

Grant Management Handbook

**Edward Byrne Memorial State
and Local Law Enforcement
Assistance Program (Byrne)
and
Edward Byrne Memorial
Justice Assistance
Grant Program
(JAG)**

**Administered by
Criminal Justice Services
Oregon State Police**

The Criminal Justice Services Division of the Oregon State Police is the State Administrative Agency (SAA) for the Edward Byrne Memorial Formula Grant Program and the Edward Byrne Memorial Justice Assistance Grant Program. CJSD is prepared this Grant Management Handbook to assist grantees in complying with state and federal guidelines.

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INTRODUCTION

INTRODUCTION TO THE EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM

In 1988, Congress enacted the Anti-Drug Abuse Act (Public Law 100-690). Title VI, Subtitle C, State and Local Narcotics Control and Justice Assistance Improvements, authorizes population-based grants to states which are subgranted to state agencies, local governments, and other entities. This grant program is named the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (Byrne) after New York City Police Officer, Edward Byrne, who was killed in the line of duty. The Act is administered by the United States Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA).

BJA makes Byrne Program funds available in two ways. A discretionary grant program awards funds directly to public and private agencies and private nonprofit organizations. A formula grant program awards funds to the states, which in turn make subawards to state and local units of government.

Grant funds are intended to improve the functioning of the criminal justice system with emphasis on violent crime and serious offenders.

The purpose of the Byrne Program is to assist state agencies and local governments in initiating innovative programs that substantially reduce drug use and violent crime and improve the effectiveness of the criminal justice system. The Anti-Drug Abuse Act requires each state to develop an annual Strategy to Control Drugs and Violent Crime that defines the violent crime and drug problem, analyzes current efforts and resource needs, and sets priorities for allocating the Federal money based on the Oregon Benchmarks. The Act authorizes states to allocate funds to programs which advance the Strategy and fall within one of the 29 authorized Purpose Areas as set forth on page four of this document.

INTRODUCTION TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

As part of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162), Congress merged the Edward Byrne Memorial Formula Grant Program (Byrne) with the Local Law Enforcement Block Grant Program (LLEBG) to establish the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The Act is administered by the U.S. Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) to support a broad range of state and local government efforts to prevent and control crime and to improve the criminal justice system.

Criminal Justice Services (CJS) of the Oregon State Police is the State Administrative Agency (SAA) for the JAG Program. CJS makes subawards to State and local units of government, non-profit agencies, and tribal governments.

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following purpose areas:

- Law enforcement programs;
- Prosecution and court programs;
- Prevention and education programs;
- Corrections and community corrections programs;
- Drug treatment programs; and
- Planning, evaluation, and technology improvement programs.

BYRNE AUTHORIZED PURPOSE AREAS

1. Demand reduction education programs in which law enforcement officers participate.
2. Multi-jurisdictional task force programs that integrate Federal, State and local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.
3. Programs designed to target the domestic sources of controlled and illegal substances, such as precursor chemicals, diverted pharmaceuticals, clandestine laboratories and cannabis cultivations.
4. Providing community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address the problems of crimes committed against the elderly and special programs for rural jurisdictions.
5. Programs to disrupt illicit commerce in stolen goods and property.
6. Improving the investigation and prosecution of white collar crime, organized crime, public corruption, and fraud against the government, with priority attention to cases involving official corruption.
 - 7a. Improving the operational effectiveness of law enforcement through the use of crime analysis techniques, street sales enforcement, schoolyard violator programs, gang-related and low-income housing drug control programs.
 - 7b. Programs to develop and implement anti-terrorism plans for deep-draft ports, international airports, and other important facilities.
8. Career criminal prosecution programs, including the development of model drug control legislation.
9. Financial investigative programs to identify money laundering operations and assets obtained through illegal drug trafficking, including the development of model legislation, financial investigative training and financial information-sharing systems.
10. Improving the operational effectiveness of the court process by expanding prosecutorial, defender, and judicial resources and implementing court-delay reduction programs.
11. Programs to improve the corrections system and provide additional public correctional resources including treatment in prisons and jails, intensive supervision programs, and long-range corrections and sentencing strategies.
12. Providing prison industry projects to place inmates in a realistic working and training environment that enables them to develop marketable skills and to make financial payments for restitution to their victims, for support of their own families, and for support of themselves in the institution.
13. Providing programs that identify and meet the treatment needs of adult and juvenile drug- and alcohol-dependent offenders.
14. Programs that provide assistance (other than compensation) to jurors, witnesses, and victims of crime.
 - 15a. Programs to improve drug control technology, such as pretrial drug testing programs, programs that provide for the identification, assessment, referral to treatment, case management, and monitoring of drug-dependent offenders; and programs that enhance state and local forensic labs.
 - 15b. Criminal justice information systems (including automated fingerprint identification systems) to assist law enforcement, prosecution, courts, and corrections organizations.
16. Programs that demonstrate innovative approaches to enforcement, prosecution, and adjudication of drug offenses and other serious crimes.
17. Programs to address drug trafficking and the illegal manufacture of controlled substances in public housing.
18. Improving the criminal and juvenile justice system's response to domestic and family violence, including spouse abuse, child abuse, and abuse of the elderly.
19. Drug control evaluation programs which state and local units of government may utilize to evaluate programs and projects directed at state drug control activities.
20. Providing alternatives to detention, jail and prison for persons who pose no danger to the community.
21. Programs to strengthen urban enforcement and prosecution efforts targeted at street drug sales.
22. Programs for the prosecution of driving-while-intoxicated charges and enforcing other laws relating to alcohol use and the operation of motor vehicles.
23. Programs to address the need for effective bindover systems for prosecuting violent 16- and 17- year old juveniles in courts with jurisdiction over adults.
24. Law enforcement and prevention programs for gangs and youth who are involved or are at risk of gang involvement.
25. Programs to develop or improve forensic laboratory capability to analyze DNA for identification purposes.
26. Programs to develop and implement anti-terrorism training and procure equipment for local law enforcement authorities.
27. Programs to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.
28. Enforcing child abuse and neglect laws, including laws protecting against child sexual abuse, and promoting programs designed to prevent child abuse and neglect.
29. Programs to establish or support cooperation between law enforcement and media organizations, to collect, record, retain, and disseminate information useful in the identification and apprehension of suspected criminal offenders.

JAG AUTHORIZED PURPOSE AREAS

1. Law Enforcement programs.
2. Prosecution and court programs.
3. Prosecution and education programs.
4. Corrections and community corrections programs.
5. Drug treatment programs.
6. Planning, evaluation, and technology improvement programs.

Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.

To more effectively align JAG funding with far-reaching crime issues identified by recent data and evaluation, the Office of Justice Programs has designated the following priority areas for a heightened concentration in FY 2007:

- Multi-jurisdictional task forces, addressing violent crime, drug, and gun violence reduction.
- School safety and school resource officer initiatives.
- Project Safe Childhood (www.projectsafchildhood.gov).
- Gang enforcement and prevention.
- Community prosecution activities.
- Court security and continuation of operations initiatives.
- Human trafficking enforcement and prevention.
- Synthetic drug trafficking reduction.
- Prisoner reentry initiatives.
- Cybercrime and identity theft enforcement and prevention.
- Justice information sharing, planning, and implementation.
- Intelligence analysis and fusion center operations.

GENERAL PROVISIONS

AGREEMENT

Criminal Justice Services recommends programs for funding to the Governor's office.

Once an award is granted, CJS negotiates program and budget details with the applicant. When an agreement is reached, the grantee and CJS sign the grant award and conditions, known as the grant agreement.

The grantee agrees to implement the program, work toward the objectives, and spend funds in accordance with the signed grant agreement.

Modifications to the grant agreement or budget must be requested in writing. In no event may the conditions of the grant be modified without prior approval from CJS.

Failure of the grantee to operate the program in accordance with the written, agreed upon objectives or budget may constitute immediate grounds for suspension and/or termination of the grant agreement and deobligation of unspent funds.

PROGRAM AND FISCAL MONITORING

CJS monitors each program to assure the grantee is operating the program as agreed, that the grantee is working towards its objectives, and that the grantee is following appropriate fiscal procedures. Monitoring shall include one or more on-site visits and desk-monitoring during the grant award period.

After reasonable notice and as often as CJS may deem necessary during the grant award period, CJS may perform program and fiscal monitoring activities. Monitoring may be conducted on-site and may include review of program and fiscal records, policies and procedures, meetings with consumers, sub-recipients, program evaluators, program stakeholders, and/or any staff directly or indirectly involved in the performance of the award program. Monitoring visits are intended to ensure compliance with award and fiscal requirements, to provide technical assistance, to

offer program development guidance, and for observation of program activities.

SUPPLANTING

Federal funds must be used to supplement existing funds and not replace (supplant) non-Federal funds which have been appropriated for the same purpose. Grant funds may not be used to pay for program activities that the recipient is already obligated to pay or has already funded. Grant funds must be used to increase the total amount of funds available to deliver program services. The rules governing supplanting also apply to any funds used as match.

Supplanting will be a subject of post-award monitoring and audit. If there is a potential presence of supplanting, the grantee will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

MATCH FUNDS

The purpose of matching contributions is to *increase* the amount of resources available to a program supported by grant funds. Funds allocated for use as match must be used to support a Federally-funded program and must be in addition to, and therefore supplement, funds that would otherwise be made available for the stated program purpose.

Grantees must maintain records that clearly show the source, the amount, and the period during which the match was allocated. Grantees must ensure that match is identified in a manner that guarantees its accountability during an audit.

All conditions that apply to grant funds apply to match funds. All funds designated as match are restricted to the same uses as the Byrne and JAG program funds and must be expended within the grant period.

Further guidance on the calculation, documentation, and auditing of the match

requirement can be found in the OJP Financial Guide, Part III, Chapter 3, and in the OMB Circular No. A-110, Subpart C, Section 23.

MATCH FUNDS FOR BYRNE FUNDED PROGRAMS

Federal funds may pay no more than 75 percent of the cost of a program. The remaining 25 percent (match) must be paid from the grantee's own non-Federal sources, such as general fund, fees, or forfeitures. Forfeiture funds used for match may not be used for payment of the wages of peace officers, except for wages of peace officers performing supervisory duties for interagency drug enforcement task forces.

Methamphetamine Reduction Grant Program match requirements may be fulfilled with funds received for that purpose from the Drug Court Implementation and Enhancement Grant Program.

Match must be in the form of cash and must be included in the grantee's financial records. In-kind services and Federal funds may not be used as match for Byrne-funded programs. No income from the Oregon Health Plan can be used as match. Restrictions are also placed on using existing program staff and resources as match.

Matching contributions need not be applied at the exact time or in proportion to the obligation of Federal funds. However, the full match amount must be provided and obligated by the end of the program period. Match and grant funds constitute program funds. Grantees must report on match funds. All conditions that apply to grant funds apply to match funds. All funds designated as match are restricted to the same uses as the Byrne program funds and must be expended within the grant period.

MATCH FUNDS FOR JAG FUNDED PROGRAMS

Federal funds may pay no more than 75 percent of the cost of a program. The remaining 25 percent (match) must be paid from the grantee's own non-Federal sources, either as a cash contribution or as in-kind services. Matching contributions need not be applied at the exact time or in proportion to the obligation of Federal

funds. However, the full match amount must be provided and obligated by the end of the program period. Match and grant funds constitute program funds. Grantees must report on match funds.

