

GRANT ADMINISTRATION GUIDE



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TABLE OF CONTENTS

Section 1: Introduction	4
1.1 Criminal Justice Commission	4
1.2 Grant Administration Guide	4
Section 2: Grant Applications	4
2.1 Allowable Uses	4
2.2 Prohibited Uses	5
2.3 Additional Limitations	6
Section 3: Application Review Process	6
3.1 Award Protests	6
Section 4: Grant Awards	7
4.1 Monitoring and Reporting	7
4.2 Amendment Procedures.....	8
4.3 Close Out Procedures	8
4.4 Termination	8
Section 5: Individual Grant Programs and Eligibility	8
5.1 Illegal Marijuana Market Enforcement Grant Program (IMMEGP)	9
5.2 Improving People’s Access to Community-based Treatment, Supports, and Services (IMPACTS).....	9
5.3 Justice Reinvestment Grant Program (JRGP)	10
5.4 Restorative Justice Grant Program (RJGP).....	11
5.5 Specialty Court Grant Program (SCGP).....	12
Section 6: Additional Federal and State Regulations	12
6.1 Sub-Grantee or Procurement Designations.....	12
6.2 Procurement Standards	13
6.3 Sole-Source Procurement	14
6.4 Sub-Agreements	15
6.5 Program Income	15
6.6 Supplanting	16
6.7 Matching Funds	17
6.8 Accounting Requirements	17
6.9 Audits.....	18
6.10 Publicity and Publications	19

Appendix A: Civil Rights Policy and Procedures.....21
Section 1: Complaint Alleging Employment Discrimination 21
Section 2: Complaint Alleging Client/Customer Discrimination 23

SECTION 1: INTRODUCTION

1.1 Criminal Justice Commission

The mission of the Oregon Criminal Justice Commission (CJC) is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems. To help accomplish this mission, CJC disburses state and federal funds through the administration of multiple public safety grant programs intended for eligible local or state agencies, tribal governments, and community-based organizations.

1.2 Grant Administration Guide

CJC's Grant Administration Guide is designed to provide guidance related to grant application processes, as well as to assist recipients of grant awards in complying with state and federal requirements.

Sections 2 through 4 address a variety of general policies and procedures that apply to all grant programs administered by CJC.

Section 5 describes each of CJC's grant programs including specific eligibility requirements and funding priorities. Other details, such as project periods, availability of funding, and application questions are outlined in a separate grant solicitation document for each program, which is made available upon release on CJC's website.

Section 6 outlines additional state and/or federal regulations applicable to grant funds and recipients.

SECTION 2: GRANT APPLICATIONS

An application for CJC grant programs includes the submission of written narratives, proposed budgets, and other supplemental materials outlined in the specific grant solicitation.

Applications must be submitted online through CJC's grant management system: <https://cjc-grants.smapply.io>.

For technical assistance contact CJC staff at cjc.grants@cjc.oregon.gov.

2.1 Allowable Uses

Grant applications may request funding for expenses associated with achieving specific grant program goals and/or requirements. Funding request prohibitions are outlined in Section 2.2.

Funds may be requested within the following budget categories:

- *Personnel:* Salaries, wages, and fringe benefits costs for personnel employed by the grant recipient

- *Contractual Services:* An individual or organization providing a service or programmatic aspect of the work that is not provided directly by the grant recipient
- *Housing and Facilities:* Eligible expenses for space or utilities necessary to complete program work, short- or long-term housing support for program participants, or programs within correctional facilities
- *Equipment:* Permanent or non-expendable equipment with a purchase price of \$5,000 or more, or a useable life of two or more years, for a single item
- *Supplies:* Consumable materials or supplies, including the cost of small items of equipment that do not meet the threshold for the Equipment category
- *Training and Associated Travel:* Eligible expenses for transportation, lodging, per diem, and registrations for trainings that support grant purposes
- *Administrative Costs:* Activities associated with administering the grant such as purchasing, budgeting, payroll, accounting, and staff services

2.2 Prohibited Uses

Applications for grant funding may request support for most program needs, with some general exceptions. Grant funds may not be used for any of the following:

- Alcohol
- Compensation of federal employees, including salary, consulting fees, travel, or other compensation
- Fines and penalties
- Fundraising or donations
- Lobbying, membership to lobby organizations, or political activities, including political contributions
- Marketing or branding intended to generate profit
- Performance or merit-based bonuses
- Rewards for tip lines or surveys
- Supplanting existing funding for programs, services, or supports already in operation
- Weapons, including firearms

The following are generally not allowed except with the written approval of CJC staff:

- Entertainment, including amusement, social activities, and any associated costs
- Food or drink, except for client stability and per diem in accordance with Oregon's Statewide Travel Policy
- Land acquisition or construction of buildings or other physical facilities
- Lease or rental agreements that exceed the grant project period
- Passport charges
- Physical facility improvements, restoration, or remodeling
- Polygraphs
- Single item or object that costs over \$500,000
- Taxes

2.3 Additional Limitations

Administrative Costs: Administrative costs must not exceed 10 percent of the overall amount of grant funds awarded. Exceptions to this limitation may be granted by the CJC upon sufficient showing by the applicant.

