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SECTION A: CERTIFIED ASSURANCES

1. Requirements of the Award; Remedies for Non-Compliance or for Materially False Statements

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission or a material fact) may be subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

2. Applicability of Part 200 Uniform Requirements and DOJ Grants Financial Guide

The recipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R Part 2800 (together, the "Part 200 Uniform Requirements"), and the current edition of the DOJ Grants Financial Guide, including any updated version that may be posted during the period of performance.

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this award supplement funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or supplemental award) that are obligated on or after the acceptance date of this award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at https.//ojp.gov/funding/Part200UniformRequirements.htm.

Record retention and access: Records pertinent to the award – typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies –and the recipient must provide access to these records. Such records, include

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performance measurement information, to financial records, supporting documents, statistical records, and other pertinent records indicated a 2 C.F.R. 200.33.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently the "DOJ Grants Financial Guide" available at the https://ojp.gov/financialguide/DOJ/index.htm), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

3. Requirements Related To System for Award Managements and Unique Entity Identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at https://www.sam.gov. This includes applicable requirements regarding registration with SAM, and well as maintaining current information in SAM.

UOVC must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrants"), including restrictions on subawards to entities that do not acquire and provide (to UOVC) the unique entity identifier required for SAM registration.

4. Requirement to Report Actual or Imminent Breach of Personally Identifiable Information (PII)

The recipient must have written procedures in place to respond in the event of an actual or imminent breach (as defined in OMB M-17-12) if it- 1) creates, collects, uses, processes, stores maintains, disseminates, discloses, or disposes of personally identifiable information (PII) (as defined in 2 C.F.R. 200.79) within the scope of UOVC grant-funded program or activity, or 2)uses or operates a Federal information system (as defined in OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an UOVC Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

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5. Requirements Pertaining To Prohibited Conduct Related To Trafficking In Persons (Including Reporting Requirements and UOVC Authority to Terminate Award)

Recipients must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, or individuals defined (for purposes of this condition) as "employees" of the recipient.

6. Compliance with Applicable Rules Regarding Approval, Planning, and Reporting Of Conferences, Meetings, Trainings, and Other Events

The recipient must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as the term is defined by DOJ), including the provision of food and/or beverages such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

7. Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination

28 C.F. R. Part 42 - The recipient must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

28 C.F.R. Part 38 - The recipient must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

28 C.F.R. Part 54- The recipient must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

8. Restrictions on "Lobbying" and Policy Development

Federal funds may not be used by the recipient either directly or indirectly, in support of the enactment, repeal, modification, or adoption of any law, regulation or policy, at any level of government, in order to avoid violation of 18 U.S.C. § 1913

Another federal law generally prohibits funds awarded by UOVC from being used by the recipient to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress,

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or Congress (or an official employee of any of them) with respect to the awarding of federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying such award. See 31 U.S.C. § 1352

9. Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds for This Fiscal Year

The recipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statuses.

10. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The recipient must promptly refer to the DOJ Office of the Inspector General (OIG) and UOVC any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates 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.

11. Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

No recipient under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

12. Compliance with 41 U.S.C. 4712 (Including Prohibitions on Reprisal; Notice to Employees)

The recipient comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C.4712.

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13. Encouragement of Policies Ban Text Messaging While Driving

DOJ encourages recipients to adopt and enforce policies banning employees from text messaging while driving and vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

14. Misuse of Award Funds

The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

15. Limitation on Use of Funds to Approved Activities

The recipient agrees that grant funds will be used only for the purposes described in the recipients approved application.

16. Non-Supplantation

The recipient agrees that grant funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.

17. Confidentiality and Information Sharing

The recipient agrees to comply with the provisions of 34 U.S.C. § 12291 (b)(2), non-disclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information.

18. Maintaining Contact Information

The recipient acknowledges that it is responsible for maintaining updated contact information in the Grants Management System (GMS).

19. Performance Progress Reports and Final Report Submission

Recipients must use the designated forms and/or systems made available by UOVC for performance reporting, which identify the information the recipients must collect and report as a condition of receiving funding under this award.

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20. Program Income

The recipient understands and agrees that UOVC has responsibility for approval of program income earned by the recipient. In order to add program income to an award, the recipient must seek approval from UOVC prior to generating any program income. Any program income added to the award must be used to support activities that were approved in the budget and follow the conditions of the award agreement. Any program income approved by UOVC must be reported by the recipient to UOVC so that it reported on the quarterly Federal Financial Report (SF-425) in accordance with the addition additive.