Cash match for JAG-funded programs

Cash match must be from a non-Federal source, must be spent on allowable program-related costs, and must be included in the grantee's financial records. Cash match may include funds from state and local units of government, seized assets and forfeitures, fees and other program income, and the related interest earned on that program income. Program income must be reported by completing Appendix B and submitting it with the Request for Reimbursement.

In-kind match for JAG-funded programs

In-kind match may include donations of expendable equipment, office supplies, workshop or classroom materials, work space, or the monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor if the services they provide are an integral and necessary part of a funded program.

The value placed on loaned or donated equipment may not exceed its fair rental value. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market. Fringe benefits may be included in the valuation. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the recipient organization for its own employees. The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in the same locality.

The basis for determining the value of personal services, materials, equipment, and space must be documented.

AWARD CONDITIONS

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

The grantee is required to certify the following:

1. The grantee, and its subgrantees, contractors, and subcontractors, will not use Federal funds for lobbying and will disclose any lobbying activities.
2. The grantee and its principals have not been debarred or suspended from Federal benefits and/or no such proceedings have been initiated against them; have not been convicted of, indicted for, or criminally or civilly charged by a government entity for fraud, violation of antitrust statutes, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and have not had a public transaction terminated for cause or default.
3. The grantee will provide a drug-free workplace.

CIVIL RIGHTS COMPLIANCE

All recipients of Federal grant funds are required to comply with nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq. (prohibiting discrimination in programs or activities on the basis of race, color, and national origin); Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. §3789d(c)(1) (prohibiting discrimination in employment practices or in programs and activities on the basis of race, color, religion, national origin, and gender); Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 et seq. (prohibiting discrimination in employment practices or in programs and

activities on the basis of disability); Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 (prohibiting discrimination in services, programs, and activities on the basis of disability); The Age Discrimination Act of 1975, 42 U.S.C. § 6101-07 (prohibiting discrimination in programs and activities on the basis of age); and Title IX of the Education Amendments of 1972, 20 U.S.C § 1681 et seq.

(prohibiting discrimination in educational programs or activities on the basis of gender).

Federal regulations require some recipients of financial assistance from the Office of Justice Programs (OJP) to prepare, maintain, submit for review, and implement an Equal Employment Opportunity Plan (EEOP). The purpose of an EEOP is to insure full and equal participation of men and women regardless of race or national origin in the workforce of the grantee. The regulations exempt a grantee from all of the EEOP requirements if any of the following apply:

- has less than 50 employees (counting both full- and part-time employees),
- is an educational institution,
- is a medical institution,
- is a non-profit organization,
- is an Indian tribe, or
- is receiving an award less than \$25,000.

Grantees that meet all of the following criteria are required to *maintain* an EEOP on file for review by CJS:

- have 50 or more employees; and
- have 3 percent or more minorities in service population (however, if less than 3 percent minorities in service population, an EEOP must still be prepared, but must focus on employment practices affecting women only); and
- received a total of \$25,000 or more in grants or subgrants.

Grantees that meet the first two criteria and receive over \$500,000 (or over \$1 million

during an 18-month period) are required to *submit* an EEOP or an EEOP Short Form to CJS for review. Information for completing an EEOP or an EEOP Short Form can be found at: www.ojp.usdoj.gov/ocr/eeop.htm. The Certification of EEO Compliance form can be found on Appendix A.

Within 60 days of receipt of award, grantees must submit the Certification of EEO Compliance form and, as appropriate, submit an EEOP or an EEOP Short Form to CJS. Grantees that claim a complete exemption from the EEOP requirement should complete Certification A. Grantees that claim the exemption from the EEOP submission requirement should complete Certification B. Grantees that are required to complete an EEOP should complete either Certification C1 or Certification C2. A grantee should complete only the *one* appropriate Certification.

LIMITED ENGLISH PROFICIENCY

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, grantees are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, when necessary. Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.

EQUAL TREATMENT FOR FAITH-BASED ORGANIZATIONS

The Equal Treatment Regulation, codified at 28 C.F.R. Part 38, ensures that no organization will be discriminated against in a U.S. Department of Justice (DOJ) funded program on the basis of religion and that services are available to all regardless of religion. This regulation ensures a level playing field for the participation of faith-based organizations as well as other community organizations in Byrne- and JAG-funded programs by:

- Prohibiting discrimination for or against an organization on the basis of religion, religious belief, or religious character in the administration or distribution of Federal funds;
- Allowing a religious organization that participates in Byrne and JAG programs to retain its independence and continue to carry out its mission, provided that direct Federal funds do not support any inherently religious activities. While inherently religious activities, such as worship, religious instruction, or proselytization, are permissible, they must be separate in time or place from the funded program, and participation in such activities by individuals receiving services must be voluntary;
- Clarifying that faith-based organizations can use space in their facilities to provide Byrne- and JAG-funded services without removing religious art, icons, scriptures, or other religious symbols; and
- Ensuring that no organization that receives Byrne or JAG funds can discriminate against a program beneficiary, or prospective beneficiary, on the basis of religion or religious belief.

CONFIDENTIALITY AND HUMAN SUBJECTS PROTECTION

U.S. Department of Justice regulations (28 CFR Part 22) require recipients of OJP funding to submit a Privacy Certificate as a condition of approval of any grant application or contract proposal that contains a research or statistical component under which “information identifiable to a private person” will be collected, analyzed, used, or disclosed. The funding recipient’s Privacy Certificate includes a description of its policies and procedures to be followed to protect the confidentiality of identifiable data. 28 CFR Section 22.23. The Department’s regulations provide, among other matters, that: “research or statistical information identifiable to a private person may be used only for research or statistical purposes.” 28 CFR Section 22.21. Moreover, any private collected or obtained (either orally or by means of written questionnaire or other document) must be advised that the information will only be used or disclosed for research or statistical purposes and that compliance with the request for information is voluntary and may be terminated at any time. 28 CFR Section 22.27.

In addition, the Department of Justice has regulations with respect to the protection of human research subjects. See 28 CFR, Part 46. In brief, 28 CFR Part 46 requires that research involving human subjects that is conducted or supported by a Federal department or agency be reviewed and approved by an Institutional Review Boards (IRB), in accordance with the regulations, before Federal funds are expected for that research. As a rule, persons who participate in Federally-funded research must provide their “informed consent” and must be permitted to terminate their participation at any time. Funded recipients, before they will be allowed to spend OJP funds on any research activity involving human subjects, must submit appropriate documentation to OJP showing compliance with 28 CFR Part 46 requirements, as requested by OJP.

General information regarding Data Confidentiality and Protection of Human Research Subjects (and Model Privacy Certificates and other forms) can be found on the following web sites:

www.ojp.usdoj.gov/forms.htm;
www.ojp.usdoj.gov/nij/funding/humansubjects/;
www.ojp.usdoj.gov/bjs/pub/pdf/bjsmpc.pdf;
and www.ojp.usdoj.gov/bjs/funding.htm.

NATIONAL ENVIRONMENTAL PROTECTION ACT (NEPA) REQUIREMENTS

Grantees must comply with the National Environmental Protection Act and other related Federal environmental impact analyses requirements in the use of Federal grant funds either directly by the grantee or by a subgrantee. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds.

The grantee acknowledges that this special condition applies to its new activities whether or not they are being specifically funded with grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

1. New construction.
2. Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain.
3. A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly changes its size.

4. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.

NEPA compliance relating to clandestine methamphetamine laboratory operations

No monies from this award may be obligated to support clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"] unless the grantee implements this special condition.

The Office of Justice Programs (OJP), in consultation with the Bureau of Justice Assistance, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a Program-level Environmental Assessment (Assessment) governing meth lab operations. The Assessment describes the adverse environmental, health, and safety impacts likely to be encountered by law enforcement agencies as they implement specific actions under their methamphetamine laboratory operations. Consistent with the assessment, the following terms and conditions shall apply to the grantee for any OJP funded meth lab operations:

1. The grantee shall ensure compliance by OJP funded sub-grantees with federal, state, and local environmental, health, and safety laws and regulations applicable to meth lab operations, to include the disposal of the chemicals, equipment, and wastes resulting from those operations.
2. The grantee shall have a Mitigation Plan in place that identifies and documents the processes and points of accountability within its state. This plan will be used to ensure that the adverse environmental, health, and safety impacts delineated in the Assessment

are mitigated in a manner consistent with the requirements of this condition.

3. The grantee shall monitor OJP funded meth lab operations to ensure that they comply with the following nine mitigation measures identified in the Assessment and whose implementation is addressed in the grantee's Mitigation Plan. These mitigation measures must be included as special conditions in all subgrants:
 - a. Provide medical screening of personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories;
 - b. Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to either the seizure or closure of clandestine methamphetamine laboratories;
 - c. As determined by their specified duties, equip the personnel with OSHA required protective wear and other required safety equipment;
 - d. Assign properly trained personnel to prepare a comprehensive contamination report on each seized/closed laboratory;
 - e. Utilize qualified disposal personnel to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized laboratory;
 - f. Dispose of the chemicals, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities;

- g. Monitor the transport, disposal, and recycling components of subparagraphs numbered 5 and 6 immediately above in order to ensure proper compliance;
- h. Have in place and implement a written agreement with the responsible state environmental agency. This agreement must provide that the responsible state environmental agency agrees to (i) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory and (ii) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the state environmental agency and in accordance with existing state and federal requirements; and
- i. Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

FAILURE TO COMMENCE PROGRAM

If a program is not operational within 60 days of the award period start date, the grantee must report to CJS the steps it has taken to initiate the program, the reasons for the delay, and the expected starting date. If the program is not operational within 90 days of the award period start date, CJS may cancel the grant.

SUSPENSION OR TERMINATION OF FUNDING

Criminal Justice Services may suspend funding in whole or in part, terminate funding, or impose another sanction on a Byrne or JAG recipient for any of the following reasons:

- Grantee fails to comply substantially with the requirements or statutory objectives of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, Title I, 42 U.S.C. 3750-3766b, guidelines issued thereunder, or other provisions of Federal law.
- Grantee fails to make satisfactory progress toward the goals and objectives set forth in the application or the Comprehensive Evaluation Plan (where appropriate).
- Grantee fails to adhere to the requirements and the terms and conditions of the grant award.
- Grantee proposes or implements substantial plan changes to the extent that, if originally submitted, the application would not have been selected or approved.
- Grantee fails to submit the required financial, program or audit reports, or to resolve financial, program, or audit issues.
- Grantee institutes or has instituted against it insolvency, receivership, or bankruptcy proceedings, makes an assignment for the benefit of creditors, or ceases doing business on a regular basis.
- Grantee fails to comply substantially with any other applicable Federal or state statute, regulation, or guideline.

Before imposing sanctions, CJS will provide reasonable notice to the grantee of its intent to impose sanctions and will attempt to resolve the problem informally.

