

Division of Victim Services

Fiscal Year 2021 Grantee Guidelines

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Abbreviations

BISC-MI: Batterer Intervention Standards Coalition-Michigan
CFR: Code of Federal Regulations
DOJ: United States Department of Justice
DVS: Division of Victim Services
FVPSA: Family Violence Prevention & Services Act
MDHHS: Michigan Department of Health and Human Services
MDSVPTB: Michigan Domestic and Sexual Violence Prevention and Treatment Board
OJP: Office of Justice Programs
OVC: Office for Victims of Crime
OVW: Office of Violence Against Women
PAAM: Prosecuting Attorneys Association of Michigan
VAWA: Violence Against Women Act
VOCA: Victims of Crime Act

Accessing your DVS Contract

To access your DVS Contract, [log into EGrAMS](#)

- Once logged in, go to *Grantee -> Project Director-> Application Status*.
- If it has not prepopulated, use the lookup button to select the Grant Program (a small button with three dots)
- Click *Find* in the bottom right hand corner
- The *View Contract* button above the Find button will give you a PDF version.

If you would like to save/print your contract, open the PDF using the instructions above.

Accessing the Attachments to your DVS Contract(s)

You can access the attachments to your DVS contract(s) in one of two ways:

1. The links to the attachments are at the bottom of your contract, which you can access by following the instructions above; and
2. Without logging into EGrAMS:
 - a. Go to the [EGrAMS page](#)
 - b. Under Current Grants, select either *Bureau of Community Service* or *Legal and Policy Affairs*
 - c. Select your grant program under the *Program* column
 - d. In the pop-up, go to the *Documents* tab
 - e. The attachments and Fiscal Review Questionnaire will show on this page

Co-mingling of Funds

DVS-funded agencies must meet relevant provisions of the DOJ Financial Guide and 2 CFR 200.302.

Failure to meet these requirements can result in audit findings. Requirements for permissible comingling of funds:

- 1) For each funding stream, be able to identify the Catalog of Federal Domestic Assistance (CFDA) title and number, federal award identification number and year, name of awarding federal agency, and name of the pass-through entity (i.e., state administering agency).
- 2) The grantee's accounting system must be able to account for each funding stream separately.
- 3) The financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that the grantee's use of such funds complies with federal statutes and regulations and the terms and conditions of each federal award.
- 4) Must submit separate program progress reports for each funding stream, which show what activities were supported with that funding.
- 5) Must be able to provide accurate, current, and complete disclosure of how funds were expended for each federal award or program.
- 6) Must maintain records that identify adequately the source and application of funds for federally-funded activities and how those funds are applied to the grant activities. These records must contain information pertaining to federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

Further Resources

DOJ Financial Guide: *Preadward Requirements – 2.3 Standards for Financial Management Systems*

2 CFR 200.302 *Financial Management*

Free Provision of Services*

All services provided in DVS contracts will be provided free of charge, regardless of client ability to pay for services rendered or the availability of insurance or other third-party payment resources. Grantee must provide services to crime victims, at no charge, through the DVS funded project. No income eligibility standards will be imposed on individuals receiving assistance or services supported DVS grant funds. The Grantee is prohibited from charging a crime victim or third-party payer for any services supported with DVS grant funds.

* Exceptions apply under the Transitional Supportive Housing (TSH) grant agreement

Further Resources

28 CFR 94.117(a): *Cost of Services*

Location Inspection Requirements

Annual health and safety inspections are required at every location in which DVS-funded employees are located and services are being provided. This includes locations where contractors are providing services outside of the agency.

Grantees must maintain a record of inspections and be prepared to supply the following information annually.

Locations with no findings:

- Inspection date
- Address
- Type of inspection (Housing Quality Standards, fire and safety, health, boiler, etc.)
- Services provided at location
- Who completed the inspection

Locations with findings:

- Inspection date
- Address
- Type of inspection (HQS, fire and safety, health, boiler, etc.)
- Services provided at location
- Who completed the inspection
- Findings
- Resolution/completion date

Non-Discrimination Notices for Employees and Program Participants

Grantees must comply with federal laws and MDHHS contract provisions that prohibit discrimination on the basis of religion, race, color, national origin, age, sex, height, weight, marital status, disability, gender identification or expression, sexual orientation, partisan considerations, or genetic information. Additional forms of discrimination may be prohibited. Grantees should review the *DVS Program Discrimination Complaint Policies and Procedures* and *Employment Discrimination Complaint Policies and Procedures* for more information regarding federal laws prohibiting discrimination. These documents can be found on the DVS website.

