

- Overview of grant requirements for new and experienced recipients
- Highlight new and existing grant requirements
- Information for successfully administering grant-funded projects

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Agenda

Part I: Administrative & Fiscal Management

- Program Oversight
- Fiscal Oversight
- Monitoring, Records, & Reports
- Assurances & Certifications
- Resources

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U.S. Department of Justice

- **Office of Justice Programs (OJP)**
 - Bureau of Justice Assistance (BJA)
 - Office for Victims of Crime (OVC)
 - National Institute of Justice (NIJ)
- **Office on Violence Against Women (OVW)**



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Contract Terms

- **Agency** refers to Department of the Attorney General
- **Grantee** refers to grant recipient
- **Subgrantee** refers to subrecipient with whom grantee contracts services
- **Project Periods** - federal vs. project

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I. Program Oversight

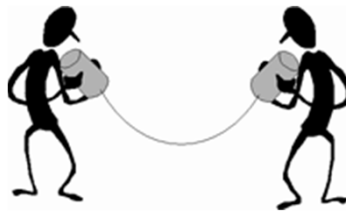
Using a TEAM Approach



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Best Practices: Coordination

- Consistent communication between Project Director and Fiscal Officer
- With other specialty offices
- With line staff
- With stakeholders



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Impact of Effective Communication

- ▶ Better coordination of activities
- ▶ Maximize use of available resources
- ▶ Reduce confusion and frustration
- ▶ Minimize delays
- ▶ Reduce expenditure problems
- ▶ Ensures that required reporting will be completed



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Roles

- **Project Directors**

Identify expectations that you have for Fiscal Officers in managing the project

- **Fiscal Officers**

Identify expectations that you have for Project Directors in managing the project

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Project Director – *Program Oversight*

1. Ensure all personnel assigned/working on the project understand objectives, activities, and data reporting requirements
2. Ensure activities are performed in a timely manner
3. Ensure appropriate documentation regarding project activities (e.g., time & activity sheets) are kept and CPJAD reporting deadlines are met

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Project Director – *Program Oversight*

4. Complete progress reports
5. Ensure compliance with Special Conditions
6. Request contract modifications
 - Final deadline for requesting modifications is 45 days prior to end of project period

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Project Director – *Program Oversight*

7. Forward training requests to CPJAD for prior approval
8. Ensure grant and match funds are fully expended
9. Keep detailed inventory list of equipment purchased

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Project Director – Program Oversight

10. Ensure that if information about the project is printed, published, or cited in a report, it indicates the project was supported by an award through NIJ, OJP, OVC, or OVW
11. Add disclaimer to printed materials:
“Points of view in these documents are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.”

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Project Director – Program Oversight

12. If delayed start within 30 days:
 - Submit reasons for delay, steps taken to initiate project, and anticipated starting date in writing to CPJAD
13. If delayed start within 90 days:
 - Report status and reason for delay (in writing), CPJAD may determine if delay is excessive and contract may be reduced or terminated

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Project Director – *Fiscal Oversight*

1. Coordinate regarding expenditures, timing of purchases/obligations
2. Conduct monthly analysis of expenditures -- determine if budget needs revision or if project period needs extension



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Project Director – *Fiscal Oversight*

3. Confirm fiscal reports are submitted **on time** (Signed hard copy due in CPJAD office by the 15th of every month)
4. Obligate funds *before* end of project period
5. Ensure obligations (encumbrances) have documentation that obligation was incurred prior to end of project period (e.g., dated purchase order or invoice)

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Project Director – *Fiscal Oversight*

6. Ensure funds which are not obligated/expended by end of project period are returned to CPJAD
7. Ensure that funds are not obligated for activities that occur *outside* of project period
8. Ensure equipment is purchased (or procurement process is started) early in the project period

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Compliance with Grant Regulations

CPJAD may withhold payments if Grantee does not:

- Reach program/project goals
- Minimize time between cash drawdowns and expenditures
- Adhere to grant requirements or Special Conditions
- Submit accurate and timely reports (i.e., fiscal and progress reports)
- Achieve timely financial reconciliation and closeout at end of project period
- Award and administer Subgrantee contracts properly

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Break Time!