FISCAL REQUIREMENTS

FINANCIAL GUIDE

The OJP *Financial Guide* serves as a primary reference manual to assist grantees in fulfilling their fiduciary responsibility to safeguard grant funds and ensure funds are used for the purposes for which they were awarded. The Guide should serve as a day-to-day management tool for grantees in administering their grant programs. It is the responsibility of grantees to comply with the Federal guidelines in the manual. Copies of the OJP *Financial Guide* may be obtained from the Office of the Comptroller Customer Services Center at:

Office of the Comptroller
Office of Justice Programs
United States Department of Justice
810 Seventh Street, NW Room 5303
Washington, DC 20531
Phone: 800-458-0786
www.ojp.usdoj.gov/finguide06/

OMB CIRCULARS

It is the responsibility of the recipient agency to comply with the Federal guidelines contained in the appropriately relevant Circulars. Copies of the following Office of Management and Budget (OMB) may be obtained from the addresses shown below.

The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503
www.whitehouse.gov/omb/circulars/

OMB Circular A-21: “*Cost Principles for Educational Institutions.*” This Circular establishes principles and standards for determining costs applicable to grants and contracts with educational institutions.

OMB Circular A-87: “*Cost Principles for State, Local and Indian Tribal Governments.*” This Circular establishes principles and standards for determining costs applicable to grants and contracts with state, local and Indian tribal units of government.

OMB Circular A-102: “*Grants and Cooperative Agreements with State and Local Governments.*” This Circular establishes standards for administration of grants with state and local government agencies.

OMB Circular A-110: “*Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.*” This Circular establishes standards for the administration of grants to institutions of higher education, hospitals, and other nonprofit organizations.

OMB Circular A-122: “*Cost Principles for Nonprofit Organizations.*” This Circular establishes principles for determining costs of grants, contracts, and other agreements with nonprofit organizations.

OMB Circular A-133: “*Audits of States, Local Governments, and Nonprofit Organizations.*” This Circular covers audit requirements for states, local governments, and nonprofit institutions.

Common Rules: “*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 28 CFR Part 66.*” This Common Rule contains government-wide fiscal and administrative conditions governing Federal grants and cooperative agreements and sub awards to state, local, and Indian tribal governments.

Units of government and other organizations receiving Federal financial assistance from the State shall adhere to applicable State laws and procedures.

Grantees shall also adhere to any fiscal procedures established by CJS.

MEMORANDUM OF UNDERSTANDING (MOU)

In some instances, a grantee may be required to, or may choose to, execute a Memorandum of Understanding (MOU). An MOU is a written plan between two or more parties for carrying their separate activities in a coordinated and mutually beneficial manner. An MOU is generally used when there will not be an exchange of funding or resources but there is a need to formally document the relationship(s). An MOU generally has the following components:

- Parties of the MOU
- Background and Purpose
- General Responsibilities of all Parties
- Specific Roles and Responsibilities of Each Party
- Additional Terms and Conditions (conflict resolution, amendments, termination, etc.)
- Duration of the MOU
- Acceptance and Authorized Signatures

SUBAWARDS

In some instances, a grantee may choose to accomplish a portion of the program activities through a financial arrangement with another organization. A number of factors must be considered to determine whether a financial arrangement should be classified as a subaward or a procurement transaction. The proper classification of a financial arrangement as a subaward or a procurement transaction at the time it is proposed is critical to ensure proper accounting for costs and compliance requirements.

The requirements found in [OMB Circular A-133](#), Section B.210 provide the following guidance to distinguish between a subaward or a procurement transaction:

Subaward Factors	Procurement Factors
Distributes financial assistance in the form of money or property to eligible subrecipients.	Provides the goods or services within its normal business operations.
Performance is measured against the objectives of the Federal award.	Provides similar goods or services to many different purchasers.

Subaward Factors	Procurement Factors
Has responsibility for programmatic decision making.	Operates in a competitive environment.
Has responsibility to comply with applicable Federal program requirements.	Not subject to the compliance requirements of the Federal program.
Uses the Federal funds to carry out its own program, as compared to providing goods or services for the program of the grantee.	Provides goods or services that are ancillary to the operation of the Federal program.

Typical subaward situations include financial arrangements in which two or more qualifying legal entities are working collaboratively on a program. Each entity has its own program director; however, one of the collaborating entities takes on the role of the prime grantee. A collaborating entity is responsible for meeting its own scope of work, for directing its segment of the program, and for complying with the pertinent OMB Circulars.

None of the program activities supported by Byrne and JAG funds may be subawarded to another organization without specific prior approval from CJS. Where the intention to make subawards is made known at the time of application, the approval may be considered given, if these activities are funded as proposed.

PROCUREMENT STANDARDS

If a proposed financial arrangement does not meet the criteria for a subaward, the grantee must initiate a procurement transaction. Federal requirements state that “all procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition.” These requirements apply to all procurements, including, but not limited to, procurements for goods, services, and equipment. Grantees shall follow their own established procurement procedures and regulations, provided they minimally adhere to applicable Federal and state guidelines and standards. If a grantee’s established procurement procedures are less competitive than the Federal requirements, the grantee must adhere to the following more competitive procurement requirements:

- For small procurements of \$5,000 or less, grantees may solicit goods or services in any manner deemed practical or convenient. A procurement may not be artificially divided or fragmented so as to constitute a small procurement.
- For procurements exceeding \$5,000 but not exceeding \$100,000, grantees must solicit quotes or bids from at least three sources.
- For procurements over \$100,000, grantees must formally advertise the proposed procurement through an Invitation for Bids (IFB) or a Request for Proposals (RFP) process.

Grantees must follow the threshold limitations established in their own procurement procedures if their internal procedures are more restrictive than the Federal threshold.

Grantees must submit all IFBs and RFPs over \$100,000 that involve the use of Federal or matching funds to CJS for review and approval prior to their issuance. Interagency agreements between units of government are excluded from this provision.

Grantees must submit documentation regarding its procurement procedures to CJS for review and approval to assure adherence to applicable Federal guidelines.

SOLE SOURCE PROCUREMENT

In rare and unusual circumstances it may be necessary to waive the competitive bid process and utilize a sole source, noncompetitive, procurement. Grantees may make the determination that competition is not feasible if one of the following circumstances exists:

1. The item or service is available only from a single source.
2. A public exigency or emergency will not permit a delay resulting from a competitive solicitation; or if it can be shown unequivocally that desired time frames for delivery must be met or the entire program will suffer as a direct result of the delay.

3. After solicitation of a number of sources, competition is considered inadequate.

If sole source procurement is pursued, documentation reflecting actions taken and the position of the grantee is required.

A justification statement for all sole source contracting should include:

1. A brief description of the program, the amount to be designated for the sole source procurement, and the purpose of the contract.
2. Explanation of why it is necessary to contract in a noncompetitive manner by providing supporting information as identified below in the applicable section(s):
 - a. If the item or service is available only from one source, describe the contractor's expertise related to the current program (knowledge of program management, responsiveness, knowledge of the program, experience of contractor personnel), the uniqueness of items to be procured from the contractor (these services or items are only available from a single contractor), and any additional information that would support the case.
 - b. If a public exigency or emergency will not permit a delay resulting from a competitive solicitation, describe when the contractual coverage is required, the impact on the program if deadline dates are not met, how long it would take an alternate contractor to reach the same level of competence, and any additional information that would support the case.
 - c. If competition is determined inadequate after solicitation of a number of sources, describe the market survey, or similar effort, used to determine competition availability, and any additional information that would support the case.
3. A declaration that this action is in the "best interest" of the agency.

For all sole source procurements in excess of \$100,000, grantees must submit a justification statement for review and approval from CJS prior to the procurement. Interagency agreements between units of government are excluded from this provision.

SUBCONTRACTOR AGREEMENTS

All financial arrangements with other entities or individuals to accomplish a portion of the program activities, subawards and procurement transactions, must be formalized in written and signed agreements between the parties involved. An agreement must, at a minimum, include:

- Activities to be performed;
- Budget;
- Program start date and end date;
- All required representations, certifications, and assurances;
- Program policies and procedures to be followed;
- Dollar limitation of the award or contract and any match requirements;
- Payment procedure and schedule; and
- Cost principles to be used in determining allowable costs.

The written agreement may not affect the grantee's overall responsibility for the duration of the Byrne- or JAG-funded program and accountability to CJS. The grantee is responsible for monitoring the subcontractor and determining that all fiscal and programmatic responsibilities are fulfilled.

PROGRAM INCOME

Definition of Program Income

Program income means gross income received by the grantee or subgrantee directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. "During the grant period" is the time between the effective date of the award and the ending date of the award reflected in the final Request for Reimbursement (RFR).

Examples of program income include, but are not limited to, income from fees for services performed, registration fees, usage or rental fees from real or personal property acquired with grant funds, sales of commodities or items fabricated under a grant, sale of property, royalties, attorney's fees and costs, and proceeds received through asset seizure and forfeiture.

Unless specifically identified in the grant agreement, program income does *not* include interest on grant funds; rebates, credits, discounts, and refunds; or taxes, special assessments, levies, fines, and other such revenues raised by a grantee or subgrantee. Fines as a result of law enforcement activities are not considered program income.

Use of Program Income

Program income earned during the grant period must be retained by the grantee and must be used in one or more of the following ways:

1. *Addition*: Added to the funds committed to the grant by CJS and the grantee and used to further eligible program objectives.
2. *Cost sharing or matching*: Used to meet the non-Federal matching requirement of the grant agreement. The amount of the Federal grant award remains the same.
3. *Deduction*: Deducted from the total allowable costs to determine the net allowable costs.

Program income must be used to further eligible objectives of the grant award and must be used under the conditions applicable to the award. If the cost is allowable under the grant program, then the cost would be allowable using program income.

Accounting for Program Income

Program income should be used as earned and expended as soon as possible. During the grant award period, program income and expenditures must be reported on the Program Income Report (PIR) form on a quarterly basis and submitted with the RFR. The format for reporting program income and expenditures is shown on Appendix B. Grantees that do not generate program income are only required to submit a PIR with the final RFR. If program income generated and reported during the award period has not been expended by the date the grant was closed, the grantee must submit a final PIR within 90 days of the expiration of the grant period or as soon as possible thereafter. Even after a grant is closed, grantees remain obligated to use program income generated during the award period for purposes that further the objectives of the original award.

There are no Federal requirements governing the disposition of program income earned *after* the end of the award period. Income generated from grant activities after the grant is closed is

not program income for these purposes and does not need to be reported or expended in furtherance of grant objectives.

If CJS funding accounts for only a portion of the program's overall budget, then only that portion of the earned program income must be reported. For example: If a grantee is funded at 75 percent Federal funds and 25 percent non-Federal funds and the total program income earned by the grant was \$100,000, then only \$75,000 must be accounted for and reported as program income by the grantee.

Program Income from Asset Seizures and Forfeitures

Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (i.e., law enforcement entity, task force).

Costs incident to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the award.

Subgrantee program income received from the sale of seized and forfeited assets (personal and real property) or from seized and forfeited money may be retained by the entity earning the program income, with the approval of the grantee, or may be used by the grantee for any purpose that furthers the objectives of the grant (*Addition* method described above).

Program income funds from seized and forfeited assets may be used as match when assets are adjudicated by a State Court, in accordance with state law.

Seized and forfeited cash received under the Equitable Sharing Program may be used as match when the assets are adjudicated by a Federal Court.

REQUEST FOR REIMBURSEMENT REQUIREMENTS

CJS reimburses only actual and allowable expenditures for goods and services purchased during the grant period.

Grantees may not obligate funds, order goods, enter into contracts, or request purchase orders prior to the start of the grant period.