Grantees must provide written notification that they do not discriminate on the basis of the above categories. This written notification must be consistent with applicable federal and state laws, and they must be provided to program beneficiaries and employees as well as prospective program beneficiaries and employees.

For program beneficiaries, these notifications can be put on items such as posters, brochures, or other program materials.

For employees, they can be put on items such as posters, policies, or recruitment materials.

Further Resources

MDHHS Grant Agreement, Attachment E: *Division of Victim Services Grant Requirements: Program Specific Requirements*

28 CFR 38 *Partnerships with Faith-Based and Other Neighborhood Organizations*

Organizational Chart Requirements

DVS-funded organizations must have an organizational chart that contains the following components:

- Shows the overall structure and chain of command of the organization, including the reporting relationships for supervision
- All paid positions of the organization including:
 - Position Title that matches position descriptions
 - Whether the position is full time or part time
 - Name of individual(s) in the position or listed as “vacant” if the position is not filled
 - Funding source
 - Percentage of each funding source(s)
- Include DVS-funded contractual staff, if applicable
- Job Location
- Revision Date

Organization charts will be requested once per year, but may be requested at any time throughout the fiscal year.

Overtime Policy

Unless exempted under the Fair Labor Standards Act, recipient and subrecipient employees should be compensated with overtime payments for work performed in excess of the established work week (usually 40 hours).

- Payment of more than occasional overtime is subject to periodic review by the awarding agency.
- In addition, overtime compensation is typically reviewed during site visits and audits.

Executive, administrative, and professional employees who meet the criteria for an exemption from the overtime requirements of the Fair Labor Standards Act may not be reimbursed for overtime under grants and cooperative agreements.

Overtime charged to your grant(s) should be in line with your personnel policy.

Further Resources

Department of Labor: [Overtime Pay](#)

DOJ Financial Guide: *Postaward Requirements – Allowable Costs – Overtime Compensation*

Policy Considerations for Direct Client Assistance

Emergency Financial Assistance/Specific Assistance

Emergency Financial Assistance (VOCA) and Specific Assistance (VAWA) are used to provide those services which respond to the immediate emotional and physical needs of victims

(excluding medical care). If these items are charged to your grant(s), your agency will need a policy to support the charges. Please refer to the DVS allowability chart to determine what costs can be charged to this line, in accordance with the funding source.

Your policy may be requested in the event of an audit and should contain internal financial controls designed to minimize the possibility of fraud.

At a minimum, your policy should outline:

- What is being distributed and the maximum that can be dispersed
- How the funds will be stored and accounted for
- What supporting documentation is required for purchases
- Who will be responsible for it and what approvals are required
- The process of reviewing and verifying that charges were allowable

Elements to consider maintaining in a log include:

- Funding source, person authorizing release of funds, date of distribution, type of assistance, amount or quantity, non-identifying client ID number
- Make sure your log does not contain the client's Personally Identifiable Information (PII)

Gift Cards

Please refer to the DVS allowability chart to determine whether gift cards are an allowable cost under your specific grants. OVW discourages the use of gift cards, due to potential for misuse of funds.

If you distribute gift cards with DVS funds, you must ensure that gift cards are:

- Logged in by gift card number
- Logged out by gift card number
- Logged by funding source that purchased card
- Distributed to clients eligible for the services from which the cards were purchased
- If log used for client use: Identifier that does not reveal Personally Identifiable Information (such as a client number) including gift card number, amount on card, client number and date.
- Used for allowable costs, per the applicable grant requirements/restrictions.

Grantees that distribute DVS-funded gift cards are responsible for ensuring the following:

- Gift card log is reconciled regularly
- Regular/random checks are conducted on gift card balance
- There is a mechanism for limiting purchases to only those that are allowable

Relocation Assistance

Relocation Assistance is used to provide assistance where necessary for the safety and well-being of a victim. If these items are charged to your grant(s), your agency will need a policy to support the charges. Please refer to the DVS allowability chart to determine what costs can be charged to this line, in accordance with the funding source.

