



WASHOE COUNTY

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CM/ACM
 Finance
 DA
 Risk Mgt.
 HR
 Grants Mgt.

STAFF REPORT

BOARD MEETING DATE: January 12, 2016

DATE: November 23, 2015
TO: Board of County Commissioners
FROM: Amber Howell, Director, Department of Social Services
ahowell@washoecounty.us 775.785.8600
THROUGH: Kevin Schiller, Assistant County Manager
SUBJECT: Accept a Sub-grant Award from the State of Nevada Division of Child and Family Services in the amount of \$17,254.00 (no County match required) to support, enhance and expand the mission of the Child Advocacy Center; retroactive to November 1, 2015 through June 30, 2016. Approve \$1,000.00 for Non-County Employee Travel and authorized the Department to execute the Sub-Grant Award and direct the Comptroller's Office to make the necessary budget adjustments.
 (All Commission Districts)

SUMMARY

The Department is requesting approval to accept a Sub-grant Award from the State of Nevada Division of Child and Family Services in the amount of \$17,254.00. The grant funds will be used to purchase needed supplies for the Child Advocacy Center and to provide for training expenses. The award is being accepted retroactively as the Department received the Notice in late November.

Strategic Objectives supported by this item: Safe, Secure & Healthy Communities

PREVIOUS ACTION

No previous action.

BACKGROUND

The Child Advocacy Center of Northern Nevada is a collaborative effort between multiple agencies: Washoe County District Attorney, Reno Police, Washoe Sheriff's Office, Sparks Police, Washoe Department of Social Services et al. The goal of these many partnering agencies is to decrease the number of people a child must speak with during the investigative process and to provide a safe child-centered environment that minimizes trauma to the child.

AGENDA ITEM # 8F2

Funding provided through the Children's Justice Act sub grant will support purchases to further enhance the child-friendly atmosphere of the facility and to provide staff training.

GRANT AWARD SUMMARY

Project/Program Name: *Child Advocacy Center*
Scope of the Project: *Purchase facility supplies & upgrades. Personnel training.*

Benefit to Washoe County Residents: *Child Advocacy Center program improvements to include enhanced child-centered facility accommodations and improved client care through staff training.*

On-Going Program Support: *n/a*

Award Amount: *\$17,254.00*

Grant Period: *November 1, 2015 to June 30, 2016*

Funding Source: *Children's Justice Act*

Pass through Entity: *State of Nevada, Division of Child and Family Services*

CFDA Number: *93.643*

Grant ID Number: *14-CJA-16-005 (State), G-1401NVCJA1 (Federal)*

Match Amount and Type: *None.*

Sub-Awards and Contracts: *None*

FISCAL IMPACT

Should the board authorize acceptance of this grant award, the Department's FY16 adopted budget will be increased in both revenues and expenditures in the following accounts:

IO# TBD	431100 – Federal Grant Revenue	\$ 17,254.00
IO# TBD	710100 – Professional Services	\$ 3,500.00
IO# TBD	710300 – Operating Supply	\$ 8,854.00
IO# TBD	710509 – Seminars & Meetings	\$ 2,650.00
IO# TBD	711210 – Travel	\$ 1,250.00
IO# TBD	711213 – Travel (Non County)	\$ 1,000.00

RECOMMENDATION

Accept a Sub-grant Award from the State of Nevada Division of Child and Family Service in the amount of \$17,254.00 (no County match required) to support, enhance and expand the mission of the Child Advocacy Center; retroactive to November 1, 2015 to June 30, 2016. Approve \$1,000.00 for Non-County Employee Travel and authorize the Department to execute the Sub-Grant Award and direct the Comptroller's Office to make the necessary budget adjustments.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to accept a Sub-grant Award from the State of Nevada Division of Child and Family Services in the amount of \$17,254.00 (no County match required) to support, enhance and expand the mission of the Child Advocacy Program; retroactive to November 1, 2015 through June 30, 2016. Approve \$1,000.00 for Non-County Employee Travel and authorize the Department to execute the Sub-Grant Award and direct the Comptroller's Office to make the necessary budget adjustments".

State of Nevada - Division of Child and Family Services
4126 Technology Way, 3rd Floor
Carson City, NV 89706

Notice of Sub-Grant Award

DCFS Contact:	Dorothy Edwards	DCFS Contact Phone Number:	775-684-7956
Program:	Children's Justice Act (CJA)	CFDA Number:	93.643
State Award Number:	14-CJA-16-005	Budget:	3145
		Account:	11
Type of Action:	NEW		
Legal Name:	Washoe County Dept. of Social Services	Vendor Number:	T40283400 A
Project Name:	Child Advocacy Center	Mailing Address:	P.O. Box 11130
Contact Person:	Amber Howell	Address:	Reno, NV 89502
Email Address:	ahowell@washoecounty.us	Project Address:	350 S. Center Street
Phone Number:	775-337-4488	Address:	Reno, NV 89502
Fax Number:	775-337-4476	Tax ID:	88-6000138

Project Period:	November 1, 2015 through June 30, 2016	Federal Award Number
Year One:	November 1, 2015 through June 30, 2016	G-140INVCJA1
Year Two:		
Year Three:		
Year Four:		