CJS does not typically reimburse items that are not in the approved budget. CJS may withhold funds for any expenditure not budgeted or in excess of approved budget amounts.

CJS reimburses expenses quarterly unless otherwise agreed between CJS and the grantee.

Failure of the grantee to operate the program in accordance with the approved budget may result in suspension and/or termination of the grant agreement.

REQUEST FOR REIMBURSEMENT (RFR)

CJS requires accurate, clear, and verifiable expenditure documentation prior to reimbursement. The format for reporting expenditures and requesting reimbursement is shown on Appendix C. A blank copy of the RFR, in Excel format, is available online at www.oregon.gov/OSP/CJS/Handbooks.shtml. CJS encourages you to download this form for quarterly reporting use.

The RFR must reflect all program expenditures that are reported as either grant or match funds. Supporting documentation must be included for both grant and match funds.

Copies of supporting documentation (e.g. invoices, receipts, time cards, payroll reports, etc.) must accompany all RFRs. RFRs will not be paid without the required supporting documentation of expenditures. Written statements are not acceptable documentation of program expenses.

All conditions that apply to grant funds apply to match funds.

Supporting documentation must be separated by each budget category with the amounts clearly identified. The amounts for each budget category must be totaled and rounded to the nearest whole dollar. CJS will not make the final payment unless the minimum match requirement is met.

The original RFR must be signed by the program contact and mailed to CJS. Reimbursements are mailed to the address that appears on the grant agreement.

Reimbursements will be withheld if progress reports are outstanding or are incomplete.

Any RFR that is outstanding for more than one month past the due date may cause the suspension and/or termination of the grant. The grantee must receive prior approval from CJS to extend a RFR requirement past its due date.

CJS will hold a grantee accountable for any overpayment, audit disallowances, or any other breach of grant agreement that results in a debt owed to the Federal government.

DUE DATES

Grantees must submit a Request for Reimbursement (RFR) quarterly unless otherwise agreed. It is the responsibility of the grantee to ensure that RFRs are received by CJS by the due dates. For most Byrne and JAG programs the reports are due on the following dates:

Quarter	Due Date
October 1 - December 31	January 31
January 1 - March 31	April 30
April 1 - June 30	July 31
July 1 - September 30	October 31

A final RFR must be received within 30 days of the expiration of the grant period.

CJS may deobligate funds at any time during the grant period and will deobligate all unspent funds at the close of the grant period.

REIMBURSABLE EXPENSE CATEGORIES

PERSONNEL costs are the cost of employees, fringe benefits, and payroll taxes. Overtime must be specifically listed and approved in the budget in order to be reimbursed.

Documentation to be submitted with the RFR must include copies of actual payroll reports showing the full amount paid for each employee (wages, taxes, and benefits) as well as a calculation to show how the amount reported was determined and signed Personnel Activity Reports (time sheets). If the employee works less than the 1.0 FTE on the Byrne or JAG funded program, the Personnel Activity Report must reflect an after-the-fact distribution of the employee's actual time on the program and must also account for the total time for which the employee is compensated.

The Personnel Activity Report (time sheet) must provide a breakdown of the total time for which the employee is compensated. This includes the actual time spent on the Byrne or JAG program (grant and/or match) and any other Federal programs.

One example of documentation that satisfies the requirement for the Personnel Activity Report may include time sheets with a separate breakdown for each program. The employee should indicate on the time sheet how much time was spent each day on each of the different programs. If the requirement for submitting Personnel Activity Reports can be met within the recipient's current management system, there is no need to establish a separate time tracking system.

EQUIPMENT is tangible personal property costing over \$5,000 or having a useful life of more than one year. Equipment must be purchased from a governmental price list or through an open competitive process.

Examples of items typically considered to have a useful life of more than one year and therefore included in the equipment category:

- Computers and printers
- Office furniture
- Digital and video cameras
- Surveillance and forensic equipment

Equipment may not be transferred, sold, or disposed of during the grant period without the permission of CJS. After the end of the grant period, items with a current per unit fair market value of less than \$5,000 may be retained by the grantee for purposes consistent with the Byrne and JAG authorized Purpose Areas, sold, or otherwise disposed of, in accordance with state procedures, with no further obligation to CJS.

Criminal justice information and communication systems shall be designed and programmed to maximize the use of readily available equipment and software. If new software is developed, it shall be designed so that other criminal justice agencies will be able to use it with minor modifications at minimum cost. Grantees must receive written approval prior to copyrighting computer software and programs.

TRAVEL/CONFERENCES/TRAINING include employee costs for meals, tolls, lodging, mileage, motor pool fees, commercial transportation, parking fees, registration fees, and material fees.

Travel costs are allowable as expenses by employees who are in travel status on official program-related business. These costs must be in accordance with Federal, state, or grantee-approved travel policy. CJS follows Federal travel rules in determining allowable grant and match expenditures. If a grantee does not have a written travel policy, the grantee must abide by the Federal travel policy. The current Federal Travel Regulation, per diem rate information, and privately owned vehicle (POV) mileage reimbursement rates are available at the GSA Web site www.gsa.gov.

Grantees must obtain prior CJS approval, in writing, for travel out-of-state. CJS will approve out-of-state travel only if the travel is essential to meet the objectives of the program.

CJS requires a state travel form or a form similar to the state travel form be included with the RFR. A sample form may be found in Appendix D. A blank copy of the state travel reimbursement form, in Excel format, is available online at: www.oregon.gov/OSP/CJS/Handbooks.shtml#Other.

Allowable costs for conferences and training may include conference or training arrangements, publicity, registration fees, conference or training space, transportation and per diem for speakers or participants, lodging, and food and beverages subject to specific conditions.

The documentation must show the nature of the conference (i.e. title, subject) and identify the individuals for whom reimbursement is requested. The subject matter of the conference must be directly related to the Byrne or JAG program objectives. The number of individuals attending the conference should be reasonable and essential to the operation of the program. A copy of the conference agenda or brochure and conference registration forms must accompany the RFR.

Overnight lodging while attending a conference, meeting, or training should not exceed the Federal lodging rates. Any lodging costs above the Federal rate will not be automatically approved and reimbursed. State guidelines require that an individual make a good faith effort to stay at an alternative lower cost hotel/motel within reasonable proximity of the event or activity.

If an employee is attending an Office of Justice Programs sponsored conference or training with 30 or more participants, lodging costs associated with the event cannot exceed the Federal rate. If lodging costs exceed the Federal rate, none of the lodging costs associated with the event would be allowable. As a result, the grantee would be required to pay for all lodging costs for the event, not just the amount in excess of the Federal rate.

Meals may not be claimed as a reimbursable expense if they are already included as part of the conference or training registration fee. Employees may receive the meal allowance under the following circumstances:

- An employee is in transit to or from a destination that requires an overnight stay.
- An employee is in transit to or from a destination and the employee must depart from the employee's home more than two hours before the regular starting time or returns home more than two hours after the regularly scheduled end of shift.

Expenses incurred by grantees for food and/or beverages *provided* at training sessions, meetings, or conferences are allowable if they satisfy the following three tests:

Test 1 – The food and/or beverages provided are **incidental** to a work-related event;

Test 2 – The costs of the food and beverages are considered **reasonable**; and

Test 3 – The food and beverages are **not directly related to amusement and/or social events**.

A “working lunch” or “working dinner” is a formal and mandatory meal necessary for all participants to have full participation in the event. A formal agenda including a program or speakers that will impart necessary information important for full understanding of the subject matter must be provided. The agenda should also include several hours of substantive information scheduled both before and after a working meal.

SUPPLIES are items that have a useful life of less than one year such as office supplies. Supplies that have a useful life of more than one year and have a value greater than \$5,000 are considered Equipment.

Examples of items typically considered to have a useful life of less than one year and therefore included in the Supplies category:

- Office supplies
- Educational/training supplies
- Printer supplies
- Film/photo processing for evidence purposes
- Drug test supplies
- Duplication and printing
- Postage and freight
- Software and computer supplies (modem, wireless card, flash drive, etc.)
- Digital camera supplies

CONTRACTUAL SERVICES are services such as consulting, evaluation, treatment, or other grant-supported activities provided through subawards, subcontracts, or independent contractors rather than employees. Grantees must follow subaward guidelines and procurement standards described on page 14 in the *Handbook* when awarding contracts.

Federal rules limit remuneration for individual consultants to \$450 per 8-hour day (\$56.25 per hour), plus expenses. An 8-hour day may include preparation, evaluation, and travel time in addition to the time required for actual performance of the contracted service. When the rate exceeds \$450, prior approval is required from CJS. Grantees must submit the following levels of justification:

1. If the hourly rate exceeds \$56.25 per hour, but is less than \$100 per hour, provide a signed certification from the consultant stating that the hourly rate charged to the program is equal to or less than the rate that the consultant currently charges to other organizations for similar services. Absent such certification, a compelling justification as to why the consultant should be paid at the requested rate must be provided.
2. If the requested hourly rate is \$100 an hour or more, provide a copy of a former contract, invoice, or similar documentation showing that the consultant has been previously paid at the requested rate for similar services. Absent such certification, a compelling justification as to why the consultant should be paid at the requested rate must be provided.

If consultants are hired through a competitive bidding process, not sole source, the \$450 threshold does not apply.

The documentation submitted under contractual services must clearly identify the name of the contractor, the service provided, time period of service provided, and the amount and basis of amount paid to the contractor. The requirements in this *Handbook* relating to expenditures are applicable to contractors as well as grantees.

Grantees must submit a copy of the agreement and a copy of the RFP, if contracted services exceed \$100,000, with the first RFR of

contractual services. The agreement should meet the criteria stipulated in the Subcontractor Agreements section of the *Handbook*. The RFR for contractual services should conform to the dollar limitation, match requirements, payment procedure, and payment schedule outlined in the agreement.

RENT AND UTILITIES includes rent, telephone, cellular phones/pagers, and other utilities. Maintenance and operation costs are allowable unless duplicated in rent or extend beyond the life of the award. The documentation included with the RFR should identify each location for which rent is paid and the basis for the amount requested (invoices/bills). The basis for determining the rent cost should include a calculation of the cost per square foot, and a justification of the total program-supported square footage (FTE, actual utilization, etc.).

ADMINISTRATIVE COSTS are program-related costs such as accounting, program management, legal services, and payroll preparation. Reimbursement is based on the actual cost of these services and will be approved on a case-by-case basis. Administrative costs may not exceed ten percent of the Federal and minimum match amounts. Supporting documentation for Administrative Costs must accompany the RFR.

Any administrative costs included in the cost of a contracted service may not exceed ten percent of the total contractual service.

OTHER COSTS are expenses that do not readily fit into any of the other budget categories. Examples of costs that might be included in the Other category:

- Direct client services
- Confidential funds
- Outreach/educational campaign costs
- Staff recruitment costs

Documentation for **direct client services**, and any other client-based costs, must clearly indicate an actual expenditure for a client receiving program services. Bulk purchases in advance of the actual distribution of the service will not be eligible for reimbursement.

Examples of direct client services include, but are not limited to, the following:

- Child care
- Bus passes and tickets
- Rent, utilities, telephone bills
- Medical and prescription costs or co-payments

Confidential funds are funds used to purchase services, evidence and/or contraband, and specific information. Prior to the expenditure of funds allocated for confidential funds, the authorized official shall sign a Certification indicating he or she has read, understands, and agrees to abide by all conditions pertaining to confidential funds set forth in the current edition of the OJP Financial Guide, December 2006 edition.