Your policy may be requested in the event of an audit and should contain internal financial controls designed to minimize the possibility of fraud.

You may want to consider the following internal controls in any Relocation Assistance Policies:

- What is being distributed and the maximum that can be dispersed
- How the items will be stored and accounted for
- What supporting documentation is required
- Who will be responsible for it and what approvals are required
- The process of reviewing and verifying that charges were allowable

Elements to consider maintaining in a log include:

- Funding source, person authorizing release of funds, date of distribution, type of assistance, amount or quantity, non-identifying client ID number
- Make sure your log does not contain the client's Personally Identifiable Information (PII)

Further Resources

Office for Victims of Crime: [VOCApedia](#)

VOCA: 28 CFR § 94.119(l) *Allowable direct service costs*

VAWA: [Frequently Asked Questions \(FAQs\) About STOP Formula Grants](#), 2017.

Position Description Requirements

A job description for DVS- funded or partially funded position must contain the following components:

- **Job Title:** name of the position that is consistent with the organizational chart
- **Classification:** exempt or nonexempt under the Fair Labor Standards Act (FLSA).
- **Date:** date when the job description was written or last reviewed.
- **Preferred education and experience:** preferred education and experience based on requirements that are job-related and consistent with business necessity.
- **Competency:** knowledge, skills and abilities.
- **Position type and expected hours of work:** full time or part time, typical work hours and shifts, days of week, and whether overtime is expected.
- **Essential Functions:** essential functions, including how an individual is to perform them and the frequency with which the tasks are performed; the tasks must be part of the job function and truly necessary or required to perform the job. NOTE: If the position is funded 100% by any DVS grant, fundraising (including grant writing) is not an allowable costs and may not be included on the position description.
- **Signature Line:** signatures should include the supervisor and of the employee.

The following components are recommended but optional:

- **Job Location**

- **Work environment:** the work environment; temperature, noise level, inside or outside, or other factors that will affect the person's working conditions while performing the job.
- **Salary/hourly range:** compensation levels, groups or pay ranges into which jobs of the same or similar worth are placed, including minimum and maximum pay bands.
- **Supervisor:** title of the position this job reports to.
- **Physical demands:** the physical demands of the job, including bending, sitting, lifting and driving.
- **Disclaimer:** a statement that indicates that the job description is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities that are required of the employee. Duties, responsibilities and activities may change or new ones may be assigned at any time with or without notice.
- **Affirmative action plan/equal employment opportunity (AAP/EEO) statement:** clause(s) that outlines federal contractor requirements and practices and/or equal employer opportunity statement.
- **Summary/objective:** summary and overall objectives of the job.
- **Travel:** percentage of travel time expected for the position, where the travel occurs, such as locally or in specific countries or states, and whether the travel is overnight.

Release of Confidential Information

As a condition of receiving VOCA, VAWA, or FVPSA funds, DVS-funded victim service programs are prohibited from disclosing, revealing, or releasing personally identifying information or information collection in connection with services utilized, requested, or denied unless: (1) the service participant has signed a release of information, (2) a law mandates disclosure, or (3) a court has ordered disclosure.

Release forms must:

- Be present for review when needed
- Be dated & reasonably time limited
- Be signed by client & staff
- Identify specific information to be released
- Contain a statement informing survivors that signing a release is voluntary

This provision does not apply to law enforcement and prosecution generated information necessary for law enforcement and prosecution purposes.

Further Resources

VOCA: 28 CFR 94.115 *Non-disclosure of confidential or private information*

VAWA: 34 USC §12291(b)(2) *Definitions and grant provisions – Grant conditions – Nondisclosure of confidential or private information*

VAWA: 28 CFR 90.4 *Grant Conditions – Nondisclosure of confidential or private information*

FVPSA: 42 USC § 10406(5) *Formula grants to states – Grant conditions – Nondisclosure of confidential or private information.*

[FAQ on the VAWA Confidentiality Provision \(2017\)](#)
[NNEDV Confidentiality Toolkit](#)
[NNEDV Client Limited Release of Information Form](#)

SAM Registration

The System for Award Management (SAM) is the repository database for certain standard information about federal financial assistance applicants, recipients, and sub-recipients. Each assistance listing in SAM is associated with a unique five-digit CFDA (Catalog of Federal Domestic Assistance) number.