10 minutes

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II. Fiscal Oversight

Fiscal Officer Responsibilities



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Fiscal Officer Responsibilities

1. Ensure acceptable and adequate accounting system and internal controls exist
2. Monitor cash balance/expenses
3. Prepare and submit financial reports to CPJAD
 - Request for Funds (RFF) – monthly
 - Project Expenditures and Obligations (PEO) – quarterly



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Definitions: Obligation vs. Expenditure

- **Obligation:** Funds not spent yet, but are committed for a specific budget item (e.g., purchase order)
- **Expenditure:** Funds that have been spent (e.g., payroll records & receipts)

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Definitions: Match Requirement

“Cash Match”

Additional funds made available by recipients of grant funds

Examples:

- State/County funds
- Equitable sharing program (federal asset forfeitures)
- Private sources
- Program income & interest from program income
- Program income from seized assets and forfeiture, etc.

“In-Kind Match”

Value of something received or provided that does not have a cost associated with it; paid or given in goods, commodities, or services instead of money

Examples:

- Donated space
- Volunteer time

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Program Income

Income earned as direct result of grant award

- Must receive prior approval from CPJAD to earn program income for VOCA project
- Must be reported on quarterly PEO
- Must go back to support project activities **with** CPJAD prior approval
- Used only for allowable program costs/expenses

Any income earned during project period, but *not* utilized **must** be returned to CPJAD

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Indirect Costs

Direct Costs: Costs for activities or services that benefit a specific project (e.g., staff salaries, equipment, supplies)

Indirect Costs: Costs of an organization that are not readily assignable to a particular project, but are necessary to operation of organization and performance of project
(DOJ 2017 Financial Guide)

- Costs usually treated as indirect:
 - Rent
 - Facility operation and maintenance
 - Utilities
 - Telecommunications (e.g. organization's phone system)
 - Administrative staff working across agency programs

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Indirect Costs Documentation

- **Federal Indirect Cost Rate:**
 - Approved by a Federal agency
 - Submit award letter and supporting documentation to CPJAD prior to budget approval
- **10% De Minimis**
 - Certification of 10% de minimis indirect cost rate
- **CPJAD Indirect Cost Computation Worksheet**
 - Identifies cost base (MTDC, direct salaries and wages, direct salaries and wages plus fringe)
 - Lists direct costs in budget that are being used to calculate amount that can be applied to indirect costs for that project

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Indirect Costs Documentation

• Program Activities

- Include as line item on budget justification form
- Identify which items indirect cost amount will be applied towards
- Include only costs allowable under grant program (e.g. VOCA)

Other		3,347	Other category includes staff training, resident's assistance not covered by the shelter's supplies and provisions which includes childcare, limited car repairs, gas cards, etc.
Indirect Cost (De minimis Rate 10%)		5,000	Modified Total Direct Cost = \$50,000 x 10% de minimis rate. This is to be used to cover cost of Salaries & Fringe Benefits for the Administrative Staff.
Total:		52,018	

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Request for Funds & Cash Balance Report (RFF)

PURPOSE:

1. Mechanism for grantees to request funds on a monthly basis – based on project's need and anticipated use of funds
2. Monitor cash balance

(Example)

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**DEPARTMENT OF THE ATTORNEY GENERAL
REQUEST FOR FUNDS AND CASH BALANCE REPORT**

check one: ☒ MONTHLY DRAWDOWN (due at CPJAD by the 15th day of each month)
☐ FINAL DRAWDOWN (due at CPJAD by the 30th day after project end date)
☐ FINAL REPORT (due at CPJAD by the 60th day after project end date)