Tribal government applicants may request up to the tribal government's federally negotiated indirect cost rate for the applicant.

Travel Expenses: Travel expenses must not exceed those allowed by Oregon's [Statewide Travel Policy \(OAM 40.10.00\)](#) and the [Federal Travel Regulation](#). Travel expenses for personnel include costs for private vehicle mileage, lodging, per diem expenses, motor pool fees, commercial transportation, conference registration fees, airfare, tolls, and parking fees. Rates and requirements can be found on the federal General Services Administration (GSA) [website](#).

SECTION 3: APPLICATION REVIEW PROCESS

CJC staff will conduct an initial review of all applications received. Each application will be examined for general responsiveness to the guidelines outlined in the grant solicitation. If staff determine that modifications to an application are required before advancing the application to the reviewing body, the applicant's primary contact person will receive electronic notice requesting revisions be made within a specified time frame.

CJC staff may provide applicants with guidance related to the solicitation and application, such as clarity on stated goals, priorities, preferences, or the review process, as well as assistance with technical issues related to the submission of the application. Staff can not answer questions as to the veracity or quality of applicant's responses or divulge information about other applicants.

Applications that meet the requirements of the grant solicitation will be provided to the appropriate entity for review and evaluation. Decisions and/or recommendations for funding will focus on the application's adherence to goals, priorities, or preferences outlined by legislation or administrative rule, CJC policy, or grant review committees. Funding requests may be approved in whole or in part, or as a provisional award with continued funding contingent on program performance and progress.

CJC staff will notify applicants electronically of all award decisions.

3.1 Award Protests

An applicant may protest an award decision if the applicant is able to articulate specific reasons the application review or award processes were in error based on applicable law, rule, or specific language in the grant solicitation.

The affected applicant shall have fourteen (14) business days from the date of the award notification to file a written protest. Protests must meet all the following requirements:

- Delivered to CJC via email or hard copy;
 - Email: cjc.grants@cj.oregon.gov
 - US Mail: Criminal Justice Commission, 885 Summer St. NE, Salem, OR 97301
- Reference the specific grant solicitation by name;
- Identify the applicant's name and contact information;
- Signed by an authorized representative; and
- Specify the reasons for the protest.

CJC will aim to address all timely submitted protests with 45 days and issue a written decision to the affected applicant.

SECTION 4: GRANT AWARDS

Following award decisions and receipt of any outstanding or requested items, a Grant Agreement will be issued. The Grant Agreement serves as a legal contract and contains the terms and conditions of the grant award. All grant recipients, and sub-grantees, are governed by the Grant Agreement and must comply with its requirements.

CJC staff may negotiate the terms of the Grant Agreement with the recipient. Modifications to the Grant Agreement must be requested in writing. If mutually agreeable terms cannot be reached within a reasonable time, as determined by CJC staff, CJC reserves the right to cancel the grant award.

The Grant Agreement will be considered fully executed when all parties have signed the document. The fully executed Grant Agreement will be returned to the grant recipient electronically and should be retained by all parties.

Upon execution of the Grant Agreement, the grant recipient will receive disbursements on a schedule established in the agreement. In most cases, funds are disbursed as advance payments, meaning before costs are incurred. A schedule for reporting expenditures will also be established in the Grant Agreement.

NOTE: Grant recipients receiving federal funds are required to maintain advance payments in interest-bearing accounts. Specific details are outlined in the Grant Agreement.

4.1 Monitoring and Reporting

In accordance with the Grant Agreement, CJC staff will monitor whether recipients are operating grant-funded programs and using grant funds as intended, as well as demonstrating progress toward the objectives of the grant program.

Grant recipients are required to:

- Collect and submit program information to the CJC upon request which may include, but is not limited to, qualitative progress reports, program data points, outcome measures, program evaluations, and data collected in partnership with a research entity; and
- Submit financial reports to the CJC on a regular basis, as determined by CJC staff, detailing expenditure of grant funds.

Additionally, CJC will engage with grant recipients through regular correspondence and virtual or in-person meetings to assist both CJC and grant recipients with the monitoring process.