Approved Categories and Budget by Year:

Category	YEAR 1	YEAR 2	YEAR 3	YEAR 4	TOTAL
Personnel	\$0	\$0	\$0	\$0	\$0
Operating	\$11,504	\$0	\$0	\$0	\$11,504
Travel	\$2,250	\$0	\$0	\$0	\$2,250
Equipment	\$0	\$0	\$0	\$0	\$0
Contractual	\$3,500	\$0	\$0	\$0	\$3,500
Other (Admin)	\$0	\$0	\$0	\$0	\$0
Total State Share	\$17,254	\$0	\$0	\$0	\$17,254
Match	\$0	\$0	\$0	\$0	\$0
Total Program Cost	\$17,254	\$0	\$0	\$0	\$17,254

In accepting these grant funds, it is understood that:

- Expenditures must comply with appropriate State and / or Federal regulations.
- This award is subject to the availability of appropriate funds.
- Grantee agrees to provide an independent financial and compliance audit in accordance with State and Federal requirements.
- Recipients of these funds agree to the stipulations on the attached Additional Requirements.

Washoe County Dept. of Social Services	Authorized Signature:	Date:
DCFS FPO Grants Management Unit	Authorized Signature:	Date:
DCFS Administration	Authorized Signature:	Date:

Budget Request and Justification Form

Date:	11/1/2015
Agency Name:	Washoe County Department of Social Services
Project Name:	Child Advocacy Center
Grant Award Name:	Children's Justice Act

Budget Request and Justification

Budget Categories	Year 1	Year 2	Year 3	Total
Personnel	\$0	\$0	\$0	\$0
Operating	\$11,504	\$0	\$0	\$11,504
Travel	\$2,250	\$0	\$0	\$2,250
Equipment	\$0	\$0	\$0	\$0
Contractual	\$3,500	\$0	\$0	\$3,500
Other (Admin)	\$0	\$0	\$0	\$0
Total	\$17,254	\$0	\$0	\$17,254
Match	\$0	\$0	\$0	\$0
Total + Match	\$0	\$0	\$0	\$0

Justification:

The Children's Advocacy Center is newly operational and additional equipment to conduct child abuse and neglect investigations is needed; training for staff regarding forensic interviewing, child fatality investigations, and courtroom testimony to improve prosecution outcomes is a critical need for investigative and CAC workers.

State Award Number: 14-CJA-16-005

SCOPE OF WORK FORM

AGENCY/LEGAL NAME: Washoe County Department of Social Services

PROJECT NAME: Children's Advocacy Center

DATE: November 1, 2015

STATE AWARD NUMBER: 14-CJA-16-005

Target Population: Victims of Sexual Abuse
 Please complete a Scope of Work Form for each target population you propose to serve.

Goal: Global Problem Statement	Objective and Timeframe:	Documentation: (How will it be measured?)	Projected Services #:	Cost:
<p>1. The first CAC was established in 1985 by the District Attorney, now Congressman Bud Cramer of Huntsville, Alabama. Since 1985, over 800 CAC's have been created nationwide. We now have the opportunity to bring a CAC to Northern Nevada.</p> <p>A collaborative effort, the CAC is supported by:</p> <ul style="list-style-type: none"> • Washoe County District Attorney • Reno Police Department • Washoe County Sheriff's Office • Sparks Police Department • Department of Social Services • The CARES/SART program (Child Abuse Response & Evaluations/ Sexual Assault Response Team) <p>The Child advocacy center is designed to reduce the number of interviews and decrease the number of people who will speak with the child.</p>	<p>Enhance and expand the mission of the Child Advocacy Center is to ensure the health and safety of the child through a neutral, child-centered environment designed to minimize trauma to the child, provide advocacy for the child and non-offending caregivers and support effective investigations through June 30, 2016</p>	<p>Tracking the number of interviews conducted with victims and track number of allegation due to sexual and physical abuse that are brought in to the center. This will be measured annually.</p>	<p>TV \$2,600 (4) Chairs \$700 (2) End tables \$460 (2) Cameras \$2,000 Upgrade Super SASS (5 years) \$294 Toys for Children \$2,000 Printing and DVD's \$800 Forensic Interviewer training \$2,000 for CAC personnel</p>	<p>1. Operating: \$11,504</p>

<p>it is a child-friendly interview center where children of all ages come to talk to a trained interview specialist about allegations of child abuse, specifically sexual abuse.</p> <p>When children are brought into the center, the child will wait in a room equipped with toys, games, and books.</p> <p>The interview rooms (which are video camera equipped to lessen the number of interviews) are designed to make the child feel comfortable with child-size table and chairs, the room has a video camera.</p>				
<p>2. All child fatalities are assigned to CAC staff members. Two new staff joined the team and need fatality training. No local training is available so staff will need to travel out of area.</p>	<p>WCDSS will require two new CAC staff members to attend child fatality training.</p>	<p>Number of staff trained.</p>	<p>It is anticipated this training will enhance CPS investigator skill in conducting child fatality investigations.</p>	<p>2. Travel (to Las Vegas for two staff members 2 days): \$1,250</p> <p>Operating (Training fee): \$650</p>
<p>3. Child welfare workers are required to provide court testimony in both criminal and civil court proceedings in an often hostile environment. Training to improve courtroom testimony to support prosecution is needed.</p>	<p>WCDSS will hire a consultant to train staff to improve court testimony skill and competency.</p>	<p>Number of staff trained.</p>	<p>Improved court testimony supporting prosecution</p>	<p>3. Contractual Training (vendor): \$3,500</p> <p>Travel (vendor): \$1,000</p>
<p>Admin. Costs @ %</p>				<p>5. Other (Admin): \$0.00</p>
<p>TOTAL \$17,254.00</p>				