A sample of the Certification form can be found on Appendix E. The Certification must be on file with CJS. Additionally, copies of receipts used when signing out confidential funds must be submitted as supporting documentation with the RFR.

UNALLOWABLE COSTS

Funds may not be budgeted or used for the following items:

1. Land acquisition.
2. Acquisition or construction of non-penal or correctional buildings.
3. Indirect costs.
4. Vehicle purchase or vehicle rental.
5. Tips, bar charges or related items while on travel status. Meals not associated with overnight travel. An exception is made for breakfast and dinner as long as the employee is on travel status for a minimum of two hours before the beginning of their regularly scheduled work shift or after the end of their regularly scheduled work shift.
6. Per diem reimbursement for meals provided at conferences or training seminars.
7. Food related items such as napkins, plates, forks, spoons, and knives, beverages, snacks, candy or food items not provided in conjunction with a working lunch or dinner at a conference or training event (see page 20 for definition of working lunch or dinner).
8. Entertainment, honoraria, gifts, gift certificates, cards, movies, arcades, recreation, sporting events, holiday and birthday supplies, or expenses related to these items.
9. Cameras, film, or accessories not used for evidence purposes.
10. Fund raising campaigns, endowment drives, or solicitation of gifts and bequests.
11. Personal items such as makeovers, non-professional membership dues, flowers, cards, social events or promotion of church attendance.
12. Grantwriting.
13. Visas or passport charges.
14. Compensation to Federal employees.
15. Bonuses or commissions.
16. Military-type equipment such as armored vehicles, explosive devices, and other types of hardware excluding automatic weapons.
17. Lobbying or attempts to influence members of Congress, the Oregon Legislature, City Councils, County Commissions, or other legislative bodies.
18. Corporate formation.
19. Interest; interest on non-bearing items, or the cost of money.
20. Laundry charges.
21. Expenses related to the maintenance or sale of forfeited or seized property.
22. Stipends or incentives.
23. Mass transit tax.
24. Late fees or finance charges.
25. Refundable deposits.

26. Audit costs for audits not required in accordance with OMB Circular A-133 are unallowable. If the grantee did not expend \$500,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, these costs may not be charged to the grant.

CJS reserves the right to modify the list of unallowable costs as necessary. An exception for some of these items may be allowed for shelter or residential treatment programs.

REQUEST FOR REIMBURSEMENT (RFR) CHECKLIST

The following checklist has been developed to assist grantees in complying with the requirements for submitting RFRs. Please use the checklist to ensure there are no delays in the reimbursement of grant funds:

- Is the correct RFR format used (Appendix C)? Are all three columns completed? Do columns and rows balance?
- Is the grant number, reporting period, Program Contact name and phone number clearly stated?
- Is supporting documentation included for all grant and match expenditures?
- Are expenditures within the approved budget categories?
- Does the RFR reflect personnel/FTE, budget amounts, and categories consistent with the signed grant agreement?
- If Personnel Costs are included in your budget, have you submitted the required documentation that must accompany the RFR (refer to page 19).
- Does supporting documentation clearly indicate the purpose of the expense? If the documentation is not self-explanatory, please include a brief description/justification directly on the documentation.
- Is supporting documentation separated and totaled by budget category?
- If necessary, are copies of applicable travel forms and conference information attached?
- Have progress reports been submitted at the end of each quarter?
- Is the RFR **signed** by the Program Contact and submitted with the supporting documentation?

PROGRESS REPORT REQUIREMENTS

PURPOSE

Grantees must submit progress reports to CJS. Progress reports have the following purposes:

- To determine if the grantee is implementing the program as agreed.
- To determine if the grantee is making progress towards meeting its performance measures.
- To determine if the grantee demonstrates fidelity to identified evidence-based practices and/or programs.
- To determine if the activities performed by the grantee are linked to the specific outcomes of the program.
- To allow the grantee to present information on any problem encountered (e.g., what were they, how they impacted the program, and how were they resolved).
- To develop data for criminal justice planning and the *Statewide Strategy*.
- To provide information for the *Annual Report*.
- To help other agencies that might undertake a similar program.
- To present information to the Governor, the Legislature, the U.S. Department of Justice, and Congress.
- To justify continued funding of the Byrne and JAG programs.

DUE DATES

Reports should include quarterly activities and outcomes, as well as cumulative information to date. For most Byrne and JAG programs the reports are due on the following dates:

Quarter	Due Date
October 1 - December 31	January 31
January 1 - March 31	April 30
April 1 - June 30	July 31
July 1 - September 30	October 31

In addition to the four quarterly reports, Byrne- and JAG-funded programs may be required to submit additional information for the annual Federal report.

Progress report templates for the Multijurisdictional Drug Task Force Grant Program, the Methamphetamine Reduction Grant Program, and the Drug Court Implementation and Enhancement Grant Program may be found at www.oregon.gov/OSP/CJS/Handbooks.shtml.

Progress report templates are individually negotiated for Juvenile Delinquency and Violence Prevention Programs, Domestic Violence and Sexual Assault Assistance Programs, and Offender Alcohol and Drug Treatment Programs.

FAILURE TO SUBMIT PROGRESS REPORTS

CJS will not issue financial reimbursements if any progress report is outstanding or incomplete.

Any progress report that is outstanding for more than one month past the due date may cause the suspension and/or termination of the grant.

The grantee must receive prior written approval from CJS to extend a progress report requirement past its due date. It is the full responsibility of the grantee to ensure that progress reports are received by CJS by the due dates.

REQUEST FOR AMENDMENT REQUIREMENTS

A Request for Amendment is used to request programmatic and/or financial changes associated with a grant award. Modifications to the grant-funded program or budget must be requested utilizing either the Request for Program Amendment (Appendix F) or the Request for Budget Amendment (Appendix G).

A **Request for Program Amendment** is required for any of the following circumstances:

1. To adjust the grant award period;
2. To request a grant award period extension;
3. To change any grantee contact information (name, address, phone number, fax number, email address);
4. To modify the program in any significant manner to expedite achievement of the grant's objectives; or
5. To modify the program goals or performance measures.

Requests to adjust a grant award period require an explanation of why the term needs to be adjusted and a description of how the change will impact the grant-funded program.

Requests to extend a grant award period must be justified by extraordinary circumstances beyond the control of the grantee. Extensions will only be considered if the extension criteria outlined below are met by the grantee at the time the request for the extension is submitted:

- Current and acceptable progress reports and RFRs must be submitted and all identified issues are resolved.
- All terms and conditions of the award must be satisfied, except for those terms or conditions that must be fulfilled in the remaining period of the award.
- A narrative justification must be submitted that details the extraordinary circumstance which requires the proposed extension.

The grantee must obtain prior written approval from CJS for any changes to program purpose, target population, program components/model, key program personnel, or planned performance measures. Program revisions are not necessary for *minor* changes in program activities and

outputs. While not an inclusive list, the following changes will require a program amendment:

- Changing the target group to be served.
- Expanding or decreasing the geographic area to be served.
- Making changes in key grant-funded personnel.
- Modifying the methodology, approach, or scope of any component of the program.
- Making any change in collaborative partnerships.
- Adding, deleting, increasing, or decreasing an activity or performance goal.

When requesting a programmatic change a justification statement is required that includes a description of the reason(s) for the requested change and the effect of the requested change on the program goals and objectives and/or the program model. CJS will review each Request for Program Amendment and will approve on a case-by-case basis.

An approved Request for Program Amendment is required prior to implementation of the changes.

Once the grantee has received an approved and signed Request for Program Amendment from CJS, all future progress reports submitted to CJS must reflect any revised goals, activities, and/or performance measures.

A **Request for Budget Amendment** is required for any of the following circumstances:

1. To decrease the total Federal funding amount or the total match amount;
2. To reallocate dollar amounts among budget categories within the existing award amount if the change in any one category exceeds the original budget by more than ten percent;
3. To add a budget category that did not exist in the original budget or to delete an existing category;
4. To add new items to a budget category that were not included in the original budget;
5. To delete items from a budget category that were included in the original budget.

CJS will review each Request for Budget Amendment and will approve on a case-be-case basis.

The grantee must obtain prior written approval from CJS for any budget revisions prior to the change being implemented. Budget revisions should be requested prior to, but no later than during the quarter in which the modification will take place. A Request for Budget Amendment submitted during the final quarter of a grant award must be received at least 45 days prior to the end of the award period to be considered.

A complete set of revised budget pages will replace the existing budget in the CJS grant file. Therefore, all line items that are to be included in your current budget must be completed in the proposed revised budget, not just the line item(s) for which the grantee is requesting revision.

Once the grantee has received an approved and signed Request for Budget Amendment from CJS, all future RFRs submitted to CJS must reflect any revised budget amounts or items.

Steps toward approval of a Request for Amendment:

- Grantee submits a Request for Amendment within the acceptable time frame to the Grants Coordinator.
- Grants Coordinator reviews the submitted materials for accuracy, completeness, and appropriateness to the program. Changes may be required at this stage.
- Grants Coordinator prepares the Award Amendment document and, if the request includes budget revisions, forwards the submitted materials to the Grants Accountant for review. Changes may be required at this stage.
- After approval from the Grants Accountant, the Request for Amendment is forwarded to the Grants Manager for final approval and signature.
- Grants Coordinator sends the fully executed Request for Amendment, any attachments, and the Grant Amendment Cover Sheet to the grantee.

ACCOUNTING AND AUDITING REQUIREMENT

ACCOUNTING SYSTEMS

Grantees must establish and maintain accounting systems that accurately account for grant and match funds. Grantees must maintain, for a minimum of five years after completion of the grant or until an audit is completed, whichever is later, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with this agreement.

COMMINGLING OF FUNDS

Federal agencies shall not require physical segregation of cash deposits or the establishment of any eligibility requirements for funds that are provided to a recipient. However, the accounting systems of all recipients and subrecipients must ensure that agency funds are not commingled with funds from other Federal agencies. Each award must be accounted for separately. Recipients and subrecipients are prohibited from commingling funds on either a program-by-program basis or a project-by-project basis.

Funds specifically budgeted and/or received for one program may not be used to support another. Where a recipient's or subrecipient's accounting system cannot comply with this requirement, the recipient or subrecipient shall establish a system to provide adequate fund accountability for each program that it has awarded.

AUDIT THRESHOLD

Non-Federal entities that **expend** \$500,000 or more in Federal funds (from all sources) in the organization's fiscal year shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133. Non-Federal entities that **expend** less than \$500,000 a year in Federal funds are exempt from Federal audit requirements for that year. Records must be available for review or audit by appropriate officials including the Federal agency, pass through entity, and General Accounting Office (GAO). Grantees

must complete and submit a signed Audit Certification form and required documentation (if applicable) to CJS within 60 days after the end of the grantee's fiscal year. The Audit Certification form can be found on Appendix H.

Audit costs for audits not required in accordance with OMB Circular A-133 are unallowable. If the grantee did not expend \$500,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, these costs may not be charged to the grant.

The Federal CFDA number for the Byrne funded programs is 16.579.
The Federal CFDA number for JAG funded programs is 16.738.