4.2 Amendment Procedures

All modifications to the Grant Agreement or approved funding allocations require a written amendment request. Amendment requests must be approved, as follows, prior to any changes to grant-funded programs or use of grant funds:

- Requests to add, remove, or make substantive changes to a grant-funded program must receive formal approval from CJC.
- Requests to reallocate any portion of grant funds that is more than 10 percent of the total grant amount must receive formal approval from CJC.
- Requests to reallocate any portion of grant funds that is 10 percent or less of the total grant amount may be administratively approved by CJC staff.

Amendment requests must be submitted at least 60 days prior to the Completion Deadline listed in the Grant Agreement to be considered.

4.3 Close Out Procedures

To close out a Grant Agreement, CJC staff will verify that the recipient has completed all applicable administrative actions and required work. All program and financial reports will be reviewed to ensure compliance with the terms and conditions of the award and that funds were spent appropriately.

4.4 Termination

It is the CJC's role as grant administrator to ensure that grant funds as awarded comply with federal and state laws, rules, regulations, or guidelines, as well as the goals of the grant program. Following reasonable notice to recipients and attempts to resolve problems informally, the CJC may suspend funding in whole or in part, terminate funding, or impose another sanction should a recipient fail to comply.

SECTION 5: INDIVIDUAL GRANT PROGRAMS AND ELIGIBILITY

This section describes CJC's primary grant programs including specific eligibility requirements and funding priorities. Other details, such as project periods, availability of

funding, and application questions are outlined in a separate grant solicitation document for each program, which is made available upon release on CJC’s website.

5.1 Illegal Marijuana Market Enforcement Grant Program (IMMEGP)

Since 2018, CJC has administered the IMMEGP, a competitive grant program that assists local units of government, such as law enforcement and prosecutor’s offices, and community-based organizations, with addressing illegal marijuana operations across the state. IMMEGP funds illegal marijuana investigation and interdictions efforts, as well as supports for labor trafficking and/or worker abuse victims.

Purposes/Goals: The purpose of the IMMEGP is to assist local communities with the costs incurred addressing harmful impacts of illegal marijuana cultivation and distribution.

The statute creating IMMEGP prioritizes initiatives that address illegal marijuana operations with the following characteristics:

- In rural areas;
- Featuring large-scale operations;
- Associated with organized crime;
- Resulting in diversion of marijuana outside of Oregon; and
- Addressing the ongoing humanitarian crisis associated with illegal marijuana cultivation and distribution and facilitating connections to assistance and services for individuals impacted.

Additionally, CJC may prioritize grant applications that:

- Fund training opportunities that assist applicants in addressing illegal marijuana markets;
- Address cases that require complex financial accounting;
- Tracking outcomes;
- Collaborate with other agencies and organizations; and/or
- Provide culturally- and linguistically-specific and responsive services to persons affected by the ongoing humanitarian crisis associated with the illegal marijuana market.

Eligibility: Eligible applicants include units of local government and community-based organizations. Applicants may apply jointly with other eligible agencies or organizations for awards or as an individual applicant.

5.2 Improving People’s Access to Community-based Treatment, Supports, and Services (IMPACTS)

Since 2019, CJC has administered IMPACTS, a competitive grant program that funds county and tribal government programs aimed at reducing the number of individuals with behavioral health issues who are cycling between local jails, emergency departments, and the Oregon State Hospital. IMPACTS-funded programs are designed to identify a target population, based on local conditions, and provide members of the target population with

community-based treatment, supports, and services that will promote individual health, wellness, and stability.

Purposes/Goals: The purposes of IMPACTS are to address the shortage of comprehensive community-based treatment, supports, and services for individuals with behavioral health conditions that lead to their involvement with the criminal justice system, hospitalizations, and institutional placements.

Eligibility: Eligible applicants include Oregon counties and the nine federally recognized tribal governments within Oregon. Applicants may apply jointly with other eligible agencies or organizations for awards or as an individual applicant.

5.3 Justice Reinvestment Grant Program (JRGP)

Since 2013, CJC has administered the JRGP, a grant program that funds programs aimed at reducing recidivism and state prison usage while protecting public safety and holding individuals accountable. The JRGP primarily includes a standard formula grant based on community corrections supervision populations available to all 36 Oregon counties. Ten percent of the formula portion of JRGP is dedicated to funding victim services programs. A portion of the JRGP is also set aside as a competitive grant opportunity aimed at supporting downward departure programs, through which persons convicted of crimes may receive sentences, including community-based supervision, constituting a departure from presumptive sentencing guidelines, under certain circumstances.

Purposes/Goals: The purposes of the JRGP are to provide funding for counties to plan, implement, and expand initiatives that establish a process to assess individuals charged with crimes and provide a continuum of community-based sanctions, services, and programs.

The goals of the program include:

- Reducing recidivism through evidence-based practices while protecting public safety and holding individuals accountable and
- Reducing prison utilization for property, drug, and driving offenses while protecting public safety and holding individuals accountable.