21. Publication Disclaimer

The recipient agrees that all materials and publications (written, web-based, audio-visual, or any other format) resulting from award activates shall contain the following statement: "This project was supported in part by the Utah Office for Victims of Crime, awarded by the [Office on Violence Against Women] or [Office for Victims of Crime], U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice or the Utah Office for Victims of Crime."

22. Copyrighted Works

UOVC reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a recipient of this award and to authorize others to do so.

In addition, the recipient (or contractor, or subcontractor of this award at any tier) must obtain advance written approval from the UOVC program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use: a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof into a new work developed under this award.

23. Audit Requirements

The recipient agency expending more than $750,000 in Federal funds per year assures that it will submit audit reports to UOVC annually. The audit report must comply with OMB circular A-133 and be submitted to UOVC within one month of completion of the audit.

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24. Debarment & Suspension

The recipient has certified that it and its principals: (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency; (b) have not within a three year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense; (3) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity.

This certification is required by the regulations implement Executive Order 12549, Debarment and Suspension, 29 CFR Part 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (Pages 19160-19211).

The prospective lower tier participant certifies by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by and Federal department or agency.

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.

25. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Sections 67.615 and 67.620, the recipient will 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 on-going drug-free awareness program to inform employees about the dangers of drug abuse, grantees policy, any available drug counseling, rehabilitation, and employee assistance programs, and penalties that may be imposed for violations occurring in the workplace.

26. Auditing, Monitoring and Evaluation

The grantee assures that accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Utah Office for Victims of Crime (UOVC) shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under the Act. Additionally, the grantee assures that it shall maintain such data and information and submit such reports, in such form, at such times, and containing such information as the Utah Office for Victims of Crime may require.

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27. Purchasing

The grantee assures that it will comply with the lead agency's policies regarding travel, purchasing supplies and equipment, contractual agreements, etc. The only exception to this policy is personnel expenditures. According to the Fair Labor Standards Act, personnel costs including overtime must be paid according to the individual's employing agency's personnel policies. (The lead agency is the unit of local or State government or non-profit which employs the individual signing the grant application cover sheet as the Authorized Official.)

28. Violent Crime Control and Law Enforcement Act

The grantee assures that it will comply with the applicable provisions of the Violent Crime Control and Law Enforcement Act of 1994 updated through the Victims of Trafficking and Violence Protection Act of 2000/2005 and the Office of Justice Programs' Financial Guide. The Financial Guide is available at:
http://ojp.gov/financialguide/index.htm or http://ojp.gov/financialguide/DOJ/index.htm

29. Polygraph Examinations

A grantee that is a law enforcement agency, prosecution agency, government office, a state, Indian tribal government, territorial government, or unit of local government certifies that their laws, policies, or practices will ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. Under 42 U.S.C. 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

SECTION B. GRANT CONDITIONS

1. Compensation and Method of Payment

The Utah Office for Victims of Crime (UOVC) will reimburse the grantee for the Federal share of approved program expenditures on a monthly or quarterly basis as financial status reports are submitted and approved up to the amount of approved Federal expenditures.

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2. Reports

The grantee shall submit, at such times and in such form as may be prescribed, such reports as the Utah Office for Victims of Crime may reasonably require, including at least four (4) quarterly financial and progress reports, and final financial and narrative reports. Quarterly financial and progress reports shall be received no later than 30 days after each quarter ends. Quarter ending dates: March 31, June 30, September 30, and December 31. ANNUAL Reports must be received no later than 30 days after the ending date of the project.

3. Report to Governing Entity

The grantee shall give two reports during the program year to the local, state, or non-profit governing entity (such as the city council, county commission, or board of directors) receiving the grant funds. The reports will include crime categories under which crime victims are served, types of services provided, and program accomplishments as described under contract "Record of Providing Effective Services", in the quarterly progress. Grant funded personnel shall participate in the report presentations. Completion of this requirement will be verified and reported in a quarterly progress report.

4. Matching Funds

VAWA: Grantees must provide adequate cash or in-kind match to defray at least twenty-five percent (25%) of the total costs of establishing and operating the program. This amount must be expended during the program period. The match must be funds that were not heretofore available for program efforts, but may include forfeited assets. The 25% match requirement may be computed by dividing the amount of the Federal funds requested by three (award ÷ 3=match). Victim Service (Non-profit Organizations) and Tribal are exempt from this requirement.
VOCA: Grantees must provide adequate cash or in-kind match to defray at least twenty percent (20%) of the total costs of establishing and operating the program. This amount must be expended during the program period. The match must be funds that were not heretofore available for program efforts, but may include forfeited assets. The 20% match requirement may be computed by dividing the amount of the Federal funds requested by four (award ÷ 4=match). Tribal organizations are exempt from this requirement.
SASP: No match is required

5. Utilization and Payment of Funds

Funds awarded are to be expended only for purposes and activities covered by the grantee's approved project activities and budget. Project funds will be made available in accordance with

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provisions as prescribed by the Utah Office for Victims of Crime. The grantee agrees to return to the Utah Office for Victims of Crime all unexpended Federal funds provided hereunder within 60 days of termination of the grant. Payments will be adjusted to correct previous overpayment or underpayment and disallowances resulting from audit.