Grant funds are awarded subject to fiscal and program conditions to which the grantee expressly agrees. Accordingly, the audit objective is to review the grantee's administration of the program for the purpose of determining whether the grantee has:

- Established an accounting system integrated with adequate internal fiscal and management control to provide full accountability for revenues, expenditures, assets, and liabilities.
- Prepared financial statements that are presented fairly, in accordance with generally accepted accounting principles.
- Prepared financial reports to support claims for reimbursement that contain accurate and reliable financial data and are presented in accordance with the terms of the applicable agreements.
- Expended program funds in accordance with the agreement and Federal and state rules.

FEDERAL ACCOUNTING REQUIREMENTS

The grantee is responsible for establishing and maintaining an adequate system of accounting and internal controls for itself.

A. Elements of Accounting System.

Accounting systems are made up of a series of operations that involve classifying, recording, summarizing, and reporting transactions. Elements of the system must consist of an account structure, accounting records, source documents, a system for coding financial transactions, and written procedures prescribing the manner in which and by whom these operations are performed. A grantee's accounting system must include the following:

1. System coding or classification must permit summarization and reporting of grant expenditures by specific programs, projects, uniform receipt and expenditure classifications, and major steps funded in the approved budget cost categories.
2. Accounting records should adequately identify the receipt and the expenditures of each grantee, subgrantee or contractor.
3. Accounting records, which must include a ledger and supporting books of account, should refer to subsidiary records or documentation which support each entry and which can be readily located and identified with the grant.
4. Accurate, current, and complete financial reporting information.
5. Systems integration with an adequate system of internal controls to safeguard grant funds and properties, check the accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence by the grantee to prescribed management policies.

B. Accounting Systems are generally one of three kinds:

1. **Cash Basis** — Expenses are recorded when cash is spent and revenues are recorded when cash is received. This system provides little information on which to base expenditure planning.

2. **Obligation Basis** — Where expenses are recorded when the funds are obligated. This system is little used and is not preferred.
3. **Accrual Basis** — Revenues are recorded when goods or services are delivered and expenses are recorded when goods or services are consumed without regard to the timing of the exchange of cash. This system is preferred because it best matches revenues and expenses with the period in which they are actually earned or accrued. Accrual accounting also contains information on the receipt and disbursement of cash.

C. Internal Controls. The grantee must establish and maintain a system of internal controls adequate to safeguard grant funds and resources, check the accuracy and reliability of the grant accounting and financial data, promote the operational efficiency of the grantee, and encourage adherence to the grantee's prescribed managerial policies.

Appropriate internal controls are comprised of a plan of organization (grantee policies, structure, division of staff functions, procedures, staff qualifications, etc.) designed to provide the grantee with effective financial and operational control over both its grant programs or projects.

The degree of internal control is dependent upon the size of the grantee and the funds and resources for which the grantee is responsible. The following criteria are basic to an adequate system of internal control:

1. Operating policies must be clearly stated; systematically communicated throughout the organization; in conformance with applicable laws and external regulations and policies; and designed to promote the execution of authorized activities effectively, efficiently, and economically.
2. Organizational structure must define and assign responsibility for the performance of all duties necessary to carry out the functions of the grantee.
3. Responsibility for assigned duties and functions of the grantees must be classified according to authorization, performance, record keeping, custody of resources, and

review, to provide proper internal checks on performance and to minimize unauthorized internal checks on performance and to minimize unauthorized, fraudulent, or otherwise irregular acts.

4. A system of forward planning, embracing all phase of the grantee's operation, must be developed to determine and justify financial, property, and personnel requirements and to carry out grant operations effectively, efficiently, and economically.
5. Grant procedures must be simple, efficient, and practical, giving due regard to the nature of the grant and applicable legal and regulatory requirements. Feasibility, cost, risk of loss or error, and availability and suitability of personnel are factors that should be considered in formulating the procedures.
6. An adequate system of authorization, record keeping, and transaction coding procedures must be designed by the grantee to ensure compliance with prescribed grant requirements and restrictions of applicable laws, regulations, and internal management policies; to prevent illegal or unauthorized transactions; and to provide proper accounting records for the expenditure of grant funds.
7. An adequate and efficiently operated information system must be designed to provide prompt, essential, and reliable operating and financial data to the grantee responsible for decision-making and performance review.
8. The performance of all duties and functions of grantee personnel must be properly supervised. All performance must be subject to adequate review under an effective internal audit program to determine whether performance is effective, efficient and economical and whether management policies are observed; applicable laws, prescribed regulations, and grant conditions are obeyed; and regulations, and unauthorized, fraudulent, or otherwise irregular transactions or activities are prevented or discovered.
9. The qualifications of officials and employees with regard to education, training, experience, competence, and integrity must

be appropriate for the responsibilities, duties, and functions assigned to them.

10. Each official and employee must be fully aware of his/her assigned responsibilities and understand the nature and consequences of his/her performance. Each must be held fully accountable for the honest and efficient discharge of his/her duties and functions, including, where applicable, the custody and administration of funds and property, and compliance with grant regulations and legal requirements.
11. Effective procedures must be implemented for expenditure control to ensure that needed goods and services are acquired at the lowest possible cost; that goods and services paid for are actually received; that quality, quantity, and prices are in accordance with applicable contracts or other authorizations by grant officials and that such authorizations are consistent with applicable statutes, regulations, policies, and grant requirements.
12. All funds, property, and other resources for which the grantee is responsible must be appropriately safeguarded and periodically inventoried to prevent misuse, unwarranted waste, deterioration, destruction, or misappropriation.

D. Management System. The grantee should have a management system meeting the following criteria:

1. Established state, local government, and organization administrative and fiscal practice and policies must be followed by subordinate bodies in the administration of Federal grant funds.
2. When no established policies and practices govern, reasonable and prevailing administrative and fiscal practices in the area (preferably adapted from public practice) shall be formally adopted and made a matter of record. The record must contain documentation showing that the standards of reasonableness and prevailing practice have been met.
3. Administrative and fiscal policies must be applied consistently regardless of the source of funds.

E. Budget and Accounting.

1. Establish indirect cost budgets on a basis consistent with the way resources are to be consumed and accounted for.
2. Record all applied direct costs in work accounts on a basis consistent with the budgets in a formal system that is controlled by the general books of account.

F. Analysis by the Grantee.

1. Identify at the work account level on a monthly basis using data from, or reconcilable with, the accounting system:
 - a) Budgeted cost for work scheduled and budgeted cost for work performed.
 - b) Budgeted cost for work performed and applied direct costs for the same work.
 - c) Variances resulting from the above comparisons classified in terms of labor, materials, or other appropriate elements together with the reasons for significant variances.
2. Identify on a monthly basis in the detail needed by management for effective control, budgeted indirect costs, actual indirect costs and variances along with the reasons therefor.
3. Summarize the data elements and associated variances listed in 1 and 2 above through the grantee organization and to the reporting level specified in the grant.
4. Identify on a monthly basis significant differences between planned and actual technical performance together with the reasons therefor.
5. Identify managerial actions taken as a result of the above.
6. Monitor the effectiveness of actions taken to resolve problems or correct deficiencies.
7. Based on performance to date and on estimates of future requirements, develop revised estimates of cost at completion for elements identified in the grant and compare these with the grant baseline budgets, with current budgets.

G. Revisions and Access to Data.

1. Incorporate grant changes in a timely manner recording the effects of such changes in budgets and schedules.

2. Prohibit retroactive changes to records pertaining to work performed that will change previously reported amounts for applied direct costs, or indirect costs, except for correction of errors and routine accounting adjustments.
3. Prevent revisions to the grant budget baseline except for Government-directed changes to authorized effort, that is, scope, work, and schedules.
4. At the time changes occur, advise the grantor agency of any changes to baseline budgets or schedules.
5. The duly authorized representatives of the grantor agency shall be provided access to all of the foregoing information and records in support thereof.

H. Personnel and Compensation.

1. The organization will operate under a comprehensive plan that includes a scale of rates or ranges based upon the responsibilities of each position and its relationship to other positions.
 2. Compensation paid shall be reasonable. Compensation will be considered reasonable if it is a part of a public compensation plan prescribed for the grantee, or if it is comparable to that paid for similar work in the labor market in which the grantee must compete for the kind of employees involved.
 3. The compensation plan must include provisions concerning weekly hours of work; payment, if any, for overtime work; prior approval of all overtime work; and provisions establishing for each authorized part-time position the number of hours to be served each pay period by the incumbent.
 4. In the absence of an applicable public fringe benefit plan, fringe benefits extended to employees must be reasonable and of general application. Fringe benefits will be considered reasonable if they are comparable to the benefits extended to employees of similar organizations in the same area.
- I. **Safeguarding of Assets.** All funds, property, and other resources for which the grantee is responsible shall be appropriately safeguarded and periodically inventoried under appropriate policies and procedures.

PUBLICITY AND PUBLICATIONS

PUBLICITY

Grantees are encouraged to inform the public and the media about the accomplishments of their programs. Responsibility for the direction of the programs should not be ascribed to the U.S. Department of Justice. Press releases or other published accounts of program activities and results must include the following statement:

“The opinions, findings, and conclusions or recommendations expressed in this publication, program, or exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, or Criminal Justice Services.”

Any publication (written, visual, or audio, but excluding press releases, newsletters, and issue analyses) issued by the grantee or any of its subgrantees describing programs funded in whole or in part with Federal funds, shall contain the following statement:

“This program was supported by grant # _____, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, through Criminal Justice Services, Oregon State Police. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Office of Juvenile Justice and Delinquency Prevention, Bureau of Justice Statistics, National Institute of Justice, Corrections Program Office, and the Office for Victims of Crime. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice, or Criminal Justice Services.”

When issuing statements, press releases, requests for proposals, bid solicitations, and

other documents describing projects or programs funded in whole or in part with Federal money, the grantee shall include an acknowledgment similar to the following:

“A \$_____ grant awarded by the U.S. Department of Justice paid _____ portion of the cost of this project.”

PUBLICATIONS

All publications and distribution agreements with a publisher shall include provisions giving the Federal government a royalty-free, non-exclusive and irrevocable license to reproduce, publish, or otherwise use the material in any fashion it deems appropriate. Unless otherwise specified in the agreement, the recipient may copyright any books, publications, films or other material developed or purchased as a result of grant activities subject to the right of the Federal government.

CERTIFICATION of EEO COMPLIANCE

Grant Award #:	Grant Title (e.g. Byrne, JAG, RSAT):	
Grantee Name (Funded Entity):		
Address:		
Program Period: Beginning Date:	Ending date:	Award Amount: \$
Contact Name, Phone # and Email address:		

The purpose of an Equal Employment Opportunity Plan (EEO Plan) is to insure full and equal participation of men and women in the workforce regardless of race or national origin. Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP) to prepare, maintain on file, submit for review, and implement an EEO Plan in accordance with 28 CFR 42.301-308. The regulations exempt some recipients from all of the EEO Plan requirements. Other recipients, according to regulations, must prepare, maintain on file and implement an EEO Plan, but they do not need to submit the EEO Plan for review. Grantees must certify that they comply with, or are not covered by, EEO Plan regulations. It is the responsibility of Criminal Justice Services (CJS) to monitor grantee compliance with these requirements.