PROJECT NO. 16-VA-25

PROJECT TITLE: Trafficking Victim Case Management REPORT NO. 3

PART A. REQUEST FOR GRANT FUNDS

	GRANT	AGENCY MATCH	TOTAL
1. AMOUNT OF GRANT AWARD	\$ 50,000	\$ 12,500	\$ 62,500
2. PERCENT OF TOTAL GRANT	80%	20%	100%
3. ADVANCES REQUESTED TO DATE	\$ 8,000	Leave Blank	Leave Blank
4. BALANCE OF AWARD AVAILABLE	\$ 42,000	Leave Blank	
5. AMOUNT OF THIS REQUEST	\$ 2,000	Leave Blank	

Round to nearest dollar, w/ exception of final report

For State Agencies -- transfer of funds to Appropriation Code: _____

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PART B. CASH BALANCE REPORT

	GRANT	AGENCY MATCH	TOTAL
1. TOTAL CASH RECEIVED AS OF <u>9/30/2017</u>	\$ 6,000.00	Leave Blank	Leave Blank
2. LESS: CUMULATIVE EXPENDITURES AS OF <u>9/30/2017</u>	\$ 10,000.44	\$ 1,000.56	\$ 11,001.00
3. ENDING CASH BALANCE	\$ -4,000.44	Leave Blank	Leave Blank

I CERTIFY THAT THE INFORMATION CONTAINED HEREIN ABOVE IS IN ALL RESPECTS TRUE AND CORRECT, AND THAT THE INFORMATION BEING MADE ARE IN ACCORDANCE WITH THE GRANT AWARD CONTRACT FOR PROJECT NO. _____

ADMINISTERING AGENCY: YMCA

AGENCY ADDRESS: 100 AB

SIGNATURE OF AUTHORIZED AUTHORITY: _____ DATE: 10/10/2017

TYPED NAME & TITLE: Jane D

PREPARER NAME: John Smith PHONE #: 808-867-5309 FAX #: 808-867-5310

Amount of cash received as of reporting date

Actual expenditures

FOR USE BY THE DEPARTMENT OF THE ATTORNEY GENERAL ONLY

Payment Approved: _____

Goods/Svs. Satisfactorily Received: _____

By: _____

Date Goods/Svs. Received: _____

Date Invoice Received: _____ Specialist _____

AG/CPJAD #7 3/2015

SUBMIT ORIGINAL AND 2 COPIES

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Request for Funds & Cash Balance Report (RFF)

- Submit completed RFF form (one original and two copies), even if no funds are being requested
- Due at CPJAD by the 15th of each month
- Forms available on-line at:
<http://ag.hawaii.gov/cpja/gp/>
- Drawdown requests should be based upon least amount needed for disbursements/reimbursements to be made *immediately or within 10 days* to ensure that Federal cash on hand is kept to minimum

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Project Expenditures and Obligations Report (PEO)

PURPOSE:

1. CPJAD and Grantee to monitor project expenditures
2. Help ensure project funds are spent in a timely manner, within budget, and by end of project period
3. Information collected is required by Department of Justice (DOJ), Office of the Chief Financial Officer, for federally funded projects

(Example)

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**DEPARTMENT OF THE ATTORNEY GENERAL
PROJECT EXPENDITURES & OBLIGATIONS REPORT**