6. Obligation of Grant Funds

Grant funds may not be obligated prior to the effective date or subsequent to the termination date of the grant period. Obligations outstanding as of the termination date shall be liquidated within 90 days. Such obligations must be related to goods or services provided and utilized within the grant period.

7. Expenses Not Allowable

The following is a list of activities that are unallowable and cannot be supported by Grant Program funding, project funds may not be expended for: (a) items not part of the approved budget or separately approved by the Utah Office for Victims of Crime; (b) the purchase of land; (c) construction projects; (d) indirect or overhead cost rates which have not been approved by the federal government; (e) lobbying (except with explicit statutory authorization) (f) Fundraising (g) Purchase of real property; and (h) physical modifications to buildings, including minor renovations. Expenditure of funds in excess of ten percent (10%) of the amount budgeted per budget category will be permitted only with prior written approval from the Utah Office for Victims of Crime.

8. Termination of Aid

If through any cause the grantee shall fail to substantially fulfill in a timely and proper manner all its obligations, terms, covenants, conditions, or stipulations of the grant agreement, or substantially fails to comply with the Violent Crime Control and Law Enforcement Act of 1994 reauthorized through the Victims of Trafficking and Violent Protection Act of 2000, and again reauthorized in 2013; and any regulations promulgated under these laws, as determined by the UOVC, then the UOVC shall have the right to terminate the grant agreement or to suspend fund payments by giving written notice to the grantee of such action and specifying the effective date thereof, at least thirty (30) days before the effective date of such action. In such event, all finished and unfinished documents, data studies, surveys, drawings, maps, models, photographs and reports prepared by or on behalf of the grantee under the grant agreement shall at the option of the UOVC, become its property, and the grantee shall be entitled to receive just and equitable reimbursement of any work satisfactorily completed under the grant agreement.

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9. Inspection and Audit

The UOVC, Department of Justice, and the Comptroller General of the United States, or any of their duly authorized representatives shall have access for purpose of audit and examinations to any books, documents, papers, and records of the grantee, and to relevant books and records of grantees and contractors as provided for in P.L. 90-351 as amended, P.L. 99-570, and the OJP Financial Guide.

10. Personal Property

The grantee shall retain any non-expendable personal property acquired with grant funds in the grant program as long as there is a need for the property to accomplish the purpose of the grant program whether or not the program continues to be supported by UOVC grant funds. When there is no longer a need for the property to accomplish the purpose of the program, the grantee shall request property disposition instructions from the UOVC.

11. Maintenance of Records

All financial and statistical records, supporting documents, and all other records pertinent to grants or contracts shall be retained for at least three years after completion of the project for purposes of state and federal examinations and audits.

12. Written Approval of Changes

Grantees must obtain prior written approval from the UOVC for major program changes. These include (a) change of substance in program activities, designs, or objectives; (b) changes in the project director or key professional personnel identified in the approved application; and (c) changes in the approved project budget.

13. Third Party Participation

No contract or agreement may be entered into by the grantee for execution of project activities or provision of services which are not incorporated in the approved proposal or approved in advance by the UOVC. Any such arrangement shall provide that the grantee will retain ultimate control and responsibility for the grant project and that the grantee shall be bound by these grant conditions and any other requirements applicable to the grantee in the conduct of the project. The UOVC shall be provided with a copy of all such contracts and agreements entered into by grantees.

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14. Descriptions of Programs

The grantee agrees that when issuing statements, press releases, requests for proposals, bid solicitation, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to state and local governments, shall clearly state (a) the percentage of the total cost of the program or project which will be financed with Federal money, and (b) the dollar amount of Federal funds for the project or program.

15. Conflict of Interest

The grantee covenants that if it is a not-for-profit entity none of its officers, agents, members, or persons owning a "substantial interest" in the entity, is presently, nor during the life of this contract shall be, officers or employees of the UOVC, provided that if such persons are or become officers or employees of the UOVC they must disqualify this application and any future discussions concerning the entity making this application.

16. Program Director

There shall at all times during the life of the grant agreement be an individual appointed by the grantee as "Program Director." This individual will be responsible for program planning, operation and administration under the grant agreement.