Grantees must prepare, implement, and maintain an EEO Plan related to employment practices affecting minority persons and women if all of the following are true:

- 1) have 50 or more employees; **and**
- 2) received \$25,000 or more in Federal grant funds, **and**
- 3) have a service population with a minority representation of 3 percent or more (if less than 3 percent minority representation in service population, an EEO Plan must still be prepared, but related to employment practices affecting women only).

If a grantee meets criteria 1 and 3, and has received a single award of \$500,000 (or \$1 million within an 18-month period) an EEO Plan must be filed with the Office for Civil Rights, Office of Justice Programs for review.

Check the box before **ONLY THE ONE APPROPRIATE CERTIFICATION** (A, B, C1 or C2 below) that applies to this grantee agency over the period of time that includes the program period referenced above.

- CERTIFICATION A: NO EEO PLAN IS REQUIRED if (1), (2) or (3), below, apply.** Check (1), (2) and/or (3) as they apply to your entity. (More than one may apply.)

This funded entity has not been awarded more than \$1 million cumulatively from *all* programs administered by the U.S. Department of Justice, including this grant from Criminal Justice Services of the Oregon State Police, over the period of time that includes the above program period and

- is an educational, medical or non-profit organization institution or an Indian tribe; and/or
- has less than 50 employees; and/or
- was awarded less than \$25,000 in Federal U.S. Department of Justice funds through the grant referenced above.

Therefore, I hereby certify that this funded entity is not required to maintain an EEO Plan, pursuant to 28 CFR 42.301, *et seq.*

- CERTIFICATION B: EEO PLAN MUST BE ON FILE**

This funded entity, a for-profit entity or a state or local government having 50 or more employees, was awarded more than \$25,000, but less than \$500,000 in Federal U.S. Department of Justice funds through the grant referenced above. Also, it has not been awarded more than \$1 million cumulatively from all programs administered by the U.S. Department of Justice, including the grant referenced above, over the period of time that includes the above program period.

Therefore, I hereby certify that the funded entity has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.301, *et seq.*, subpart E, that it has been signed into effect by the proper authority and disseminated to all employees, and that it is on file for review or audit by officials of the Oregon State Police or the Office for Civil Rights, Office of Justice Programs as required by relevant laws and regulations.

CERTIFICATION C1: EEOP MUST BE SUBMITTED

This funded entity, a for-profit entity or a state or local government having 50 or more employees, was awarded more than \$500,000 in Federal U.S. Department of Justice funds through the grant referenced above, but it has not been awarded more than \$1 million cumulatively from *all* programs administered by the U.S. Department of Justice, including this grant from the Oregon State Police, over the period of time that includes the above program period.

Therefore, I hereby certify that the funded entity will submit, within 60 days of receipt of award, an EEOP or an EEOP Short Form that will include a section specifically analyzing the grantee agency.

CERTIFICATION C2: EEOP MUST BE SUBMITTED

This funded entity, having 50 or more employees, has been awarded more than \$1 million cumulatively from *all* programs administered by the U.S. Department of Justice, including this grant from the Oregon State Police, over the period that includes the above grant duration period.

Therefore, I hereby certify that the funded entity will submit, within 60 days of receipt of award, an EEOP or an EEOP Short Form that will include a section specifically analyzing the grantee agency. (If you have already submitted an EEOP applicable to this time period, send a copy of the letter received from the Office for Civil Rights showing that your EEOP is acceptable.)

AUTHORIZED OFFICIAL'S CERTIFICATION:

As the Authorized Official for the above grantee, I certify by my signature below that:

I have read and am fully cognizant of our duties and responsibilities under this Certification.

This agency will maintain and submit when required, data to ensure our services are delivered in an equitable manner to all segments of the service population and our employment practices comply with Equal Opportunity requirements, 28 CFR 42.207 and 42.301 et seq.

That the person in this agency or unit of government who is responsible for reporting civil rights findings of discrimination will submit a finding to the Oregon State Police, Criminal Justice Services, within 45 days of the finding, and/or if the finding occurred prior to the grant award beginning date, within 60 days of receipt of award. A copy of this Certification will be provided to the person responsible for reporting civil rights findings of discrimination.

Authorized Official's Signature

Date

Typed Name

Title

* * * * *

This original signed form must be returned to the Criminal Justice Services, Oregon State Police, 4760 Portland Road NE, Salem, OR 97305, within 60 days of receipt of award. CJS will forward a copy to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. Please retain a copy for your records.

For more information regarding EEOP requirements, please access the Office for Justice Programs, Office for Civil Rights web page at: www.ojp.usdoj.gov/ocr/eeop.htm.

PROGRAM INCOME REPORT (PIR)

Administering Agency:	_____	
Address:	_____ _____ _____	
Program Title:	_____	
Program Contact:	_____	
Phone:	_____	E-Mail: _____
Fiscal Contact:	_____	
Phone:	_____	E-Mail: _____
Grant #:	_____	Report for the Period Covering: _____

	CURRENT AWARD REPORTING PERIOD	CUMULATIVE FOR AWARD PERIOD
1. PROGRAM INCOME		
A. Fees for services performed	_____	_____
B. Usage or rental fees	_____	_____
C. Registration fees	_____	_____
D. Asset forfeitures	_____	_____
E. Other:	_____	_____
F. TOTAL INCOME	\$0	\$0
2. PROGRAM INCOME EXPENDITURES		
A. TOTAL	_____	_____
3. PROGRAM INCOME BALANCE (1.F. minus 2.A.)	\$0	\$0

I hereby certify that the information contained on this form is based on official accounting records, that all expenditures of program income shown have been made in furtherance of the objectives of the original grant award, and that appropriate documentation to support these costs and expenditures is available for review.

Prepared by: _____	Date: _____
Signature of Fiscal Contact: _____	Date: _____

REQUEST FOR REIMBURSEMENT (RFR)

Administering Agency: _____

Address: _____

Program Title: _____

Program Contact: _____

Phone: _____

E-Mail: _____

Fiscal Contact: _____

Phone: _____

E-Mail: _____

Grant #: _____

Report for the Period Covering: _____

Budget Category	Expenses Paid This Period	Cumulative Expenses to Date	Program Budget
Personnel	\$	\$	\$
Equipment	\$	\$	\$
Travel/Conferences/Training	\$	\$	\$
Supplies	\$	\$	\$
Contractual Services	\$	\$	\$
Rent/Utilities	\$	\$	\$
Administrative Costs	\$	\$	\$
Other	\$	\$	\$
Total Expenditures	\$	\$	\$
Less Matching Funds	\$	\$	\$
Grant Funds Requested		\$	\$

Prepared by: _____

Title: _____

Signature of

Program Contact: _____

Title: _____

**Note: Please refer to the budget submitted in the original grant application.
 All expenditures must have adequate supporting documentation.**

CONFIDENTIAL FUNDS CERTIFICATION

Reimbursement for confidential funds incurred by programs funded by Edward Byrne Memorial State and Local Law Enforcement Assistance Program (Byrne) and Edward Byrne Memorial Justice Assistance Grant Program (JAG) must meet the conditions for the use of confidential funds described in the most current edition of the *Financial Guide* (Chapter Eight) published by the Department of Justice, Office of Justice Programs, Office of the Comptroller. The *Financial Guide* may be obtained at www.ojp.usdoj.gov/finguide06/index.htm.

The authorized official for the administering agency must sign and date this form as follows:

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds set forth in the most current edition of the *Financial Guide*.

Program title:

Authorized official for administering agency:

Signature of authorized official:

Date:

REQUEST FOR PROGRAM AMENDMENT

OREGON STATE POLICE Criminal Justice Services 4760 Portland Road NE Salem, Oregon 97305 (503) 378-4145 Fax: (503) 378-6993		1. Grant Program:			
		2. Grant number(s):			
		3. Amendment #:			
4. Grantee:					
Address:					
City:		Zip:	Phone #:	Fax #:	
5. Type of Amendment Requested (<i>check appropriate box or boxes</i>):					
<input type="checkbox"/>	Grant Award period adjustment (<i>complete number 6</i>)		<input type="checkbox"/>	Program modification (<i>complete number 9</i>)	
<input type="checkbox"/>	Grant Award period extension (<i>complete number 7</i>)		<input type="checkbox"/>	Performance modification (<i>complete number 10</i>)	
<input type="checkbox"/>	Grantee contact information change (<i>complete number 8</i>)				
6. Grant Award Period Adjustment					
Current award start date:				New award start date:	
Current award end date:				New award end date:	
Narrative justification for award period adjustment (describe the extraordinary circumstances of why the term needs to be adjusted and describe how the change will impact the grant-funded program):					
7. Grant Award Period Extension					
Current award end date:				New award end date:	
Narrative justification for award period extension (describe the extraordinary circumstances that necessitate an award extension):					
8. Award Contact Information Change					
Address change:					
Program contact name change:				New e- mail:	
		New phone #:		New fax #:	
Fiscal contact name change:				New e- mail:	
		New phone #:		New fax #:	
9. Program Modification (changes to program personnel, program purpose, target population, program components/model, major activities)					
Narrative justification (describe the modification and include a description of the reasons for the requested change and the effect of the requested change on the program goals and objectives):					
10. Performance Modification (changes to goals and performance measures)					
Narrative justification (describe the modified goals and/or performance measures and include a description of the reasons for the requested change and any effect of the requested change on the program model):					

CRIMINAL JUSTICE SERVICES USE ONLY

Comments and Special Conditions:

AUTHORIZING SIGNATURES

Grantee Requesting Revision

_____ *Authorizing Signature*

_____ *Printed Name*

_____ *Title*

_____ *Date*

CJS Approval

_____ *Authorizing Signature*

_____ *Printed Name*

_____ *Title*

_____ *Date*

Line 2. Equipment. Include tangible personal property costing over \$5,000 or having a useful life of more than one year.			
Item Description	Quantity	Unit Price	Program Cost
TOTAL			
GRANT TOTAL			
MATCH TOTAL			

Narrative (*indicate how these purchases will benefit the program exclusively*):

Line 3. Travel/Conference/Training. Include travel expenses for <u>agency program personnel only</u> , including local travel and travel expenses for meetings, conferences, and training. Include costs for mileage, lodging, per diem, motor pool fees, commercial transportation, parking fees, registration and material fees. Travel costs may not exceed the rates and conditions established in the state/Federal guidelines. All out-of-state travel must have prior CJS approval. Any subcontract or subaward travel costs should be included in Line 5, Contractual Services.								
A. Local Travel (<i>indicate purpose of travel: meetings, conference, training, etc.</i>)				# of miles	Mileage rate	Program Cost		
B. Conference (<i>indicate conference title</i>)			# of people	# of nights	Lodging costs	Meals/ per diem	Other costs	Program Cost
C. Grantee-sponsored training (<i>indicate training topics</i>)			# of people	# of nights	Lodging costs	Meals/ per diem	Other costs	Program Cost
TOTAL								
GRANT TOTAL								
MATCH TOTAL								

Narrative (*indicate how these expenses will benefit the program exclusively*):

REQUEST FOR BUDGET AMENDMENT

OREGON STATE POLICE Criminal Justice Services 4760 Portland Road NE Salem, Oregon 97305 (503) 378-4145 Fax: (503) 378-6993	1. Grant Program:	
	2. Grant number(s):	
	3. Amendment #:	
4. Grantee:		
Address:		
City:	Zip:	Phone #: Fax #:

5. Budget Revision Summary

Expense Category	Current Budget			Revised Budget <i>(must match budget detail sections)</i>			
	Grant Funds	Match Funds	Total (Grant + Match)	Grant Funds	Match Funds	Total (Grant + Match)	Net Change (+ or -)
1. Personnel/Taxes/Benefits							
2. Equipment							
3. Travel/ Training/ Conferences							
4. Supplies							
5. Contractual Services							
6. Rent/Utilities							
7. Administrative							
8. Other							
TOTAL							
*Round all figures to the nearest whole dollar Calculate percentage of grant and match funds of total funds				%	%	%	

Identify sources and amount of match (for cash match indicate if the source of match is earned **Program Income** by checking the box in the PI column)

Source of Match	Current Budget				Revised Budget				
	Cash	PI	In-kind	Total	Cash	PI	In-kind	Total	+/- Net
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			
		<input type="checkbox"/>				<input type="checkbox"/>			

6. Budget Revision Detail

Line 1. Personnel. Enter compensation paid to agency employees of an approved program (indicate if rate per hour or month or annual salary). Indicate in the C and N columns if the position is **Current** or **New**. Compensation paid for agency employees engaged in grant activities must be consistent with that paid for similar work within the organization. Overtime must be specifically listed in order to be reimbursed (mark OT column). If using volunteer time as match, include in this section. The value placed on volunteer services must be consistent with the rate of compensation paid for similar work in the organization or the labor market. Do not include subcontract or subaward costs in this section; this cost should be included in Line 5, Contractual Services.