Request for Funds Instructions

When submitting monthly Request for Funds (RFF) to the Grants Management Unit (GMU), it's **required** to include the signed Monthly Financial Status and Request for Funds Report, Microsoft Excel Workbook, Breakdown of Expenditures, and Match breakdown (if grant award requires match) to FundsRequest@dcfs.nv.gov by the 15th of each month. All other supporting documents such as receipts, statements, and time-sheets should be kept on file for review during the annual on-site review. If RFF's are not submitted by the 15th of each month the designated Grants & Project Analyst (GPA) assigned to the specific grant award must be contacted.

James T. Thorne - jthorne@dcfs.nv.gov
Child Abuse and Neglect (CANS)
Child Death Review (CDR)
Children's Justice Act (CJA)
Regional Partnership Grant (RPG)
Title IV-B Subpart II (IVB)
Title IV-B-2 Caseworker (IVB-CW)
(Vacant) - Please contact Heather or James
Family Violence and Prevention Services Act (FV)
Marriage License (ML)
State Victim Assistance Academy (SVAA)
Victims of Crime Act (VOCA)

The Breakdown of Expenditures and Match included with the monthly RFF must be clear, accurate, allowable, and equal to the amounts requested in their respective categories. If upon review the GPA assigned to the grant/sub grant determines that it's not clear, correct, and/or complete, the GPA will contact the sub grantee for clarification or to inform them of any corrections required.

When submitting the RFF, please only send to FundsRequest@dcfs.nv.gov. Do not send to the individual GPA who oversees the specific sub grant. Failure to submit all components will result in a delay of your reimbursement. Please see attached an example of a monthly RFF, Breakdown of Expenditures, and two Match examples. To ensure accuracy and completeness all items numbered on the monthly RFF must be complete. For questions please contact the designated GPA. Thank you.

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Heather Lyons - Hlyons@dcfs.nv.gov
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STATE OF NEVADA DEPARTMENT OF HUMAN RESOURCES
 DIVISION OF CHILD AND FAMILY SERVICES
 MONTHLY FINANCIAL STATUS AND REQUEST FOR FUNDS REPORT

FOR STATE USE ONLY
 Job#: _____ BA# 3145 Category #: 17 CFDA #: 93.556

CONTACT INFORMATION
 Subgrantee: Sample Agency Email address: sampleagency@yahoo.com
 Street/P.O. Box: P.O. Box 9999 Telephone: 775 989-9999
 City: Reno Fax: 775 888-8888
 Zip Code: 89511 Tax ID Number: 88-888888
 Contact Person: Jane Smith Fiscal Agent: N/A

GRANT REPORTING INFORMATION
 State Grant #: IVB-3145/17 SFY03-07 989 Month _____ Year _____
 Award Period: 7/1/05 to 6/30/06 Report Period: July 2005
 Final Report: yes no Prepared by: Mary Jones
 Amended Report: yes no

EXPENDITURES

Category	Approved Budget	Previously Reported Expenditures	⁴ and ⁷ Current Period Expenditures	Year to Date Costs	Budget Balance	Percent Expended
Personnel	\$ 10,000	\$ -	\$ 1,500	\$ 1,500	\$ 8,500	15%
Operating	5,000	-	1,000	1,000	4,000	20%
Equipment	-	-	-	-	-	N/A
Contractual	2,500	-	450	450	2,050	18%
Other (Admin 5%)	1,000	-	150	150	850	15%
SUBTOTAL	18,500	-	3,100	3,100	15,400	17%
Required Match	6,500	-	1,100	1,100	5,400	17%
TOTALS	25,000	-	4,200	4,200	20,800	17%

CASH FLOW
 Current request for advance funds (prior approval required) ⁵ _____
 Year to date total expenditures: 3,100
 Less: prior reimbursements received: _____
 Less: expenses applied to advance: ⁶ _____
CURRENT REQUEST: \$ 3,100
 Total grant award: \$ 18,560
 Less: advance funds received: ³ _____
 Less: prior reimbursements received: _____
TOTAL FUNDS AVAILABLE: 18,560
 Less: current request: 3,160
BALANCE OF REMAINING FUNDS: \$ 15,400

I certify that, to the best of my knowledge and belief the data reported represents actual receipts and actual expenditures which have been incurred in accordance with the approved grant documents, and are based on official accounting records and supporting documents which will be maintained for purposes of audit.
 Signature of Authorizing Subgrantee Official _____ Date _____ Title _____