RPT. # 1

PROJECT TITLE: Trafficking Victim Case Management PROJECT # 16-VA-25

REPORTING PERIOD: CALENDAR QUARTER ENDING: 9/30/2017

PART A. EXPENDITURE CATEGORIES				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
SALARIES & WAGES	\$45,000.00	\$9,200.00		\$35,800.00
FRINGE BENEFITS	\$10,000.00	\$1,301.00		\$8,699.00
CONSULTANT SERVICES/CONTRACTS	\$3,500.00			\$3,500.00
TRANSPORTATION/SUBSISTENCE	\$3,000.00	\$400.00		\$2,600.00
OFFICE SUPPLIES	\$1,000.00	\$200.00		\$800.00
EQUIPMENT				\$0.00
OTHER COSTS				
1.				\$0.00
2.				\$0.00
List Total Other Cost from Page 2				\$0.00
EXPENDITURE TOTAL	\$62,500.00	\$11,101.00	\$0.00	\$51,399.00
PROGRAM INCOME SOURCES:				
1.				\$0.00
2.				\$0.00
PROGRAM INCOME TOTAL	\$0.00	\$0.00		\$0.00
GRAND TOTAL	\$62,500.00	\$11,101.00	\$0.00	\$51,399.00

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Annotations:

- Total approved budget (Fed Award + Match)
- Report any program income
- Must match Grand Total in Part B

Project Expenditures and Obligations Report (PEO)

2.				\$0.00
List Total Other Cost from Page 2				\$0.00
EXPENDITURE TOTAL	\$62,500.00	\$11,101.00	\$0.00	\$51,399.00
PROGRAM INCOME SOURCES:				
1.				\$0.00
2.				\$0.00
PROGRAM INCOME TOTAL	\$0.00	\$0.00		\$0.00
GRAND TOTAL	\$62,500.00	\$11,101.00	\$0.00	\$51,399.00

PART B. SOURCE OF FUNDS				
	APPROVED BUDGET	EXPENDITURES TO DATE	UNPAID OBLIGATIONS	BALANCE
GRANT FUNDS: 0%	\$50,000.00	\$10,000.44		\$39,999.56
AGENCY MATCH: 0%	\$12,500.00	\$1,000.56		\$11,499.44
SUBTOTAL	\$62,500.00	\$11,001.00	\$0.00	\$51,499.00
PROGRAM INCOME	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL	\$62,500.00	\$11,001.00	\$0.00	\$51,499.00

I CERTIFY THAT THIS IS A TRUE AND CORRECT STATEMENT OF EXPENDITURES AND OBLIGATIONS OF THE PROJECT IDENTIFIED ABOVE FOR THE PERIOD NOTED AND THAT THE APPROPRIATE DOCUMENTATION TO SUPPORT THESE EXPENDITURES AND OBLIGATIONS ARE AVAILABLE IN:

ADMINISTERING AGENCY: YMCA

PREPARER: John Smith PHONE:

SIGNATURE OF AUTHORIZED AUTHORITY:

10/10/2017

Annotations:

- Expenditures must be same as Expenditures listed on RFF

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Project Expenditures and Obligations Report (PEO)

- Submit completed PEO form (one original and two copies)
- Due quarterly at CPJAD: By the 15th of April, July, October, & January
- Forms available on-line at:
<http://ag.hawaii.gov/cpja/gp/>

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What are some reasons for “kicking back” RFF reports?

RFF common errors:

- Incorrect report number
- Incorrect reporting month
- Agency match not included
- Part B. Total Cash received shows a date before the check was sent out

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What are some reasons for “kicking back” PEO reports?

PEO common errors:

- Incorrect report number
- Incorrect reporting quarter
- Agency match not included in approved budget
- Page 2 of other costs is missing
- Part A and Part B totals do not match

Part B of RFF must match
Expenditures to Date section on
Part B of PEO

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CPJAD Restrictions

- Overtime
- Fringe benefits
- Travel & ground transportation
- Equipment
- Payment for unused accrued vacation



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Federal Unallowable Costs

- Fundraising
- Lobbying
- Costs incurred outside project period
- Food & beverage expenditures*
- Replacing lost, damaged, theft of equipment (*willfully or negligently*)
- Gifts (i.e., honorarium, lei)
- Entertainment



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Allowable Project Expenditures

- Procurement of goods & services
- Equipment
- Computer hardware & software
- Personnel & fringe benefits
- Consultants (\$650/day or \$81.25/hour)*