In order to be considered for JRGP funding, applicants must also:

- Establish a process to assess populations served;
- Consider and accept short-term transitional leave candidates as appropriate;
- Provide assistance to clients enrolling in the Oregon Health Plan; and
- Work toward embedding equity throughout the county's criminal justice system.

Eligibility: Eligible applicants include Oregon county governments through their local public safety coordinating councils.

5.4 Restorative Justice Grant Program (RJGP)

Since 2021, CJC has administered the RJGP, a competitive grant program aimed at supporting restorative justice programs operated by public and private entities across the state that offer an alternative process for harmed parties and responsible parties to engage in apart from the traditional criminal and juvenile legal systems.

Purposes/Goals: The purpose of the RJGP is to support the implementation and expansion of restorative justice programs that serve individuals who have engaged in the “front end” of the criminal legal system, meaning before conviction of a crime or incarceration.

The statute creating the RJGP requires that grant-funded programs:

- Center the experiences of those harmed;
- Encourage those who have caused harm to take responsibility and repair the harm;
- Support persons who have been harmed, impacted community members and responsible parties in identifying solutions that promote healing, including promoting dialogue and mutual agreement;
- Coordinate with community-based organizations; and
- Demonstrate an ability to work collaboratively with system partners, including but not limited to local law enforcement entities, courts, district attorneys, and defense attorneys.

Additionally, CJC may give preference to programs that include one or more of the following:

- Offer services that engage in and serve rural or other historically underserved regions or areas in Oregon;
- Offer services that engage and provide culturally appropriate services to socially disadvantaged individuals;
- Partner with a researcher or research entity to track and report on any outcome measures associated with the applicant’s program;
- Address case types defined in OAR 213-003-0001(14) and OAR 213-003-0001(15) (definitions describing person felonies and person misdemeanors);
- Address case types that carry a presumptive sentence of prison pursuant to the criteria in OAR 213-004-0001 through OAR 213-004-0013 (describing the sentencing guidelines grid);
- Prioritize funding for direct services to the party harmed and the person who committed the harm; or
- Do not disqualify program participants based on prior criminal history.

Eligibility: Eligible applicants include any public or private entity. A public entity, for the purposes of the RJGP, means a tribal government or an Oregon public body, as defined in ORS 174.109. A private entity, for the purposes of the RJGP, means any corporation, trust, association, cooperative, or other organization that is not a public entity or any entity that operates within the Oregon criminal and juvenile legal systems.

5.5 Specialty Court Grant Program (SCGP)

Since 2005, CJC has administered the SCGP, a competitive grant program that supports Oregon's specialty courts including drug courts, Veterans courts, mental health courts, family treatment courts, and DUII courts. Specialty courts target individuals with substance use disorders in an integrated, systematic approach found to reduce drug use and recidivism while increasing public safety, and often provide family reunification. Specialty courts offer participants an alternative to incarceration and provide them with the resources and opportunities they need through coordinated efforts by the judiciary, prosecution, defense, community supervision, and treatment services.

Oregon's specialty courts strive to adhere to consistent practices as described through the [Oregon Specialty Court Standards](#) (Standards). The Standards are a collaborative effort between CJC and the Oregon Judicial Department to provide statewide guidance by which specialty courts can be held accountable in a manner to achieve the outcomes promised by each component. They are intended to serve as ideal expectations with a focus on continuous improvement.

Purposes/Goals: The purpose of the SCGP is to provide supplemental funding to support the operations of Oregon's specialty courts, and their adherence to the Standards.

The goals of the program include:

- Increasing individuals' likelihood of successful rehabilitation through early, continuous, and judicially supervised treatment, mandatory random drug testing, and community supervision;
- Reducing substance use and recidivism among specialty court participants; and
- Embedding equity throughout specialty court processes.

Funding is prioritized to support courts that adhere to consistent practices as described in the Standards.

Eligibility: Eligible applicants include counties with existing Oregon circuit court specialty courts serving adults, juveniles, or families. Additionally, applicant programs must use Oregon's Specialty Court Management System (SCMS) and must include a treatment provider that accepts the Oregon Health Plan.

SECTION 6: ADDITIONAL FEDERAL AND STATE REGULATIONS

Awards funded with state general fund dollars must adhere to the [Oregon Accounting Manual](#) (OAM) for the accounting of state governmental fiscal operations.

Federally funded awards must adhere to guidelines in the [US Department of Justice \(DOJ\) Financial Guide](#), in addition to the OAM. Specific details are outlined in the Grant Agreement.

6.1 Sub-Grantee or Procurement Designations

Consideration must be taken when determining whether a financial arrangement should be classified as a sub-agreement or procurement transaction. Appropriate designation is critical to ensure proper accounting for costs and compliance requirements.