Reimbursement is correct and accepted as presented Reviewer's initials _____ Date _____
 Reimbursement is rejected for collection. Date returned to agency: _____ By: _____
 Request is approved in the amount of: \$ _____ Job # _____ BA# _____ Category: _____
 Recommended for Payment By: _____ Title: _____ Date: _____
 Approved for Payment By: _____ Title: _____ Date: _____

BREAKDOWN OF EXPENDITURES EXAMPLE

Vendor Name: _____ Title IV-B-2 # 15-235 February

Personnel				
Position	Name	Salary	Fringe	Total
Executive Director	J. Doe	\$218.49	\$45.17	\$263.66
Program Director	K. Smith	\$218.49	\$45.17	\$263.66
Office Coordinator	T. Johnson	\$187.84	\$37.82	\$225.66
Total:				\$752.98

Operating				
Occupancy	North Brooke	2/01/15-2/28/15		\$200.00
Office Supplies	Office Depot	2/01/15-2/28/15		\$6.76
Internet/Phone	AT&T	2/01/15-2/28/15		\$19.87
Total:				\$226.63

Travel				
Name	Miles	Date	Mileage Cost	
J. Doe	42	2/01/15-2/28/15	0.51	\$21.42
K. Smith	92	2/01/15-2/28/15	0.51	\$46.92
T. Johnson	15	2/01/15-2/28/15	0.51	\$7.65
Total:				\$75.99

Contractual				
R. Wilson		2/15/2015		\$350.00
Total:				\$350.00

Other (Admin)				
None				
Total:				\$0.00

The Breakdown of Expenditures must be clear, accurate, allowable, and equal to the amounts requested in their respective categories. If upon review the GPA assigned to the grant/sub grant determines that it's not clear, correct, and/or complete, the GPA will contact the sub grantee for clarification or to inform them of any corrections required. Cooperation in this process is necessary to ensure that the RFF is completed in a timely manner and reimbursement of funds is not delayed any further. For questions regarding allowable expenditures, it is best to contact GMU before committing grant funds to any item which might be disallowable.

MATCH EXAMPLE # 1

Grants requiring Match include Chaffee (CH), Family Violence (FV), Regional Partnership Grant (RPG), Title IV-B Subpart II (including Caseworker), and Victims of Crime Act (VOCA).

MATCH		
Personnel		
Regional Director		\$875.00
Executive Director		\$113.00
Program Director		\$371.56
Office Coordinator		\$140.00
Occupancy		
Utilities	NV Energy	\$19.11
	SW Gas	\$7.77
Rent	North Brooke	\$400.00
Property Expense	Coverall Pest Control Ultimate Alarms	\$17.30
Communication		
Phone/Fax/Internet		\$50.86
Supplies		
Office Depot		\$5.28
Equipment		
Computers		\$100.00
Equipment - lease/maint		
GE Capital		\$46.80
C3 Office Solutions		\$30.16
Mileage		
J. Smith	96 miles	\$48.96
Staff Training		\$160.00
	Match Total:	\$2,385.80

As per Federal Super Circular Sec. 75.306, all contributions, including cash, third party in-kind contributions, must be accepted as part of the non-Federal entity's matching when such contributions meet all of the following criteria:

1. Are verifiable from the non-Federal entity's records;
2. Are not included as contributions for any other Federal award;
3. Are necessary and reasonable for accomplishment of project or program objectives;
4. Are allowable if the service is an integral and necessary part of an approved project or program.
5. Are not paid by the Federal Government under another Federal award, unless authorized.

Match contributions do not need to be applied at the exact time or in proportion to the obligation of the Federal funds. However, the full matching share must be obligated by the end of the award period in order to be considered for future funding opportunities.

MATCH EXAMPLE # 2

Grants requiring Match include Chaffee (CH), Family Violence (FV), Regional Partnership Grant (RPG), Title IV-B Subpart II (including Caseworker), and Victims of Crime Act (VOCA).

MATCHING FUNDS AND IN-KIND CONTRIBUTIONS FORM FOR GRANTS

Vendor Name:	Kraft Families
Grant Award Number:	Title IV-B-2 # 15-235
Report Month:	February

Date/Month:	Source of Funds: (Grant name and award number)	Description of Contribution: (items, services, funds, payroll, etc.)	Match or In-Kind:	Total:	Contribution made with Federal Funds:
February 2015	CCD BSA 1252	J. Doe Foundation	Match	\$1,200.00	No
February 2015		Client Services	In-Kind	\$2,750.00	No
February 2015		Volunteer Hours	In-Kind	\$86.50	No
Overall Total:				\$4,036.50	

As per Federal Super Circular Sec. 75.306, all contributions, including cash, third party in-kind contributions, must be accepted as part of the non-Federal entity's matching when such contributions meet all of the following criteria:

1. Are verifiable from the non-Federal entity's records;
2. Are not included as contributions for any other Federal award;
3. Are necessary and reasonable for accomplishment of project or program objectives;
4. Are allowable if the service is an integral and necessary part of an approved project or program.
5. Are not paid by the Federal Government under another Federal award, unless authorized.

Match contributions do not need to be applied at the exact time or in proportion to the obligation of the Federal funds. However, the full matching share must be obligated by the end of the award period in order to be considered for future funding opportunities.