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Allowable Project Expenditures

- Training, travel, per diem rate (lodging & food), ground transportation, baggage fees and related costs
- Sole source – over \$150,000 prior approval is needed
- Conference related activity costs (must adhere to training/conference planning cost thresholds and conditions)*

**Some exceptions and/or additional restrictions apply, ask your Specialist for more information*

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Training/Conference Planning Cost Thresholds

- Meeting room/audio-visual services: lesser of \$25 per day per attendee or \$20,000
- Printing: every effort should be made to provide conference materials to participants electronically or via print-on-demand services/options

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Training/Conference Cost Thresholds

- Logistical planners: lesser of \$50 per attendee or \$8,750
- Programmatic planners: lesser of \$200 per attendee or \$35,000
- Food and refreshments (not allowed)

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Modifications

Grantee submits written request & revised contract sections to CPJAD to revise any aspect of project

Other Change
in PD or Financial Officer

End Date:
Include revised timeline

Description:
Changes to project's goals, objectives, activities, evaluation

Budget Changes if:
- Budget line item exceeds total category by 5% or more
- Moving monies into any budget category with a \$0 dollar amount

Deadline: Grantee may request modifications up to 45 days before the project end date

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Budget Modification

Purpose: To amend approved budget

- Change in excess of 5% of total category including match obligation; latest request due 45-days prior to project end
- Change in price and/or quantity
- New unapproved budget items
- Source of in-kind/cash match changes
- MUST BE DONE PRIOR TO EXPENDITURE

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Effective Coordination & Communication between PD & FO

1) Budget Benchmarks

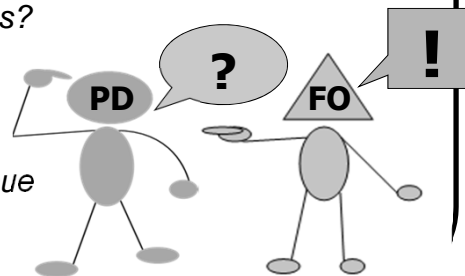
Are we expending in a timely manner?

2) Modifications

Do we need to readjust cost categories to reflect project's actual expenses?

3) Sustainability of Project

Will we be able to continue the project?



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III. Monitoring, Records, & Reports

- **Monitoring Projects**
- **Master Project File**
- **Fiscal Administration File**



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CPJAD Monitoring Activities

- Project self-assessment form - (Example)
- Desk monitoring
- Enhanced programmatic desk review
- On-site monitoring of program & fiscal records



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CPJAD On-Site Monitoring Activities

- Conduct entrance interview
- Review programmatic, administrative, and basic financial information on grant
- Interview with project staff
- Conduct exit interview
- Monitoring report issued

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Top 10 CPJAD Monitoring Findings

1. **Lack of communication between Project Director & Fiscal Officer**
2. Missing documentation
3. Project Director does not regularly review fiscal reports
4. Time & activity sheets improperly maintained
5. No system to track client/outcome data

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Top 10 CPJAD Monitoring Findings

6. Untimely expenditures/project activities
7. Fiscal reports not submitted on time and incorrect
8. Progress reports not submitted on time
9. Inadequate monitoring of subrecipients
10. Commingling of grant funds

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Required by Office of Justice Programs (OJP)

- Award/contract
- Books of original entry
- General ledger
- Subsidiary ledgers
- Personnel & payroll ledgers
- Source documents supporting accounting transactions

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Examples of Source Documents

- Cash receipts
- Cancelled checks
- Invoices sent and received
- Credit memos/reimbursements
- Employee/volunteer time and activity sheets
- Overtime records

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Examples of Source Documents (cont'd)

- Approval/completed travel
- Data tracking sheets (e.g., client, outcomes, trainings)
- Car usage log for leased vehicles
- Contracts with subgrantees
- Memoranda of Agreement (MOA)



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Master Project File

Maintained by **Project Director**
(or **Project Manager**)

- **Organized**
By sections; chronological order
- **Neat**
Documents necessary for master file
- **Complete**
Contract, Supplemental Agreement, etc.