17. Confidentiality of Research Information

Pursuant to Section 229 of the Justice System Improvements Act of 1979, research information identifiable to an individual, which was obtained through a program funded wholly or in part with VAWA funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding. 28 CFR Part 22.

18. Release of Information

All records, papers and other documents kept by recipients of UOVC funds and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the UOVC or the Bureau of Justice Assistance. These records and other documents submitted to the UOVC or the BJA pursuant to application for funds, are required to be made available to the UOVC or to the BJA under the terms and conditions of the Federal Freedom of Information Act, 5 U.S.C. 552.

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19. Political Activity

The restrictions of the Hatch Act, P.L. 93-443, 5 U.S.C. Chapter 73, Subchapter III (as amended), concerning the political activity of government employees are applicable to state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such State and local government employees may take an active part in political management and campaigns except they may not be candidates for office.

20. Patents

If any discovery or invention arises or is developed in course of, or as result of work performed under this grant, the grantee shall refer the discovery or invention to UOVC. The grantee hereby agrees that determination of rights to inventions made under this grant shall be made by the Administrator of UOVC or his duly authorized representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title to and license rights under any patent application or patent which may issue thereon. The determination of the Administrator, or his duly authorized representative, shall be accepted as final. In addition, the grantee hereby agrees and otherwise recognizes that the Government shall acquire at least an irrevocable non-exclusive royalty free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant.

21. Information Systems

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

A) That all computer programs (software) produced under this grant will be made available to UOVC for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.

B) To provide a complete copy of the computer programs and documentation, upon request, to UOVC. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.

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22. Sexual Assault Forensic Medical Exam

The State and grantees shall not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, and reimbursement for changes incurred on account of such an exam.

23. Criminal Penalties

A) Whoever embezzles, willfully misapplies, steals or obtains by fraud or endeavors to embezzle, willfully misapply, steal or obtain by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

B) Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act, whether received directly or indirectly from the Administration, shall be subject to the provisions of Section 371 of Title 18, U.S.C.

24. Nonprofit Organization Requirement

Any entity that is eligible for a grant based on its status as a nonprofit organization must be an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code. See 42 U.S.C. § 13925(b)(16)(B). In the STOP Formula program, this applies to grantees under the set aside to culturally specific community-based organizations, except for grantees that are tribal governmental organizations. In addition, victim service providers may need 501(c)(3) status, as described under “match” above, in order to qualify for match exemptions. If you are applying for funds based on your status as a non-profit organization please provide evidence of your 501(c) (3) status with this application.

25. Accommodations and Language Access

All recipients are encouraged to allocate grant funds to support activities that help to ensure individuals with disabilities and Deaf individuals and persons with limited English proficiency have meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) interpreter services, language interpretation and translation services, or the purchase of adaptive equipment. Recipients proposing to use grant funds to create websites, videos and other materials must ensure that they are accessible to persons with disabilities. VAWA grant funds must be allocated for these purposes.

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26. Out-of-Scope Activities

The following activities are out of program scope and will not be supported by UOVC Grant Program funding: Research projects (This does not include program assessments conducted only for internal improvement purposes).

27. Conference Planning and Expenditure Limitations

Applicants should be aware of all applicable laws, regulations, policies and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, training and other similar events), including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies and guidance is available at https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf. Applicants should also be aware of the following specific restrictions on conference planning and expenditure limitations:

- Cost of Logistical Conference Planning
- Cost of Programmatic Conference Planning
- Conference Space and Audio-Visual Equipment and Services
- Prohibition on Trinkets at Conferences
- Entertainment at Conferences
- Food and Beverages at Conferences

28. Food and Beverage/Costs for Refreshments and Meals

Generally food and beverage costs are **not** allowable, and under no circumstances may grant funding be used to supply food and/or beverages. For further guidance, please see https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf

29. Compliance with Federal Financial Guidelines

Federal grants are governed by the provisions of the OMB circulars applicable to financial assistance and the DOJ Grants Financial Guide, which can be found at https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf The Financial Guide includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. This document outlines the successful administration of grant funds. Each grantee agrees to follow the financial and administrative requirements in the DOJ Grants Financial Guide at https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf as a condition of

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receiving grant funding. If UOVC determines that a current grantee has violated any of the requirements of the Guide, the grantee may be denied access to funding.

30. High Risk Grantees

Based on UOVC's assessment of each grantee with regard to current and/or previous funding, unresolved audit issues, delinquent programmatic and fiscal reporting, and prior performance, a grantee may be designated "high risk." Awards to high-risk grantees may carry special conditions such as increased monitoring and/or prohibitions on drawing funds until certain requirements are met.

31. Finalization of Contract

The grantee shall submit the contract within 90 days of contract beginning date. Funds authorized through the Request for Proposal and final approval process may be null and void after the 90 day period.