The requirements found in OMB Circular A-133 §210(b) provide the following guidance to distinguish between a sub-award or procurement transaction.

SUB-AWARD FACTORS	PROCUREMENT FACTORS
Distributes financial assistance in the form of money or property to eligible sub-grantees.	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.
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 grant recipient.	Provides goods or services are ancillary to the operation of the federal program.

There may be unusual circumstances or exceptions to the characteristics identified. Written approval from the CJC is required for an exception. The CJC will review characteristics of a sub-grantee and ensure that the procurement, receipt, and payment for goods and services comply with state and federal laws, regulations, and the provisions of the Grant Agreement.

6.2 Procurement Standards

If a proposed financial arrangement does not meet the criteria for a sub-award, the grant recipient must initiate a procurement transaction. These requirements apply to all procurements, including, but not limited to, procurements for goods, services, and equipment. Recipients shall follow their own established procurement procedures and regulations, provided that they adhere to applicable federal and state guidelines and standards at a minimum. If a recipient’s established procurement procedures are less competitive than the federal requirements, the recipient must adhere to the following:

- Procurement less than \$10,000: Grant recipient may solicit goods or services in any manner deemed practical or convenient.
- Procurement more than \$10,000 but less than \$150,000: Grant recipient must solicit quotes or bids from at least three sources.
- Procurement more than \$150,000: Grant recipient must formally advertise the proposed

procurement through an invitation for bids (IFB) or a request for proposals (RFP).

NOTE: Grant recipients must follow the threshold limitations established in their own procurement procedures if their internal procedures are more restrictive than the federal threshold.

In accordance with ORS 279B (Oregon's Public Contracting and Public Procurement statutes), recipients must submit all IFBs and RFPs greater than \$150,000 that involve the use of federal or matching funds to the CJC for review and approval prior to their issuance. Interagency agreements between units of government are excluded from this provision.

6.3 Sole-Source Procurement

In rare and unusual circumstances, it may be necessary to waive the competitive bid process and use a noncompetitive sole-source procurement. If a grant recipient's established sole-source requirements are less stringent than the identified requirements, the recipient must adhere to the following.

Grant recipients may make the determination that competition is not feasible if one of the following circumstances exists:

- An item or service is available only from a single source;
- A public exigency or emergency will not permit a delay resulting from a competitive solicitation or 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; or
- 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 grant recipient is required. A justification statement for all sole-source contracting should include the following:

- A brief description of the program, the amount to be designated for the sole-source procurement, and the purpose of the contract.
- An explanation of why it is necessary to contract in a noncompetitive manner by providing supporting information as identified below in the applicable section(s):
 - Available from only one source: Describe the contractor's expertise related to the current program, the uniqueness of items to be procured from the contractor, and any additional information that would support the case.
 - Public exigency or emergency: 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.
 - Competition is determined inadequate after solicitation: Describe the market survey or similar effort used to determine competition availability and any additional information that would support the case.
- A declaration that this action is in the best interest of the agency.

For all sole-source procurements in excess of \$150,000, grant recipients must submit a justification statement to the CJC for review and approval prior to the procurement. Interagency agreements between units of government are excluded from this provision.

6.4 Sub-Agreements

Financial arrangements with other entities or individuals to accomplish a portion of the program activities, sub-awards, and procurement transactions must be formalized in written and signed agreements between the parties involved. Sub-agreements must be made available for the CJC to review upon request.

An agreement must include the following:

- Activities to be performed;
- Budget;
- Project start and end dates;
- 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;
- Cost principles to be used in determining allowable costs; and
- All clauses required by the Grant Agreement to be included in agreements with sub-grantees.

The written agreement will not affect the grant recipient's overall responsibility for the duration of the federally funded program and accountability to the CJC. The grant recipient is responsible for monitoring the sub-grantee and monitoring program and financial responsibilities.

6.5 Program Income

Program income is gross income received by the grant recipient or sub-grantee directly generated by a grant-supported activity or earned only as a result of the Grant Agreement during the project period.

Examples of program income include, but are not limited to, income from fees for services performed; registration fees; usage and 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; or 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, or refunds; or taxes, special assessments, levies, fines, or other such revenues raised by a grant recipient or sub-grantee. Specifically, fines as a result of law enforcement activities are not considered program income.

Use of Program Income: The recipient must retain program income earned during the grant period and must use it in one or more of the following ways:

- *Addition:* This reflects income added to the funds committed to the grant by the CJC and the grant recipient and used to further eligible program objectives.
- *Cost sharing or matching:* This is income used to meet the non-federal matching requirement of the Grant Agreement. The amount of the federal grant award remains the same.
- *Deduction:* Program income may be 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, the cost would be allowable using program income.