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Master Project File

1	Contract & Application for Grant	5	Sole Source (Restrictive Purchase)
2	Supplemental Agreement	6	Project Modification Request/Approval
3	Fiscal Reports (RFFs, PEOs)	7	Project Equipment Inventory
4	Progress Reports (6 month, PMT, annual)	8	Loss, Damage, Theft of Equipment Report

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Master Project File

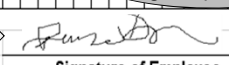
9	Correspondence: POS, CPJAD, Fiscal Office, Delayed Correspondence, etc.	11	Training Agendas
10	Monitoring Reports	12	Time and Activity Sheets (Example) - Certification of Grant-Funded Employment (if applicable)

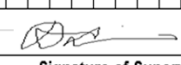
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Employee Time and Activity Sheet																																									
Grant No.																																									
Agency Name: Happy Place, Inc.																Employee Name: Jane Doe.																Month / Year: 3/2018									
Description of Work Activity	Day of the Month																																								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31										
Grant Activities																																									
Client Meetings																																									
Documentation of Client Services																																									
Legal Advocacy																																									
Education Advocacy																																									
Medical Advocacy																																									
Victims' Compensation Claims Assistance																																									
Victims' Support Group Facilitation																																									
Collaboration with Other																																									
Community Outreach																																									
Supervision																																									
VOCA administrative duties/documentation																																									
Training																																									
Non-VOCA Hours																																									
Total Hours																																									
Vacation / Sick Leave / Holiday																																									
Paid Time Off/ Holiday																																									
Unpaid Leave																																									
Total Hours																																									

Activity must be allowable under grant program and reflect the project's scope

Fringe benefits must be allowable under grant program


 Signature of Employee


 Signature of Supervisor

Fiscal Administration File

Maintained by **Fiscal Officer**

- **Organized**

By sections; chronological order

- **Neat**

Documents necessary for fiscal file

- **Complete**

Contract, Supplemental Agreement, RFFs, PEOs, monthly ledger, etc.



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Fiscal Administration File

- Contract & application for grant
- Project modification request/approval
- Receipts & invoices (includes OT, travel, etc.)
- General ledger
- Correspondence
- Financial reports submitted to CPJAD

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Subrecipient Monitoring

Required process – Proper oversight of subawards by Recipient to ensure grant compliance by Subrecipient

Includes collection and review of:

- Financial reporting systems and supporting documentation
- Federal reports and tracking systems
- Time and activity sheets



© Can Stock Photo

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Retention of Records & Reports

Retention & Access Requirements of Records

- Federal/State examination & audit – **Three years*** following date of submission of final Federal Financial Report (SF-425) by CPJAD
- Coverage
- Access to all records

*May need to retain for longer if notified for purposes such as, litigation, claim, negotiation, audit, or other action

-- DOJ 2017 Financial Guide

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Break Time!

10 minutes

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IV. Assurances & Certifications

Conditions that follow the funds



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Assurances & Certifications

Failure to Meet Assurances & Certifications:

- Suspension of payment
- Suspension of grant activities
- Termination of contract
- Prohibited from receiving any future grant awards for a specified period not to exceed 5 years

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Assurances & Certifications

- A. Signed by Department Head, Chief of Police, or Chief Executive Officer
- B. Submitted with contract
- C. Contract requirement
- D. May differ due to source of federal award

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Assurances & Certifications

1. General Conditions	6. Lobbying*
2. Special Conditions	7. Confidential Funds*
3. Non-Supplanting	8. Non-Discrimination
4. Drug-Free Workplace*	9. Procedures for Discrimination Complaints*
5. Debarment, Suspension, Ineligibility, and Voluntary Exclusion	10. Equal Employment Opportunity Policy and Plan*
	11. Other – Depends on Grant (VAWA, Coverdell, etc.)