Title of Position	Name of Employee (if available)	C	N	Rate of Pay	OT	Total Pay	Program FTE (%)	Total Program Amount
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
TOTAL								
GRANT TOTAL								
MATCH TOTAL								

Line 1. Taxes and Benefits. Include payroll taxes and fringe benefits for all personnel listed above and only for the percentage of time devoted to the program. Payroll taxes and fringe benefits for volunteers may be included. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Insurance.

Title of Position	Total Payroll Cost (from previous table)	Tax % (FICA, FICA-Med, UI, W/C)	Benefits % (insurance, retirement, etc.)	Program Tax Cost	Program Benefit Cost	Total Cost (Taxes + Benefits)
TOTAL						
GRANT TOTAL						
MATCH TOTAL						

Narrative (explain the direct use to the program of the personnel listed):

Line 2. Equipment. Include tangible personal property costing over \$5,000 or having a useful life of more than one year.			
Item Description	Quantity	Unit Price	Program Cost
TOTAL			
GRANT TOTAL			
MATCH TOTAL			

Narrative (*indicate how these purchases will benefit the program exclusively*):

Line 3. Travel/Conference/Training. Include travel expenses for <u>agency program personnel only</u> , including local travel and travel expenses for meetings, conferences, and training. Include costs for mileage, lodging, per diem, motor pool fees, commercial transportation, parking fees, registration and material fees. Travel costs may not exceed the rates and conditions established in the state/Federal guidelines. All out-of-state travel must have prior CJS approval. Any subcontract or subaward travel costs should be included in Line 5, Contractual Services.						
A. Local Travel (<i>indicate purpose of travel: meetings, conference, training, etc.</i>)				# of miles	Mileage rate	Program Cost
B. Conference (<i>indicate conference title</i>)		# of people	# of nights	Lodging costs	Meals/per diem	Other costs
C. Grantee-sponsored training (<i>indicate training topics</i>)		# of people	# of nights	Lodging costs	Meals/per diem	Other costs
TOTAL						
GRANT TOTAL						
MATCH TOTAL						

Narrative (*indicate how these expenses will benefit the program exclusively*):

Line 4. Supplies. Include office supplies, education/outreach/training supplies, software, computer/printer supplies, and other such items that generally have a useful life of less than one year. Additionally, include duplication, printing, postage, and shipping costs.

Item Description	Quantity	Unit Price	Program Cost
TOTAL			
GRANT TOTAL			
MATCH TOTAL			

Narrative (*indicate how these purchases will benefit the program exclusively*):

Line 5. Contractual Services. Include all costs which are to be incurred as a result of a subaward, agreement, or subcontract. Grantee must include a Budget Summary for all subcontractors. Prior to execution, CJS must approve all agreements entered into pursuant to this award that exceed \$100,000. Subaward made known at the time of application may be considered approved if the activities are funded as proposed. All procurements must be made according to agency established procedures, provided they minimally adhere to the following Federal and state guidelines: practical or convenient methods may be used for small procurements of \$5,000 or less; solicitations of quotes from at least three sources are required for procurements over \$5,000 and under \$100,000; and competitive bids must be used for procurements over \$100,000. Sole source contracts require additional information and prior CJS approval. Contractor rates in excess of \$450 per 8-hour day require additional documentation and prior CJS approval. Check the appropriate column indicating type of award and use “# of hrs/days” and “Cost per hr/day” as appropriate.

Sub-Award	Three Quotes	Competitive Bid	Sole Source	Consultant Name/Organization Name	# of hrs/days	Cost per hr/day	Program Cost
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
TOTAL							
GRANT TOTAL							
MATCH TOTAL							

Narrative (*indicate the specific services to be provided and how these relate to the program exclusively*):

Line 4. Supplies. Include office supplies, education/outreach/training supplies, software, computer/printer supplies, and other such items that generally have a useful life of less than one year. Additionally, include duplication, printing, postage, and shipping costs.

Item Description	Quantity	Unit Price	Program Cost
TOTAL			
GRANT TOTAL			
MATCH TOTAL			

Narrative (*indicate how these purchases will benefit the program exclusively*):

Line 5. Contractual Services. Include all costs which are to be incurred as a result of a subaward, agreement, or subcontract. Grantee must include a Budget Summary for all subcontractors. Prior to execution, CJS must approve all agreements entered into pursuant to this award that exceed \$100,000. Subaward made known at the time of application may be considered approved if the activities are funded as proposed. All procurements must be made according to agency established procedures, provided they minimally adhere to the following Federal and state guidelines: practical or convenient methods may be used for small procurements of \$5,000 or less; solicitations of quotes from at least three sources are required for procurements over \$5,000 and under \$100,000; and competitive bids must be used for procurements over \$100,000. Sole source contracts require additional information and prior CJS approval. Contractor rates in excess of \$450 per 8-hour day require additional documentation and prior CJS approval. Check the appropriate column indicating type of award and use “# of hrs/days” and “Cost per hr/day” as appropriate.

Sub-Award	Three Quotes	Competitive Bid	Sole Source	Consultant Name/Organization Name	# of hrs/days	Cost per hr/day	Program Cost
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
TOTAL							
GRANT TOTAL							
MATCH TOTAL							

Narrative (*indicate the specific services to be provided and how these relate to the program exclusively*):

Line 6. Rent and Utilities. Include all expenses for use of office space and other facilities to include rent, telephone, cellular phones/pagers, and other utilities. Maintenance and operation costs are allowable unless duplicated in rent or extend beyond the life of the award.

Item Description	Computation	Program Cost

TOTAL
GRANT TOTAL
MATCH TOTAL

Narrative (*indicate how these facilities and expenses will benefit the program exclusively*):

Line 7. Administration. Include program-related costs such as accounting, program management, human resources, legal services, and payroll preparation. Administrative costs may not exceed ten percent of the Federal and minimum match requirements.

Item Description	Computation	Program Cost

TOTAL
GRANT TOTAL
MATCH TOTAL

Narrative (*indicate how the administrative expenses will benefit the program exclusively*):

Line 6. Rent and Utilities. Include all expenses for use of office space and other facilities to include rent, telephone, cellular phones/pagers, and other utilities. Maintenance and operation costs are allowable unless duplicated in rent or extend beyond the life of the award.

Item Description	Computation	Program Cost

TOTAL
GRANT TOTAL
MATCH TOTAL

Narrative (*indicate how these facilities and expenses will benefit the program exclusively*):

Line 7. Administration. Include program-related costs such as accounting, program management, human resources, legal services, and payroll preparation. Administrative costs may not exceed ten percent of the Federal and minimum match requirements.

Item Description	Computation	Program Cost

TOTAL
GRANT TOTAL
MATCH TOTAL

Narrative (*indicate how the administrative expenses will benefit the program exclusively*):

Line 8. Other Costs. Include expenses that do not readily fit into any of the other budget categories. Common examples of Other Costs include *direct client services, confidential funds, and outreach/education campaign costs.*

Item Description	Computation	Program Cost
TOTAL		
GRANT TOTAL		
MATCH TOTAL		

Narrative (*indicate how these costs will benefit the program exclusively*):

CRIMINAL JUSTICE SERVICES USE ONLY

Comments and Special Conditions:

AUTHORIZING SIGNATURES

Grantee Requesting Revision

Authorizing Signature *Printed Name* *Title* *Date*

CJS Approval

Authorizing Signature *Printed Name* *Title* *Date*

AUDIT CERTIFICATION

Grantee Name:			
Grantee Address:			
Contact Name and Title:		Phone #:	
Grant # (s):	Tax ID #:	Fiscal Period End Date:	

Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted in accordance with OMB Circular A133, *Audits of States, Local Governments, and Non-Profit Organizations*.

Non-Federal entities that expend less than \$500,000 in a year in Federal awards are exempt from Federal audit requirements for that year. Records must be available for review or audit by officials of the Federal agency, CJS, and General Accounting Office (GAO).

Please complete the appropriate section below and submit the completed and signed form and required documentation **within 60 days after the end of your fiscal year to:**
 Oregon State Police, Criminal Justice Services
 4760 Portland Road NE, Salem, Oregon 97305
 Fax # (503) 378-6993

Section A: Organization subject to the requirements of OMB Circular A-133

Please check one of the following and provide all appropriate documents:

- I hereby certify that for the fiscal year ended ____ (date):
 1. The auditor's report on financial data states that the audited information is fairly stated in all material respects; and
 2. The administration of our Federal projects has been audited in accordance with OMB Circular A-133 and there were no material instances of noncompliance with Federal laws and regulations or reportable conditions; and
 3. There were no findings of noncompliance in the audit report that are specifically related to the subrecipient award(s); and
 4. Management has addressed the resolution of previous-year findings from prior audit reports if related to the subrecipient award(s).

Auditor's report filed on ____ (date). **Enclosed is a copy of the audit report.**

- We have completed our OMB Circular A-133 audit for the fiscal year ended ____ (date), and material noncompliance issues and/or reportable conditions were noted. **Enclosed is a copy of the audit report and our response.**
- We have not completed our OMB Circular A-133 audit for the fiscal year ended ____ (date). We expect the audit to be completed by ____ (date). Within thirty (30) days of completion of the A-133 audit we will provide a new Audit Certification along with the audit report and response (if applicable).

Section B: Organization NOT subject to the requirements of OMB Circular A-133

Our organization is not subject to the requirements of OMB Circular A-133 because we (please check one of the following):

- Did not expend \$500,000 or more of Federal funds during the fiscal year (complete Federal funds expenditure chart below).
- Are a for-profit organization.
- Are exempt for other reasons (explain):

Federal Grantor	Pass-through Grantor	Program Name	CFDA Number	Expenditures
Total Federal Expenditures for this Fiscal Year				

Failure to submit this or a similar statement, or failure to submit a completed single audit package as required by the required due date may result in suspension of funding and may affect eligibility for future funding.

Authorized Signature

Printed Name

Title