**ADDITIONAL REQUIREMENTS AGREED TO BY SUB GRANTEE IN
RECEIVING FUNDS PURSUANT TO THIS AWARD OR IN APPLICATION
FOR SAME**

1. The sub grantee agrees to abide by all appropriate provisions and procedures of the Division of Child and Family Services (DCFS).
2. The sub grantee agrees to comply with arrangements for review of accounting procedures, back-up documentation and programmatic information, as initiated by DCFS.
3. The sub grantee agrees to facilitate and participate in annual on-site reviews, where fiscal and programmatic documents will be reviewed and discussed.
4. The sub grantee agrees to comply with the Basic Accounting Requirements.
5. The sub grantee agrees to provide the agreed upon Scope of Service(s).
6. The sub grantee agrees to comply with general financial requirements and submit the Monthly Financial Status and Request for Funds Report form (Reimbursement form) as prescribed by DCFS Grants Management Unit (GMU). Payment for services rendered under this grant will only be made after the complete and correct financial request has been approved by the GMU.
7. The sub grantee agrees to submit quarterly program performance reports utilizing the online reporting system.
8. The sub grantee certifies that the proposal upon which these grant funds are based was authorized by the governing body of the applicant.
9. The sub grantee agrees to comply with Public Law 103-227, Part C, Environmental Tobacco Smoke (Pro Children Act of 1994) requiring that smoking not be permitted in any portion of any indoor area routinely owned or leased or contracted for by any entity and used routinely or regularly for provision of health, day care, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant certifies that the agency/organization will comply with this Act (Public Law 103-227).
10. The sub grantee acknowledges that this grant/sub grant award may be terminated with 30 days written notice by either party.
11. The sub grantee has provided DCFS GMU with verification that the following insurance coverage meets State of Nevada insurance requirements: Worker's Compensation Insurance, Commercial General Liability Insurance, Business Automobile Insurance (for agency owned vehicles) and Professional Liability Insurance (as applicable).

12. The sub grantee will cooperate with DCFS GMU and any contractor hired by the GMU in establishing a professional program evaluation system to include outcome measures and the measurement of consumer impact.
13. Require its employees, board members and volunteers to maintain the confidentiality of any information, which would identify persons receiving services.
14. The sub grantee agrees to mark equipment purchased with grant funds with the grant name, track equipment by the acquisition date, cost, percentage of grant funds used and disposition information. Equipment must be returned to DCFS if the sub grant is terminated or if the sub grantee is no longer funded by the particular grant source in the following grant cycle.
15. The sub grantee acknowledges that this sub grant award is contingent upon available funding and may be reduced within the sub grant period.
16. The sub grantee agrees to have a 5-year record retention schedule for the ML / DV, FVPSA and VOCA sub-grant documentation.
17. The sub grantee agrees to make its services available to clients who may not be specified within their Scope of Work and upon the request of DCFS, in the event of a disaster.
18. The sub grantee must promptly refer to the Department of Justice (DOJ) Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. The condition also applies to any sub recipients. Potential fraud, waste, abuse or misconduct should be reported to the OIG by:

Mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

Email: oig.hotline@usdoj.gov

Hotline: (contact information in English and Spanish): (800) 869-4499

Or Hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig

19. Sub grantee understands and agrees that it cannot use any Federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of the Office of Justice Programs (OJP).

20. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving", 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages sub grantees and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
21. The sub grantee agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the name and total compensation of the five most highly compensated executives of the sub grantee and first-tier sub recipients of award funds. Such data will be submitted to the Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting System (FSRS). The details of sub grantee obligations, which derive from the Federal Funding Accountability and Transparency act of 2006 are posted on the Office of Justice Programs website at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own operate in his or her name).
22. The sub grantee understands and agrees that penalties and interest are not allowable expenditures.

All documents, certifications and Public Laws addressed in this document are considered part of the conditions under which this sub-grant is offered and must be adhered to by the sub grantee. Additional requirements of the sub-grantee may also apply.

Printed Name	Date
Signature	Date
Signature of President / Chairperson of Governing Body, Tribal Authority or Director of Public Agency	Date

BASIC ACCOUNTING REQUIREMENTS (ATTACHMENT A)

Accounting for grant funds will be in accordance with generally accepted accounting principles, insofar as practicable, consistently applied, regardless of the source of funds. The Division of Child and Family Services reserves the right, however, to prescribe the method of accountability in any particular case.

SUPPORTING RECORDS OF GRANT EXPENDITURES MUST BE IN SUFFICIENT DETAIL TO SHOW THE EXACT NATURE OF EXPENDITURES. WHERE COSTS APPLY TO TWO OR MORE PROJECTS, SUCH COSTS WILL BE PRORATED TO EACH GRANT.