32. Cost Principles

Grantee agrees to abide by applicable Cost Principles including for State or Local Unit of Governments or Tribal Organizations Cost Principles found in Title 2 CFR, Part 225 (OMB A-87) and Title 2 CFR, Part 230 (OMB A-122) for non-profit organizations. In addition, US DOJ Administrative Requirements Reference Cost Principles in 28 CFR 66.22 and 28 CFR 70.27. Grantee agrees to comply with applicable Administrative Requirements found in Title 2 CFR, Part 215 (OMB A-110) and OMB A-102 as well as Title 28 CFR 70, 66, and 70.

33. Category Change

Grantee will plan and budget for equipment and supplies early in the grant project to ensure the full benefit of the purchase is received. Moving personnel, purchasing equipment and supplies, and requesting training funds during the last month of the grant may not be undertaken merely for the purpose of using available funds, as this does not support the purpose of the program.

34. Crime Victims' Rights Act

Grantee understands that the purpose of this grant is to provide financial assistance to organizations that serve victims of crime. Grantee understands that certain state laws exist setting a minimum level of rights for victims of crime. These state laws can be found at Utah Code Title 77, Chapter 37, Sections 1-5. Grantee further understands that all agencies who apply for and receive these grant funds must contractually agree to extend any and all rights and services that

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are required by law. This includes informing crime victims of remedies should their rights be violated. Grantee understands the legal rights extended to victims of crime and will train all relevant employees and volunteers in those rights. Grantee specifically agrees to comply with all victim rights laws.

35. Federal Accountability and Transparency Act (FFATA) Information

The FFATA Subaward Reporting System (FSRS) is the reporting tool Federal prime awardees use to capture and report subaward and executive compensation data regarding their first-tier subawards to meet the FFATA reporting requirements. Prime contract awardees will report against their sub-contracts awarded and prime grant awardees will report against their sub-grants awarded. The sub-award information will then be displayed on www.USASpending.gov associated with the prime award furthering Federal spending transparency. Subgrantee understands that the following information will be entered into the FSRS: subgrantee agency name, city, state, zip code, county, congressional district, and a brief description of the subgrant's project.

SECTION C: SPECIAL CONDITIONS

1. The grantee assures that they are a public or a non-profit organization or a combination there of, or tribal organization, that provides direct services to crime victims.
2. The grantee assures that they have a history of providing direct services in a cost-effective manner, can demonstrate a record of providing effective direct services to victims of crime, and have financial support from non-federal sources.
3. The grantee assures they can demonstrate that 25-50 percent of their financial support comes from non-federal sources if they are a new program that has not demonstrated a record of providing victim services.
4. The grantee assures that they will assist victims in seeking available crime victim compensation benefits
5. The grantee assures that they will provide services to victims of Federal crimes on the same basis as victims of State crimes.
6. The grantee assures that they will provide services, at no charge, through the grant funded project.
7. The grantee understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of UOVC.
8. The grantee understands and agrees to comply the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 et seq.) and other related Federal laws (including the National Historic Preservation Act), if applicable, and related laws (Sec 28 C.F.R. Part 61, App. D.) The grantee agrees to assist OJP in carrying out its responsibilities under NEPA and

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related laws, if the recipient plans to use grant funds (directly or through contract) to undertake any activity that triggers these requirements, such as renovation or construction. Also, the grantee understands and agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

9. Demographic Data. The recipient assures that its it will collect and maintain information on race, sex, national origin, age, and disability of victims receiving assistance, where such information is voluntarily furnished by the victim.
10. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this UOVC award, and those award funds have been are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this UOVC award, the recipient will promptly notify, in writing, the grant manager for this UOVC award, and if so requested by UOVC, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding. UOVC will contact OJP to help make determinations
11. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise UOVC in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs) MTDC. This condition notifies grantees that they are eligible to request indirect cost rates as described under the law
12. The recipient understands and agrees that (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
13. All non-profit recipients of UOVC funding under this award are to make their financial statements available online (either on the recipient's or another publicly available website). UOVC will consider recipient organizations that have Federal 501 c (3) tax status as in compliance with this requirement, with no further action needed, to the extent that such organization files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such financial statements.
14. All non-profit recipients of VOCA Assistance funding under this award to certify their non-profit status. Recipients may certify their non-profit status by submitting a statement to UOVC (to be placed in the grant file) affirmatively asserting that the recipient is a non-profit organization, and indicating that it has on file, and available upon audit, either1) a copy of the recipient's 501 c (3) designation letter; 2) a letter from the recipient's state/territory taxing body or state/territory attorney general stating that the recipient is

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a nonprofit organization operating within the state/territory; or 3) a copy of the recipient's state/territory certificate of incorporation that substantiates its non-profit status. Recipients that are local non-profit affiliates of state/territory or national non-profits should have available proof of (1) (2) or (3), and a statement by the state/territory or national parent organization that the recipient is a local non-profit affiliate.

15. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights is a violation of the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
16. The recipient understands and agrees that UOVC may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ award.
17. Restrictions and certifications regarding non-disclosure agreements and related matters. No recipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.
    a. In accepting this award, the recipient—
        i. Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
        ii. Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

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b. If the recipient does or is authorized to make subawards or contracts under this award
    i. It represents that—
        1. It has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
        2. It has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
    ii. It certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

18. "The recipient must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, $250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward). The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed $150,000)), and are incorporated by reference here."
19. "The recipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2018, are set out at https://ojp.gov/funding/Explore/FY18AppropriationsRestrictions.htm, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

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20. "If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.
21. This grant provides funds from the U.S. Department of Justice through the Utah Office for Victims of Crime to enhance crime victim services in the State. These funds are awarded by the State to local community-based organizations that provide direct services to crime victims. None of the following activities will be conducted either under the OJP federal action or a related third party action: 1. New construction. 2. Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historical Places or (b) located within a 100-year floodplain. 3. A renovation which will change the basic prior use of a facility or significantly change its size. 4. Research and technology whose anticipated and future application could be expected to have an effect on the environment. 5. Implementation of a program involving the use of chemicals. Consequently, the subject federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4.(b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase or a segment of a project which when viewed in its entirety would not meet the criteria for a categorical exclusion."

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SECTION D: ADDITIONAL FORMS FOR COMPLETION

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1. EEOP Certification Form

CERTIFICATION FORM

Recipient Name and Address: _____

Grant Title: _____ Grant Number: _____ Award Amount: _____

Contact Person Name and Title: _____ Phone Number: ( )_____

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R §§ 42.301-.308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete **Section A** below. Recipients that claim the limited exemption from the submission requirement must complete **Section B** below. **A recipient should complete *either* Section A or Section B, not both**. If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7 Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202)307-2027.

Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. *Please check all the boxes that apply.*

O Recipient has less than 50 employees; o Recipient is an Indian tribe,
O Recipient is a non-profit organization, o Recipient is an educational institution, or
o Recipient is a medical institution, o Recipient is receiving an award less than $25,000
I, _____ **[responsible official]**, certify that_____ [**recipient**] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R §42.302. I further certify that _____ [**recipient]** will comply with applicable Federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Print or type Name and Title	**Signature**	**Date**

Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for $25,000 or more, but less than $500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):
I, _____ **[responsible official]**, certify that the _____ **[recipient]**, which has 50 or more employees and is receiving a single award or subaward for $25,000 or more, but less than $500,000, has formulated an EEOP in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of: _____**[organization]**, at_____ **[address]**,for review by the public and employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title	**Signature**	**Date**

OMB Approval No. 1121-0140

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2. Rape Crisis Mandate

RAPE CRISIS COUNSELOR MANDATE FOR THE STATE OF UTAH

(Applicable to Non-Profit Organizations)

The Utah Office for Victims of Crime requires all non-profit organizations (501(c)3) receiving grant funding who provide rape crisis services to certify their compliance with the Confidential Communications for Sexual Assault Act, Utah State Judicial Code 77. All Sub grantee staff and volunteers who provide direct services to victims of sexual violence must complete 40 hours of training in assisting victims of sexual assault. Training to certify as a Rape Crisis Counselor must be provided by a Utah Rape Crisis Program or a State Sexual Assault Coalition.

Confidential Communications for Sexual Assault Act
Utah State Judicial Code Section 77-38-201-204

AS THE DULY AUTHORIZED REPRESNETATIVE OF THE APPLICANT, I HEREBY CERTIFY THAT THE APPLICANT IS IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE (SIGN BELOW)

AUTHORIZED OFFICIAL (SAME AS CONTRACT COVER SHEET) DATE

IF YOU ARE NOT CURRENTLY IN COMPLIANCE WITH THE TRAINNIG MANDATE STATED ABOVE, PLEASE CHECK THE BOX AND SUBMIT A LETTER REQUESTING A 90 DAY EXTENTION IN ORDER TO COMPLY.

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3. Indirect Costs

Every agency is entitled to request Indirect Cost. Please indicate by checking the appropriate box, which option your agency will do:

	Our agency will be using the 10% de minimis rate
	Our agency will be using our Federally Negotiated rate at _____ %
	No Indirect Costs will be requested

If your agency will be including indirect costs in this grant, please review this material very carefully.