DVS-funded grantees must be registered in SAM. Each grantee must update or renew its SAM registration at least annually to maintain an active status. DVS recommends that funding applicants register or renew registration with SAM as early as possible. A lapsed SAM registration could impact eligibility for funding.

Each assistance listing in SAM is associated with a unique five-digit CFDA (Catalog of Federal Domestic Assistance) number.

Please note that SAM registration is FREE. Be wary of SAM-related scams. There is no charge for this process at any time.

To view your entity's SAM registration:

1. Go to the [SAM Homepage](#).
2. If you have opted to have your entity's information viewable in SAM, you can search for your entity by name or DUNS by clicking "Search Records."
3. If you opted to have your entity's information hidden to other viewers in SAM, login first by entering your username and password in the top right-hand corner, then click the "Log In" button prior to performing a search.

To update your entity's SAM registration:

1. Go to the [SAM Homepage](#).
2. Login first by entering your username and password in the top right-hand corner, then click the "Log In" button.
3. Select "Register/Update Entity" on the left-side of your screen.
4. You will see options for "Complete Registrations", "Incomplete Registrations", and "Inactive Registrations." Click on "Complete Registrations" if your registration is noted as Active.
5. Click on "Incomplete or Inactive" if you have changes that you want to enter. Please select the entity record that you want to update from the Entity List box and click the "Update" button.

If you need any assistance, the SAM helpdesk number is 866-606-8220.

[Further Resources](#)

DOJ Financial Guide: *Preadward Requirements – Application Process – Confirmation of Listing in System for Award Management*

Supplanting

Agencies are expected to use federal funding to supplement State and local funds, rather than to replace those funds with federal dollars. According to the 2017 DOJ Financial Guide (page 26):

Federal funds must be used to supplement existing State and local funds for program activities and must not supplant (replace) those funds that have been appropriated for the same purpose.

- Supplanting will be reviewed during post-award monitoring and audit.
- If reviewers think that supplanting may have occurred, then the recipient 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.
- For certain programs, a written certification may be requested by the awarding agency or recipient agency stating that Federal funds will not be used to supplant State or local funds.

Further Resources

DOJ Financial Guide: *Preadward Requirements – Standards for Financial Management Systems - Supplanting*

FVPSA: 42 U.S.C. § 13925(b)(5) *Definitions and grant provisions – Grant conditions – Non-supplantation*

VOCA: 28 CFR § 94.108 *Prohibited supplantation of funding for administrative costs*

Training Requirements

Grant Administrators

All DVS-funded grant administrators must complete the DVS training on federal civil rights laws and non-discrimination provisions of DOJ implementing regulations once per grant period. The list of trainings and the link to access them are on the Annual Certification Checklist.

Direct Service Staff

As of FY21, staff are not required to complete 24 hours of training a year; however, it is recommended that DVS-funded employees complete a minimum of 16 hours of training each year. Grantees should maintain a record of all trainings completed by DVS-funded staff and be prepared to supply this record upon request. DVS may also request to review training records on site.

The following trainings are mandatory for all DVS-funded employees and contractors:

- *New Service Provider Training*, provided by Michigan Coalition to End Domestic & Sexual Violence, or equivalent (VAWA- and VOCA-funded domestic violence and sexual assault programs)

- *Confidentiality webinar series*, provided by [Michigan Victim Advocacy Network \(MiVAN\)](#)
- *Crime Victims Compensation webinars*, provided by [MiVAN](#)
- Note that grant-specific training requirements may also apply.

In-State Trainings

Pre-approval is not required for in-state trainings. Trainings charged to the grant must be a reasonable expense, applicable to grant service area, and related to victim services.

Out-of-State Trainings

As of FY21, there is a maximum of two out-of-state trainings per grant per year.

Pre-approval is not required for out-of-state trainings. Trainings charged to the grant must be a reasonable expense, applicable to grant service area, and related to victim services.

Reference Materials and Definitions

Acceptable Public Disclosure

An exempt organization must make specific tax documents available for public inspection and copying. These items include:

- IRS determination 501 c-3 letter
- Annual return (990 or 990EZ)

Background Check Policy

- MDHHS Grant Agreement: *General Provisions – Criminal Background Check*

Certificate of Exemption for Hiring Practices on the Basis of Religion

This certificate is for use by Faith-Based Organizations only.