1. Establish a system of FUND ACCOUNTING approved by the Division of Child and Family Services or establish a separate bank account for each grant award.
2. Establish a filing system by State grant identification number. For example:
 - A. One folder for each grant's transactions should suffice where transactions are few.
 - B. Where transactions are many, originate a folder for each cost category described in the grant.
3. Spend only within categories allocated in the grant award.
4. Expenditures accumulated prior to the beginning date of the grant cannot be paid from grant money.
5. Obligations incurred during the grant period may be paid from grant funds after the ending date. All such obligations must be liquidated within 45 days after the end of the project period. Any obligations made after the ending date of the grant cannot be paid from grant money.
6. Any changes to the amounts, periods, and other terms and conditions listed in the notice of grant award must be requested and approved in writing.
7. Budget Category changes: All changes greater than 10% in any category must be approved in writing in advance by the granting agency.
8. Board of Directors for the project should establish a written travel policy prior to the start of the grant. Approval of this policy should be available for audit review. Travel reimbursement is limited to State rates.

NEVADA DIVISION OF CHILD & FAMILY SERVICES

SUBJECT:	HIPAA Business Associate Addendum and Confidentiality Agreement Policy
POLICY NUMBER:	0003-2004
NUMBER OF PAGES:	9
EFFECTIVE DATE:	Upon Approval or April 20, 2005
ISSUED DATE:	March 18, 2004
REVIEWED:	<p>DATE: 03/18/04 BY: Pete Galantowicz, Psychologist I</p> <p>09/01/04 BY: DHR HIPAA Core Team</p> <p>09/14/04 BY: DCFS HIPAA Review Team</p> <p>04/01/05 BY: DCFS Policy Clearance Review</p>
SUPERSEDES:	n/a
PAGES:	
APPROVED BY:	Signature on file
NAME/TITLE:	Diane Comeaux, Administrator Division of Child & Family Services
REFERENCES:	45 CFR §§ 160 and 164
ATTACHMENTS:	Business Associate Addendum (BAA) Confidentiality Agreement (CA)

A. Purpose

The purpose of this policy is to implement the requirements of the final Health Insurance Portability and Accountability Act (HIPAA) privacy and security rule outlined 45 CFR §§ 160 and 164. The regulations require a covered entity to have a written contract or other arrangement documenting satisfactory assurance that a business associate will appropriately safeguard client protected health information.

The Division of Child and Family Services (DCFS) has business activities that include both covered and non-covered functions as defined by HIPAA. Therefore, DCFS is a hybrid entity.

As a hybrid entity, DCFS is required to designate the health care components covered under HIPAA. The designated health care components are the functions performed by the Northern and Southern Nevada Child and Adolescent Services.

B. Intent

The intent of this policy is to provide the procedures and forms for DCFS to determine what type of contracts or other agreements require a Business Associate Addendum (BAA) and/or a Confidentiality Agreement (CA).

C. *Definitions*

Business Associate:

A business associate is a person or organization that performs functions on behalf of a covered entity or provides services to a covered entity that *involve* the use or disclosure of client protected health information.

A member of the DCFS workforce is not a business associate. A business associate may be another covered entity.

A contract with an outside provider to furnish client assessments, such as, a licensed psychologist, would be considered a business associate.

Non-Business Associate:

A non-business associate is a person or organization that performs certain functions or activities that *do not involve* the use or disclosure of client protected health information, and where any access to client protected health information by such persons would be *incidental*, if at all.

An example of a non-business associate would be an individual or organization contracted to provide building maintenance or janitorial services.

Protected Health Information (PHI) and Electronic Protected Health Information (ePHI):

Protected health information is any information, whether oral or recorded in any form or media, that:

- A covered entity creates or receives;
- Relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual, or the payment of health care to an individual;
- Identifies the client or there is reasonable basis to believe that the information could be used to identify the individual; and
- Is ePHI if transmitted by electronic media, maintained in any media described as electronic media, or transmitted or maintained in any other form or media.

D. *Procedures for Contracts, Sub-Grants and Inter-local Agreements*

DCFS may disclose protected health information to a business associate and/or organization and may allow a business associate and/or organization to create or receive protected health information on its behalf. However, DCFS must ensure that proper safeguards are in place.

Certain contractors may be considered part of the DCFS covered component's workforce, if the following criteria apply:

1. The workstation of the individual under contract is on the covered health care component's premises; and
2. The person performs a substantial proportion of his/her activities at this location.

Contractors, meeting the definition of a workforce member, do not require a business associate addendum.

DCFS will obtain satisfactory assurances that the contracts or other arrangements between DCFS and its business associates comply with the procedures described herein.

1. DCFS will identify existing contracts or other arrangements with individuals or organizations that meet the definition of a business associate.
2. DCFS will obtain satisfactory assurances that contracts or other arrangements with individuals or organizations, meeting the definition of a business associate, will include the BAA.
3. DCFS, upon learning that a pattern of activity or practice of an individual or organization constitutes a material breach or violation of the BAA obligation under the contract or other arrangement, will take reasonable steps to cure the breach or end the violation, as applicable. If such steps are unsuccessful, DCFS will:
 - a. Terminate the contract or arrangement, if feasible; or
 - b. Report the problem to the Department of Health and Human Services if termination is not feasible.

DCFS will obtain satisfactory assurances that inter-local agreements with *other government agencies* include a CA. DCFS, upon learning that a pattern of activity or practice by an individual or organization constitutes a violation of the CA under the inter-local agreement, will take reasonable steps to cure the breach or end the violation, as applicable.