What are indirect costs? "(these are) costs incurred solely as a result of incurring another cost that would not have been incurred if the other cost had not been incurred." OR These are costs that are directly associated to another cost. Example: Fringe benefits are directly associated with payroll costs.

1) If your agency has negotiated a rate through a Federal Cognizant Agency and you have a current, Federally negotiated rate-you will figure your indirect costs at that assigned rate
2) If your agency does not have a current federally negotiated indirect cost rate, your agency will be applying the De Minimus Rate (10%).
3)

What is the De Minimus Rate? This rate allows subrecipients who have NEVER had a federally approved indirect cost rate agreement to request Indirect Costs associated with expending Federal grant monies.

How is the De Minimus Rate Calculated? There are several ways in which indirect costs can be calculated. However, for the grant, the Federal directive is to charge 10% of the modified Total Direct Costs (MTDC) associated with the grant.

This rate must remain consistent for ALL federal awards held by an individual agency and must be consistently used for all federal awards until (if) a rate is negotiated.

Allowable Costs Associated with Indirect Costs

Allowable Cost- A cost is allowable **If** it meets the following general criteria:

1) **Reasonable**- a cost is reasonable if it does not exceed that which would be incurred by a

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prudent person

a. The cost is recognized as ordinary and necessary for the operation of the organization
b. The cost is allowable under grant guidelines
c. The cost is incurred specifically for this grant
d. The cost benefits both the award and the project

2) **Conforms** to grant limitations
3) **Consistent** with both Federal and your Agency's policies and procedures
4) **Accordance** with generally accepted accounting principles
5) **Not** to be used to meet cost sharing or Matching requirements on any Federally financed project
6) Must be adequately **Documented**

Three major categories of indirect costs:

1) Depreciation and Use Allowance: "a portion of the costs of the organization's buildings and interest on debt associated with certain buildings may be eligible"
2) Operation and Maintenance-" expenses incurred for the administration, operation, maintenance, preservation and protection of the organization's physical plant may be eligible"
3) General and Administrative-"expenses incurred for the overall general executive, and administration of the organization and other expenses of a general nature that do not relate solely to any major function of the organization may be eligible"

Unallowable Direct Costs Include:

1) Fundraising
2) Maintenance of membership rolls
3) Providing information to members, legislative or administrative bodies or the public
4) Meetings and conferences
5) Administration of group benefits
6) Lobbying

Required Certifications for Non-Profits

a) To assure that expenditures are proper and in accordance with the terms and conditions of the Federal award and approved project budgets, the annual and final fiscal reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the non-Federal entity, which reads as follows:

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"By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

b) Certification of cost allocation plan or indirect (F&A) cost rate proposal. Each cost allocation plan or indirect (F&A) cost rate proposal must comply with the following:
    1) A proposal to establish a cost allocation plan or an indirect (F&A) cost rate, whether submitted to a Federal cognizant agency for indirect costs or maintained on file by the non-Federal entity, must be certified by the non-Federal entity using the Certificate of Cost Allocation Plan or Certificate of Indirect Costs as set forth in Appendices III through VII, and Appendix IX. The certificate must be signed on behalf of the non Federal entity by an individual at a level no lower than vice president or chief financial officer of the non-Federal entity that submits the proposal.
    2) Unless the non-Federal entity has elected the option under 200.414 Indirect (F&A) costs, paragraph (f), the Federal Government may either disallow all indirect (F&A) costs or unilaterally establish such a plan or rate when the non-federal entity fails to submit a certified proposal for establishing such a plan or rate in accordance with the requirements. Such a plan or rate may be based upon audited historical data or such other data that have been furnished to the cognizant agency for indirect costs and for which it can be demonstrated that all unallowable costs have been excluded. When a cost allocation plan or indirect cost rate is unilaterally established by the Federal Government because the non-Federal entity failed to submit a certified proposal, the plan or rate established will be set to ensure that potentially unallowable costs will not be reimbursed.
c) Certifications by non-profit organizations as appropriate that they did not meet the definition of a major nonprofit organization as defined in 200.414 Indirect (F&A) costs, paragraph (a).
d) See also 200.450 lobbying for another required certification

(78 FR 78608, Dec. 26,2013 as amended at 79 FR 75886, Dec 19,2014)

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SECTION E: OFFICE FOR CIVIL RIGHTS

1. Ensuring Access to Federally Assisted Programs

Recipients of financial assistance from the DOJ must adhere to federal laws that prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activates, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of service or benefits.

The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination bases on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity.

2. Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination.

3. Providing Services to Limited English Proficiency (LEP) Individuals

Recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP).