- [Download and complete the certificate to be completed](#)
- [Review information regarding OJP requirements](#)

Confidentiality Policy

- MDHHS Grant Agreement: *General Provisions – Non-Disclosure of Confidential Information*
- VOCA: 28 CFR § 94.115 *Non-disclosure of confidential or private information*
- VAWA: 34 USC §12291(b)(2) *Definitions and grant provisions – Grant conditions – Nondisclosure of confidential or private information*
- VAWA: 28 CFR 90.4 *Grant Conditions – Nondisclosure of confidential or private information*
- FVPSA: 42 USC § 10406(5) *Formula grants to states – Grant conditions – Nondisclosure of confidential or private information.*
- DOJ: [FAQ on the VAWA Confidentiality Provision \(2017\)](#)
- NNEDV: [Confidentiality Toolkit](#)

Conflict of Interest Policy for Board Members and Employees

- MDHHS Grant Agreement: *General Provisions – Conflict of Interest and Code of Conduct Standards*
- 1968 PA 317, as amended *Contracts of Public Servants with Public Entities*
- 1973 PA 196, as amended *Standards of Conduct for Public Officers and Employees*
- 2 CFR § 200.318 (c) (1) and (2) *Procurement Standards – General procurement standards*

Familial Relationships

- DOJ Financial Guide: *Postaward Requirements – Grant Fraud, Waste, and Abuse – Conflicts of Interest*
- 2 CFR § 200.112 *Conflict of interest*

Employee and Participant Grievance Policy

Grantees must have policies in place for responding to discrimination complaints filed by employees and clients, customers, and program participants with the Grantee. The Grantee will promptly provide notice to the DVS Contract Manager of any complaints of discrimination made against the Grantee.

- MDHHS Grant Agreement, Attachment E: *Division of Victim Services Grant Requirements: Program Specific Requirements*
- OJP, OVC: [*Program Standards – Rewards, Corrective Actions, and Grievances*](#)

Equal Employment Opportunity Plan/Certification

- MDHHS Grant Agreement, Attachment E: *Division of Victim Services Grant Requirements: Program Specific Requirements*
- 28 CFR §§ 42.301-.308 *Equal Employment Opportunity Program Guidelines*
- [Submit at EEOP documentation online](#)

Limited English Proficiency Plan

- MDHHS Grant Agreement, Attachment E: *Division of Victim Services Grant Requirements: Program Specific Requirements*
- Read more information on the federal [Limited English Proficiency website](#)
- Review the [Language Access Assessment and Planning Tool](#) (2011)

Non-Discrimination Policies and Notices for Employees and Services

- MDHHS Grant Agreement: *General Provisions – Non-Discrimination*
- MDHHS Grant Agreement, Attachment E: *Division of Victim Services Grant Requirements: Program Specific Requirements*

Nonprofit Solicitation License

- Charitable Organizations and Solicitations Act, MCL 400.271: an organization must register if it solicits or receives contributions.

Procurement/Equipment Policy

- DOJ Financial Guide: *Postaward Requirements – Procurement Under Awards of Federal Assistance*
- 2 CFR § 200.317 through 2 CFR § 200.326 *Procurement Standards*

Record Retention Policy

- MDHHS Grant Agreement: *General Provisions – Responsibilities – Grantee – Record Maintenance/Retention*
- DOJ Financial Guide: *Postaward Requirements – Retention and Access Requirements for Records*
- 2 CFR § 200.333 *Retention requirements for records*

Rent

- DOJ Financial Guide: *Postaward Requirements – Allowable Costs – Project Site*
- 2 CFR § 200.465 *Rental costs of real property and equipment*

Sexual Harassment Policy

- Elliott-Larsen Civil Rights Act

Travel Policy

- MDHHS Grant Agreement: *General Provisions – Responsibilities - Grantee – Travel Costs*
- DOJ Financial Guide: *Postaward Requirements – Allowable Costs – Travel*
- 2 CFR § 200.474 *Travel costs*

Whistleblower Policy

- MDHHS Grant Agreement: *General Provisions – Assurances - National Defense Authorization Act Employee Whistleblower Protections*

Additional Links

[Department of Justice Financial Guide](#)

[Division of Victim Services](#)

[Michigan Domestic and Sexual Violence Prevention and Treatment Board Manual for Executive Directors](#)

[VOCA GoToWebinar](#)