Unless bound by Federal regulations or State statutes that are more restrictive, covered and non-covered programs administered by DCFS will follow this policy to safeguard individually identifiable health information, as applicable.

The Business Associate Addendum attached to this policy fulfills all the requirements specified by HIPAA privacy and security standards with regard to business associate relationships. The Confidentiality Agreement promotes the exercise and practice of due diligence in protecting the client personal information that may be made available to other government entities.

E. Guideline for Identification

This guideline identifies when to use a BAA, CA, or when standard document language is recommended.

Inter-local Agreements: An inter-local agreement is an arrangement between government agencies. Although these arrangements are not required to have a BAA, HIPAA regulations recommend a form of understanding be utilized to protect the covered entity. Therefore, the Confidentiality Agreement (CA) should be attached to all inter-local agreements.

Independent Contracts: These contracts must be reviewed based on covered and non-covered components.

Covered Components:

All contracts must have a BAA attached where services *directly involve* the use or disclosure of client protected health information.

All contracts for services *not directly involving* client protected health information do not require a BAA. The State independent contract template, which has been approved by the Attorney General's Office, provides the requirements for confidentiality.

Non-covered Components:

For contracted services having *direct access* to client protected health information, it is *recommended* the contract have a BAA attached. For the non-covered components within DCFS, these contracts normally will be with individuals or organizations providing direct services, such as, a licensed psychologist, who is providing assessments for child welfare services.

Contractors who *do not require access* to client protected health information do not require a BAA. The State contract template provides the confidentiality requirements. An example of this type of contract would be a contract providing lawn service for a juvenile justice office.

Provider Agreements: All provider agreements for covered or non-covered components of DCFS are recommended to have a BAA.

Leases: Lease agreements for covered or non-covered components are not required to have a BAA.

Sub grants: Sub grants requiring access to PHI must have the BAA as an attachment to the award notification. The sub grants not requiring access to PHI do not require a BAA. The sub grant specifications and requirements provide the conditions for confidentiality.

Record Retention for any contract or other agreement for a covered or non-covered health care component having a BAA attached must have a record retention period of a minimum of six (6) years.

F. Business and Non-Business Associate Tracking

DCFS designated staff will maintain a log to track the business and non-business associate contracts, grants/sub grants, inter-local agreements and other arrangements. The log will be provided to the DCFS HIPAA Privacy and Security Officer as necessary to review compliance.

ASSURANCES AND AGREEMENTS – FEDERAL GRANTS

As the duly authorized representatives of the applicant organization, we certify that by submitting this proposal, the applicant will:

1. Establish safeguards to prohibit employees or board members from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
2. Have a copy of its official organizational by laws and amendments available for review. (Required of Community Based Organizations only)
3. Have resumes for key personnel on file.
4. Initiate and complete the Scope of Work within the applicable time frame after receipt of approval from the Division of Child and Family Services (DCFS).
5. Inform the awarding agency within 30 days of any substantial material situations affecting the successful completion of this project.
6. Comply with all Federal and State statutes relating to nondiscrimination, including, but not limited to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975..
7. Comply with the provisions of the Hatch Act which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
8. Comply with P.L. 93-348 regarding the protection of human subjects involved in research, development and related activities supported by this award.
9. Comply with all applicable requirements of all other State and Federal laws, executive orders, regulations and policies governing the program.
10. Abide by all appropriate provisions and procedures of DCFS.
11. Comply with the DCFS Business Associate Addendum (effective 4-20-05).
12. Comply with the minimum wage and maximum hours of the Federal Fair Labor Standards Act.
13. Provide reports as required by the awarding agency as well as additional information requested by the awarding agency.
14. Provide the awarding agency with a copy of each outside audit conducted for the organization, whether that audit is a formal audit or a report from a qualified, independent source which provides an opinion regarding the financial practices and solvency of the applicant organization. (Formal audits are required for organizations that received \$500,000.00 or more in Federal funds during a Federal Fiscal Year.)

Printed Name

Date

Signature

Date

Signature of President / Chairperson of Governing Body, Tribal
Authority or Director of Public Agency

Date

Division of Child and Family Services
Grants Management Unit

CERTIFICATION OF APPLICATION

The applicant certifies the following:

To the best of our knowledge and belief, the information in this application is true and correct and all documents requiring signature and date have been appropriately signed and dated. The application for funds has been authorized by the governing body of the applicant. The applicant will comply with the Assurances and Agreements if the application is funded.

Printed Name

Title

Signature

Date

President/Chairperson of Governing Body,
Tribal Authority or Director of Public Agency

Date

Division of Child and Family Services
Grants Management Unit

CERTIFICATION OF REPORTING REQUIREMENTS

The applicant certifies the following:

By signing this certification, the agency certifies that it can meet the reporting requirements for the funds which include all required program and financial reports to be submitted to DCFS within 15 calendar days after the end of the month for financial reports and 15 calendar days after the end of the quarter for programmatic reports.