Program income and expenditures must be reported and submitted with each financial report. If any program income remains unexpended upon expiration of the Grant Agreement, it must be reported in a Program Income Report submitted with the final financial report.

Even after a grant is closed, grant recipients 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.

Program Income from Asset Seizures and Forfeitures: Program income from asset seizures and forfeitures are considered earned when the property has been adjudicated to the benefit of the plaintiff (such as a law enforcement entity or task force), all appeals have been finalized, and income is available for the grant recipient's use.

Statutory direction for seized and forfeited assets (personal and real property) can be found in ORS 131A.010 to 131A.460 and ORS 131.550 to 131.604.

6.6 Supplanting

Funds must be used to supplement existing funds and not replace (supplant) funds that have been appropriated for the same purpose. Grant funds may not be used to pay for program activities the grant 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 grant recipient will be required to supply documentation

demonstrating that the reduction in resources occurred for reasons other than the receipt or expected receipt of funds.

6.7 Matching Funds

The purpose of matching contributions is to increase the number of resources available to a program supported by grant funds. Funds allocated for use as match funds must be used to support a federally funded program and supplement funds that would otherwise be made available for the state program purpose.

Grant recipients must maintain records that clearly reflect the source, amount, and period during which the match was allocated. Grant recipients must ensure that a match is identical in a manner that guarantees accountability during an audit.

For grant programs that require a matching contribution, the full match amount must be expended by the end of the grant period. Match and grant funds constitute program funds and must be reported.

Cash Match: A cash match must be from a non-federal source, be spent on allowable program-related costs, and be included in the grant recipient's financial records.

In-Kind Match: In-kind matches may include donations of expendable equipment, office supplies, workshop or classroom materials, workspace, 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 following stipulations apply:

- 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 grant 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 volunteer services, materials, equipment, and space must be documented.

6.8 Accounting Requirements

Accounting Systems: Grant recipients must maintain accounting systems that accurately account for grant and match funds. Recipients must maintain detailed records as supporting documentation for all expenditures listed by category, separated by match (if

applicable) and grant expenses. In addition, backup documentation and invoices must be maintained with the grant file and are subject to review upon request.

Records must be maintained for a minimum of five years after the completion of the grant.

Commingling of Funds: The accounting of grant recipients and sub-grantees must ensure that grant funds are not commingled with funds from other sources. Each grant award must be accounted for separately. Recipients and sub-grantees are prohibited from commingling funds on both a program-by-program and project-by-project basis.

Funds specifically awarded to one program may not be used to support another. If accounting cannot comply with this requirement, the recipient or sub-grantee shall establish a system to provide adequate fund accountability for each program awarded.

Gift Cards, Vouchers, and Other Similar Items: Programs that use gift cards, vouchers, bus passes and similar items for participants must establish internal controls through written policies and procedures that, at a minimum, do the following:

- Ensure the security of the item(s); and
- Address appropriate distribution to participants.

Programs must use a log and track distribution and use of all items purchased. The log must track the following:

- Card, voucher, or pass number;
- Date issued to participant;
- Name of participant;
- Purpose of pass or description of items to be purchased with the card; and
- For gift cards, the participant must return a receipt to the program that is kept in the participant's file.

NOTE: It is the grant recipient's responsibility to identify the purpose of pass or description of items to be purchased with the card. Gift cards, vouchers, and other like items may not be used for any unallowable expense.

6.9 Audits

Non-federal entities that expend \$500,000 or more in federal funds (all sources) in the grant recipient's fiscal year shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133. Nonfederal entities that expend less than \$500,000 in a year are exempt. All federally funded projects require a CFDA number that is verified as part of the audit.

Records must be available for review or audit by appropriate officials including the federal agency, pass-through entity, and General Accounting Office. Grant recipients must complete and submit a signed audit certification to the CJC within 90 days of the end of the grant recipient's fiscal year.

The audit objective is to review the grant recipient's administration of the program for the purpose of determining whether the recipient has:

- 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; and
- Expended program funds in accordance with the agreement of federal and state rules.

NOTE: Audit costs for those not required in accordance with OMB Circular A-133 are unallowable. If the grant recipient 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 cannot be charged to the grant.