**Certification required depending on grant amount or agency status*

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General Conditions

- Conditions attached to funding source are carried through to Grantee
- General and fiscal regulations of CPJAD
- Termination of contract, discontinuation of payment, non-availability of funds

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Special Conditions

- Special Conditions attached to funding source are carried through to Grantee
- Reporting requirements of CPJAD *and* grant program
- Funds subcontracted to faith-based organizations
- Reporting fraud, waste, abuse, and similar misconduct

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Confidentiality

- Grantees must, to the extent permitted by law, reasonably protect confidentiality and privacy of clients
- Client information cannot be shared without informed, written, reasonably time-limited consent of client
- Federal definition of Personally Identifying Information (PII) is broad
- Check your General and Special Conditions and grant rules/regulations for specific restrictions of your grant

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Non-Supplanting

- Prohibits use of grant funds for supplanting state and local funds
- Federal funds must be used to supplement existing funds for program activities, and *not* replace those funds appropriated for same purpose

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Drug-Free Workplace

**Applies to state agencies ONLY*

- Must certify maintenance of a drug-free workplace
- Drug-Free Workplace program policies must be posted and distributed to employees
- Policies include:
 - Notify employer within 5 days of incident
 - Notify CPJAD within 10 days of reported incident
 - Take appropriate action within 30 days of incident
 - Required drug abuse assistance rehabilitation

**THIS COMPANY
PROMOTES A
DRUG FREE
ENVIRONMENT**

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Debarment, Suspension, Ineligibility, and Voluntary Exclusion

- Federal policy to conduct business only with responsible persons
- Debarment or suspension of a participant in program by one agency has government-wide effect

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Lobbying

Anti-Lobbying Act

- A. No federal funds may be used, either directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy at any level of government

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Lobbying

Anti-Lobbying Act (cont'd)

- B. Anti-lobbying restrictions are enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity

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Certification of Non-Discrimination

- Specific non-discrimination requirements that follow grant programs (e.g., DOJ Non-discrimination Regulations)
 - Title VI of the Civil Rights Act of 1964
 - Omnibus Crime Control and Safe Streets Act of 1968 as amended
 - Section 1407 of the Victims of Crime Act of 1984
 - Title IX of the Education Amendments of 1972



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Certification of Non-Discrimination

- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990
- Age Discrimination Act of 1975
- Executive Order 13166 (national origin)
- Executive Order 13279 and 28 C.F.R. pt 38 – Faith Based – Equal Treatment
- Nondiscrimination Grant Condition in the Violence Against Women Act (VAWA) Reauthorization of 2013

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Certification of Non-Discrimination

Summary

- Protected Classes:

Race

Age

Color

Sex

National Origin

Gender Identity (VAWA)

Religion*

Sexual Orientation (VAWA)

Disability

*(*Sincerely held ethical or morally held beliefs.)*

- **Reminder:**

DOJ defines program or activity as the whole organization that receives federal funds. If one unit of the organization receives a grant, the entire organization is covered. Same applies to Subgrantees.

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Faith-Based Organizations

- DOJ Regulations for FBO Guidance
(*Revised April 4, 2016*)
- New Notice & Referral Requirements
 - Written notice inclusions
 - Beneficiary objections
 - Sample notice & beneficiary referral request

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VAWA Reauthorization Act of 2013

- Definition
- Sex segregated programming vs. sex specific programming
- Necessary to essential operations
- Comparable services
- Gender identity
- Serving transgender clients

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Certification of Non-Discrimination

National Origin Discrimination

Limited English Proficiency (LEP)

- Includes discrimination on the basis of Limited English Proficiency
- Person has a first language other than English and a limited ability to read, speak, or understand English



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Certification of Non-Discrimination

Language Access Plan:

- Reasonable step(s) taken
- Ensures meaningful access
- Free of charge
- Establishes & implements policies and procedures

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Certification of Non-Discrimination

Language Access Plan – 4 Factor Analysis:

- # or % of LEP persons likely to be encountered
- Frequency of LEP persons' contacts
- Nature and importance of program to people's lives
- Resources available and costs

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Certification of Non-Discrimination

Written Language Access Plan should have 6 elements:

- 1) Process for identifying LEP persons who need language assistance
- 2) Information about available language assistance measures
- 3) Training for staff
- 4) Notice to LEP persons
- 5) Monitoring and updating Language Access Plan
- 6) Language Access Plan Coordinator

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Certification of Non-Discrimination

- More information available at OJP, Office for Civil Rights website:
www.ojp.usdoj.gov/ocr/
- Information on Language Access available via State Office on Language Access:
<https://health.hawaii.gov/ola>

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Procedures for Discrimination Complaints

- DOJ, Office for Civil Rights is required by law to investigate complaints of discrimination filed against recipients of financial assistance from OJP, its component organizations, or COPS

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Procedures for Discrimination Complaints

- Grantee/Subgrantee civil rights complaint responsibilities:
 - Have a coordinator
 - Make beneficiaries aware that they may complain to agency, CPJAD, or OCR
 - Have process to investigate complaints
 - Notify CPJAD / OCR

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Equal Employment Opportunity Policy and Plan

- What is an EEOP?
 - Compares agency's workforce to relevant labor market
 - Analyzes agency employment practices to determine impact on race, sex, or national origin
 - Tool to identify problem areas where discrimination may be occurring

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Certificate for Title

An inventory of supplies and equipment purchased during project period must be submitted to CPJAD at the end of the project period. The inventory should include a list of equipment and unused supplies purchased, costs, and identification numbers (if applicable). If a project has received more than one award, a cumulative inventory of equipment should be kept.

Must be submitted within 60 days after project end date

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Certification of Grant-Funded Employment

Per Title 2 Code of Federal Regulations (CFR) Part 225, Cost of Principles for State, Local, and Indian Tribal Governments, Appendix B, Selected Items of Cost

- For Employees who work solely on single Federal award or cost objective
- For charges for salary and wages of named employee(s) supported by this certification for period covered
- **CPJAD will not collect this form; should be available during monitoring**

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Audit Requirements

- Agencies that expend \$750,000 or more in Federal funds (from all sources) in the organization's fiscal year are required to arrange for a single organization-wide audit conducted in accordance with provisions of Title 2 C.F.R. Subpart F
- Audit reports due no later than 9 months after close of each fiscal year during term of award

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Liability Insurance Requirement

- Minimum amount: \$2 million in commercial general liability insurance
 - \$1 million per occurrence; \$2 million in aggregate in general liability
 - \$1 million per accident in automobile
- Additional insured: Department of Attorney General, State of Hawaii named as an additional insured
- Dates: Effective beginning with contract start date, not contract execution date

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V. Resources

DOJ Financial Guide (Dec. 2017):

http://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf

CPJAD Grant Manuals:

Coverdell
VOCA

JAG
VAWA

RSAT

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V. Resources

Websites:

- **Office of Justice Programs**
www.ojp.gov/
- **Office on Violence Against Women**
www.justice.gov/ovw
- **Office for Civil Rights**
www.ojp.gov/about/offices/ocr.htm
- **Crime Prevention & Justice Assistance**
www.ag.hawaii.gov/cpja

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Questions/Activity



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Wrap-Up



Please fill out
evaluations for
Part 1: Administrative
& Fiscal Management

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Locations for Afternoon Sessions

Please return promptly at 1:00 p.m. for
Part II: Reporting Requirements --

- VOCA: LAK 204
- VAWA/SASP: LAK 203
- Coverdell: LAK 200
- JAG: LAK 302

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Lunch Time!

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