4. Ensuring Equal Treatment of Faith-Based Organizations and Safeguarding Constitutional Protections Related to Religion

The DOJ regulation 28 C.F.R. pt. 38, updated in April 2016, prohibits all recipient organizations whether they are law enforcement agencies, governmental agencies, educational institutions, houses of worship, or faith-based organization, from using financial assistance from the DOJ to fund explicitly religious activities. The regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in provision of services on the basis of a beneficiary's religion, religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice.

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5. Using Arrest and Conviction Records in Making Employment Decisions

Recipients should be mindful that the misuse of arrest or conviction records to screen either applications of employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination.

6. Complying With the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see C.F.R. §§ 42.204(c), 205(c)(5)).

7. Ensuring the Compliance of Recipients

UOVC must have standard assurances to notify recipients of their civil rights obligations, written procedures to address discrimination complaints filed against recipients, methods to monitor recipients' compliance with civil rights requirements, and a program to train recipients on applicable civil rights laws.

SECTION F: VIOLENCE AGAINST WOMEN (VAWA) SPECIFIC GRANT CONDITIONS

1. VAWA 2013 Nondiscrimination condition

The recipient acknowledges that 34 U.S.C. §12291 (b) (13) prohibits recipients of OVW awards from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identify, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. The recipient agrees that it will comply with this provision.

2. Activities that compromise victim safety and recovery or undermine offender accountability

The recipient agrees that grant funds will not support activities that compromise victim safety and recovery or undermine offender accountability, such as:

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Procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children;
Project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing;

- Procedures or policies that compromise the confidentiality of information and privacy of persons receiving services;
- Procedures or policies that fail to ensure service providers conduct safety planning with victims:
- Offering perpetrators the option of entering pre-trial diversion programs;
- Mediation or counseling for couples as a systemic response to domestic violence or sexual assault;
- Requiring victims to report sexual assault, stalking, dating violence, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- Batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behavior; and
- Procedures that would force victims of domestic violence to testify against their abusers or impose other sanctions on them. Rather, procedures that provide victims the opportunity to make an informed choice about whether to testify are encouraged;
- Supporting policies that deny individuals access to services based on their relationship to the perpetrator;
- Procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling, participate in couples counseling or mediation, report to law enforcement seek civil or criminal remedies, etc.);
- Placing of batterers in anger management programs.

3. Publications disclaimer for STOP Formula Recipients

The recipient agrees that all materials and publications (written, web-based, audio-visual, or any other format) resulting from award activates shall contain the following statement: “This project was supported by Subgrant No. _____ awarded by the state administering office for the Office on Violence Against Women, U.S. Department of Justice’s STOP Formula Grant Program. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the state of the U.S. Department of Justice.”

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4. Match Requirement

The recipient agrees that the federal share of a grant made under the STOP Formula Program may not exceed 75 percent of the total costs of the total projects described in the application, including administrative costs.

Victim services providers receiving STOP subgrants will not be required by the state to provide matching dollars.

5. Requirements for Recipients Providing Legal Assistance

The legal assistance eligibility requirements are: (1) any person providing legal assistance with STOP funds (a) has demonstrated expertise in providing legal assistance to victims of domestic violence dating violence, sexual assault, or stalking in the targeted population; or (b) (i) is partnered with an entity or person that has such demonstrated expertise and (ii) has completed or will complete training in connection with domestic violence, dating violence, stalking, sexual assault, and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide; 2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a tribal, state, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, state, territorial, and local law enforcement officials; 3) any person or organization providing legal assistance through the STOP program has informed and will continue to inform state, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate state and local law enforcement officials of their work; and 4) the grantees organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.

6. Categorical Exclusion

Renovations and construction are unallowable under the grant, and therefore none of the following activities will be conducted under the OVW federal action (i.e. the OVW-funded grant project) or a related third party action: (1) New construction; (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species; (3) A renovation which will change the basic prior use of a facility or significantly change its size; (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment; (5) Implementation of a program involving the use of chemicals.

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7. Court Administrative Policies and Practices

A grantee that receives funds under the VAWA Court Category certifies that its administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of Title 18, United States Code, and any applicable related Federal, State, or local laws.

8. Conditions specific to government organizations

A grantee that is a law enforcement agency, prosecution agency, court agency, or other government office certifies that it will consult with victim service programs during the course of developing its VAWA grant application.

A grantee that is a law enforcement agency, prosecution agency, court agency or other government office certifies that it will not ask or require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

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Signing

By signing your name, you are hereby declaring that you agree to the terms and conditions of the preceding document and assure that all the information provided herein is accurate.

AUTHORIZED OFFICIAL PRINT NAME TITLE

AUTHORIZED OFFICIAL SIGN DATE

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