6.10 Publicity and Publications

A grant recipient or sub-grantee may produce different types of publications, including newsletters, journals, fact sheets, reports, summaries, and videos. Project directors are encouraged to make the results and accomplishments of their activities available to the public. A grant recipient or sub-grantee who publicizes project activities and results must adhere to the following requirements:

- The CJC is not responsible for the direction of the project activity. The publication 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 U.S. Department of Justice or the Oregon Criminal Justice Commission." The receipt of CJC funding does not constitute official recognition or endorsement of any project. A separate application for official recognition may be requested from the CJC.
- All materials publicizing or resulting from award activities must contain an acknowledgement of the CJC's assistance through use of the following, or a comparable, footnote: "This project was supported by Award No. _ awarded by the Office of Justice Programs, Bureau of Justice Assistance through the Oregon Criminal Justice Commission." or "This project was supported by Award No. ____ awarded by the State of Oregon, through its Criminal Justice Commission."
- When requested by the CJC, a grant recipient or sub-grantee is expected to publish or otherwise make widely available to the public the results of work conducted or produced under an award.
- All publication and distribution agreements with a publisher must include provisions giving the State of Oregon and the federal government a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, the publication for State of Oregon and federal government purposes. The agreements with a publisher should contain information on the CJC requirements.

- Unless otherwise specified in the award, the grant recipient or sub-grantee may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material is subject to the provisions of the State of Oregon and the federal government.
- The grant recipient or sub-grantee is permitted to display the agency logo in connection with the activities supported by the award. In this respect, the logo shall appear in a separate space, apart from any other symbol or credit. The words “Funded or Funded in part by OJP and CJC” shall be printed as a legend, either below or beside the logo, each time it is displayed. Use of the logo must be approved by the CJC in writing.

NOTE: The grant recipient or sub-grantee is required to submit a publication and distribution plan to the CJC before materials developed under an award are commercially published or distributed. The plan must include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. The CJC must approve this plan prior to any publishing project activities.

APPENDIX A: CIVIL RIGHTS POLICY AND PROCEDURES

Pursuant to *Department of Justice Grants and Cooperative Agreements: Statutes and Regulations related to Civil Rights and Nondiscrimination*, this policy is to establish:

1. Procedures for responding to discrimination complaints from employees and applicants for employment of grant recipients and sub-grantees receiving funding from the U.S. DOJ.
2. Procedures for responding to service discrimination complaints from clients, customers, consumers, or participants against CJC grant sub-grantees.

The CJC strives to create an inclusive environment that welcomes and values the diversity of the people we serve. The agency fosters fairness, equity, and inclusion to create a workplace environment where everyone is treated with respect and dignity.

Section 1: Complaint Alleging Employment Discrimination

Policy

Employees and applicants for employment of grant recipients and sub-grantees shall be treated equally regardless of race, color, religion, sex (including pregnancy or gender identity), national origin, age, military or veteran status, disability, sexual orientation, or any other basis prohibited by state or federal law.

It is a discriminatory or prohibited employment practice to refuse to hire, promote, discharge, demote, terminate, or to retaliate against, or to discriminate in matters of compensation, or in terms, privileges, and conditions of employment against any persons otherwise qualified, because of race, color, sex, pregnancy or pregnancy-related conditions, age (40 and over), religion, national origin, or disability.

No person shall intimidate, threaten, coerce, discriminate, or retaliate against an individual for taking action or participating in an action to secure rights protected by these laws.

The CJC will address complaints to ensure compliance with applicable state and federal laws regarding employment discrimination.

Complaint Procedure

The CJC and grant recipients will provide the *Civil Rights Discrimination by Grantee Complaint Form* (Form) and contact information for the Complaint Coordinator to any person who raises civil rights compliance by grant recipient concerns.

- Employment discrimination complaints against grant recipients or sub-grantees may be filed using the Form.
- Individuals who have questions about the complaint process or need assistance with the complaint paperwork may contact the Complaint Coordinator.
- A complainant must submit a completed Form to the Complaint Coordinator at cjc.grants@oregon.gov or mail to:

Criminal Justice Commission
Attn: Complaint Coordinator
885 Summer St. NE
Salem, Oregon 97301

NOTE: A complainant may request assistance from the CJC to complete the Form or through dictation if a disability impairs the ability to file a complaint.

- The CJC employees who receive a discrimination complaint will forward the complaint to the Complaint Coordinator to be addressed.
- The complaint should be submitted as soon as possible but no later than 60 days following the alleged offense. The date the Form is received by the CJC will be considered the filing date.
- The Complaint Coordinator will provide a copy of the complaint to the Executive Director. The Executive Director and Complaint Coordinator will evaluate whether the complaint alleges a valid claim against a grant recipient or sub-grantee.
 - a. If a complaint's validity cannot be determined, it may be forwarded to the United States Department of Justice Office of Civil Rights (OCR) for preliminary review.
 - b. The Complaint Coordinator will administratively close the complaint if it is determined that it does not contain a claim of employment discrimination by a CJC grant recipient or sub-grantee.
- Within ten calendar days of receiving a complaint, the Complaint Coordinator will notify the complainant about the status of the complaint, specifically whether the complaint has been referred to BOLI, the OCR, or been administratively closed.
- Complaints that allege a violation of federal civil rights law are forwarded to the Oregon Civil Rights Division:

Oregon Civil Rights Division,
Bureau of Labor and Industries
800 NE Oregon St., Suite 1045
Portland, Oregon 97232

~ and/or ~

Office of Justice Programs
U.S. Department of Justice
810 7th Street NW
Washington, DC 20531

NOTE: If the complaint is referred to BOLI or the OCR, the Complaint Coordinator will notify the complainant of the contact information for BOLI or OCR and the date the complaint is considered filed.