The following personnel will be responsible for ensuring that the reporting data is submitted to DCFS on-time:

Primary Person's Contact Information:

Name:	
Phone Number:	
Email Address:	

Secondary Person's Contact Information (Financial Contact preferred):

Name:	
Phone Number:	
Email Address:	

Printed Name

Title

Signature

Date

Grantee Legal / Corporate Entity Name

Date

CERTIFICATION # 1

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal" and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549: 45 CFR Part 76. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations or the definitions.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, the prospective lower tier participant shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions" will be included, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon the certification of a prospective participant in a lower tier covered transaction that the prospective participant is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless the participant in a covered transaction knows that the certification is erroneous. A participant may decide the method and frequency of determining the eligibility of the principals. Each participant may, but is not required to, check the Non-procurement List (of excluded parties).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is debarred, suspended, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including debarment and/or suspension.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary
Exclusion –
Lower Tier Covered Transactions**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither the prospective participant or the prospective participant's principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Suspension. An action taken by a suspending official in accordance with these regulations that immediately excludes a person from participating in a covered transaction for a temporary period, pending completion of an investigation and such legal, debarment, or Program Fraud Civil Remedies Act proceedings as may ensue. A person so excluded is "suspended".

Voluntary Exclusion or Voluntarily Excluded. A status of nonparticipation or limited participation in covered transactions assumed by a person pursuant to the terms of a settlement.

Signature

Title

Grantee Legal / Corporate Entity Name

Date

CERTIFICATION # 2

Certification Regarding Drug-Free Workplace Requirements

Instructions for Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If grantee does not identify the workplace at the time of the application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in the office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other areas where work under the grant take place. Categorical descriptions may be used (e.g. all vehicles of a mass authority of State highway department while in operation, State employees in each local unemployment office, performance in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s) if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to the certification. Grantee's attention is called, in particular, to the following definitions from these rules:

Controlled substances means a controlled substance in Schedules I through V of the Controlled Substance Act (21 U.S.C. #12) and as further defined by regulations (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of Nolo Contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (I) All direct charge employees; (II) All indirect charge employees under their impact or involvement is insignificant to the performance of the grant; and (III) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the

payroll of the grantee (e.g., volunteers, even if used to meet a matching requirements consultants or independent contractors not on the grantee's payroll; or employees of sub-recipients or subcontractors in covered workplaces).

Alternate I - Grantees Other Than Individuals

The grantee certifies that it will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs;
 - (4) The penalties that may be imposed upon employees or drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency; Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(g) The grantee may insert the space provided below the site(s) for the performance of work done in connection with the specific grant:

PLACE OF PERFORMANCE:

STREET ADDRESS	CITY	COUNTY	STATE	ZIP CODE
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Are there workplaces on file that are not identified here? YES NO

Alternate II - Grantees Who Are Individuals

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of controlled substance in conducting any activity with the grant;
- (b) If the convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include identification number(s) of each affected grant.

[55 FR 2160, 21702, May 25, 1990]

Signature

Title

Grantee Legal / Corporate Entity Name

Date

CERTIFICATION # 3

CERTIFICATION REGARDING LOBBYING

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form 111, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Title

Grantee Legal / Corporate Entity Name

Date

CERTIFICATION #4

Certification Regarding Environmental Tobacco Smoke

Public Law 103-227, Part C – Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (ACT), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this application, the applicant/grantee certifies compliance with the requirements of the Act. The applicant/grantee further agrees that the language of this certification will be included in any sub awards which contain provisions for children's services and that all sub grantees shall certify accordingly.

Signature

Title

Grantee Legal / Corporate Entity Name

Date

CERTIFICATION # 5

Certification Regarding Equal Treatment for Faith-Based Organizations

A final rule of the Department of Health and Human Services (DHHS) went into effect on August 16, 2004, which created, among other things, a new Part 87 Equal Treatment for Faith-Based Organizations, and revised the Department's uniform administrative requirements at 45 CFR Parts 74, 92 and 96 to incorporate the requirements of Part 87.

The Administration of Children and Families (ACF) is committed to providing State Administrators, State Grant Managers and subsequently sub-grantees with the most accurate and concise information to help guide program activities. This regulation addresses several key Equal Treatment issues that require full compliance by Federally-funded State Programs, sub-grantees, grantees and contractors.

Issues include:

- 1) Nondiscrimination against religions organizations;
- 2) Ability of religious organizations to maintain their religious character, including the use of space in their facilities, without removing religious art, icons, scriptures, or other religious symbols;
- 3) Prohibition against the use of Federal funds to finance inherently religious activities, except where Federal funds are provided to religious organizations as a result of a genuine and independent private choice of a beneficiary or through other indirect funding mechanisms, such as certificates or vouchers; and
- 4) Application of State or local government laws to religious organizations.

NOTE: Neither the Department (DHHS) nor any State or local government and other intermediate organizations receiving funds under any Department (DHHS) program shall, in the selection of service providers, discriminate for or against an organization on the basis of the organization's religious character or affiliation.

It is imperative that State sub grantees, grantees and contractors policies reflect the Equal Treatment Regulations. The full text of the final rule may be accessed via the Internet at <http://www.hhs.gov/fbc/regs.html>

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 45 CFR Part 87, Equal Treatment for Faith-Based Organizations as revised in the Department's uniform Administrative requirements identified above. Any organization that fails to file the required certification shall be subject to disqualification of their application.

Signature

Title

Grantee Legal / Corporate Entity Name

Date