Grant Recipient and Sub-Grantee Obligations

Grant recipients and sub-grantees must review this policy and certify compliance with civil rights laws upon acceptance of a CJC grant award. Procedures must be in place for responding to discrimination complaints alleging employment discrimination filed directly

with the grant recipient. At a minimum, these processes should include forwarding the Form to the Complaint Coordinator.

Section 2: Complaint Alleging Client/Customer Discrimination

Policy

Clients, customers, participants, or consumers of services provided by grant recipients and sub-grantees shall be afforded an equal opportunity to participate in programs and activities regardless of race, color, religion, sex (including pregnancy or gender identity), national origin, age, military or veteran status, disability, sexual orientation, or any other basis prohibited by state or federal law.

It is a discriminatory delivery of services to exclude an individual from participation in, deny the benefits to, or subject an individual to discrimination under any DOJ-funded program or activity based upon race, color, national origin, sex, religion, age, or disability.

No person shall intimidate, threaten, coerce, discriminate, or retaliate against an individual for taking action or participating in an action to secure rights protected by these laws.

Compliance with all applicable state and federal laws regarding discrimination is required as a condition of funding.

Civil Rights Laws: Apply to any entity that receives an award of federal financial assistance—regardless of which federal agency awards the grant or cooperative agreement—and encompass the “program or activity” funded in whole or in part with the federal financial assistance.

- *28 C.F.R. Part 42, Subpart C and D Section 601 of Title VI of the Civil Rights Act of 1964* (42 U.S.C. § 2000d): “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”
- *28 C.F.R. Part 42, Subpart G Section 504 of the Rehabilitation Act of 1973* (29 U.S.C. 794): “No otherwise qualified individual with a disability in the United States, as defined in [29 U.S.C. 705(20)], shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance [.]”
- *28 C.F.R Part 42, Subpart D; 28 C.F.R. part 54 Section 901 of Title IX of the Education Amendments of 1972* (20 U.S.C. 1681): “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”
- *28 C.F.R. Part 42 Subpart I Section 303 of the Age Discrimination Act of 1975* (42 U.S.C. 6102): “No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.”

Nondiscrimination Provisions: Apply to all CJC federal financial awards.

- *28 C.F.R. Part 42, Subpart D Section 815(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968* (codified at 42 U.S.C. 3789d(c); see also 42 U.S.C. 5672(b)): “No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this chapter.”
- *28 C.F.R. Part 94, Subpart B Section 1407(e) of the Victims of Crime Act of 1984* (codified at 42 U.S.C. 10604(e)): “No person shall on the ground of race, color, religion, national origin, handicap, or sex be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any undertaking funded in whole or in part with sums made available under this chapter.”
- *28 C.F.R. Part 38 Partnerships with Faith-Based and Other Neighborhood Organizations:* “No person or organization shall be discriminated against on the basis of religion in the delivery of services or benefits, and ensures that faith-based or religious organizations are able to participate in such programs on an equal basis with other organizations.”

The CJC will address complaints to ensure compliance with applicable state and federal laws regarding violations to these laws and regulations.

Complaint Procedure

The CJC and grant recipients will provide the Form and contact information for the Complaint Coordinator to any person who raises concerns regarding grant recipient civil rights compliance.

- Employment discrimination complaints against grant recipients or sub-grantees may be filed using the Form.
- Individuals who have questions about the complaint process or need assistance with the complaint paperwork may contact the Complaint Coordinator.
- A complainant must submit a completed Form to the Complaint Coordinator at cjc.grants@oregon.gov or mail to:

Criminal Justice Commission
Attn: Complaint Coordinator
885 Summer St. NE
Salem, Oregon 97301

NOTE: A complainant may request assistance from the CJC to complete the Form or through dictation if a disability impairs the ability to file a complaint.

- CJC employees who receive a discrimination complaint will forward the complaint to the Complaint Coordinator to be addressed.
- The complaint should be submitted as soon as possible but no later than 60 days following the alleged offense. The date the Form is received by the CJC will be considered the filing date.

- The Complaint Coordinator will provide a copy of the complaint to the Executive Director. The Executive Director and Compliant Coordinator will evaluate whether the complaint alleges a valid claim against a grant recipient or sub-grantee.
 - a. If a complaint’s validity cannot be determined, it may be forwarded to the OCR for preliminary review.
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Office of Justice Programs
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