



Social Services Block Grant (SSBG) Program

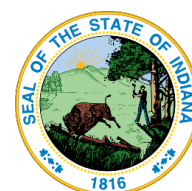
2023

REQUEST *for* PROPOSAL

State of Indiana
Governor
Eric J. Holcomb

Indiana Criminal Justice Institute
Executive Director
Devon McDonald

Indiana Criminal Justice Institute
Victim Services Director
Kim Lambert



Social Services Block Grant Program 2023

REQUEST FOR PROPOSAL

The Indiana Criminal Justice Institute (ICJI) is now accepting applications for the 2023 Social Services Block Grant (SSBG) Program. This grant is being released through the IntelliGrants System. All applications must be submitted online through this system. Late or incomplete applications will not be accepted.

HOW TO APPLY



Applicants must be registered in IntelliGrants in order to access the electronic application.

[Register](#)

or

[Log in](#)

WHEN TO APPLY



Applications must be submitted via IntelliGrants on or before:

11:59 P.M. (ET) on March 30, 2023

Applicants are strongly encouraged to submit applications at least 48 hours prior to the deadline.

AWARD PERIOD



July 1, 2023 – December 31, 2023

TECHNICAL ASSISTANCE



For technical assistance with submitting an application, contact the ICJI Helpdesk at CJIHelpDesk@cji.in.gov. ICJI Helpdesk hours are Monday – Friday 8:00 am to 4:30 pm ET, except state holidays.

ICJI is not responsible for technical issues with grant submission within 48 hours of grant deadline.

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OVERVIEW

The U.S Department of Health and Human Services (HHS) Social Services Block Grant (SSBG) Program is awarded for a broad range of services. SSBG funding and other domestic violence funds are leveraged to not only help meet the goals of other programs, but to meet one of SSBG’s broad statutory goals of “preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interest or preserving, rehabilitation, or reuniting families.” Pursuant to 42 U.S.C.1397 *et seq.*, the purpose of the Domestic Violence Services portion of SSBG is to offer financial support for operations of domestic violence shelters, so that other funding may be used for the provision of supportive services to survivors.

The Indiana Department of Child Services (DCS) is the primary recipient of the SSBG Award in the State of Indiana. DCS subsequently awards funding to several other state agencies for various social service initiatives within the State. Each year, DCS provides SSBG funds to the Indiana Criminal Justice Institute (ICJI) in order to assist residential domestic violence programs in providing emergency shelter to survivors of domestic violence and their dependents.

PROGRAM SCOPE

Activities supported by this program are determined by state and federal statutes, federal regulations, and ICJI policies. If an applicant receives an award, the funded project is bound by the provisions of this solicitation. All grants from ICJI Victim Services are **reimbursement** grants. Documentation of expenses and verification of payment must be provided to ICJI on a monthly or quarterly basis prior to reimbursement of expenses.

ELIGIBILITY

Public social service entities, nonprofit organizations, and nongovernmental organizations who provide residential services to victims of domestic and family violence may apply for funding.

An entity may apply, but will not be eligible for a grant until the entity has prequalified through a series of threshold requirements including:

- » Unique Entity ID: A Unique Entity ID (UEI) issued through the System for Award Management (SAM) is required to receive funding. The UEI is entered in the *Project Information* section of the grant application. For more information and/or to obtain SAMS UEI, please visit the following [website](#).
- » System for Award Management (SAM) Registration: To enable ICJI to report subawards in a timely manner, subrecipients are also required to register with the System for Award Management (SAM). SAM is a federally owned and operated free website, and it will be used to populate the information needed to report subaward information. Registration can be completed by clicking [here](#).
- » Review of agency’s good standing with Indiana Department of Revenue (DOR), Indiana Department of Workforce Development (DWD) and Secretary of State (SOS) will occur prior to executing the grant.

FUNDING AVAILABILITY

The funding available for this opportunity is approximately \$500,000 and we estimate providing 25-35 awards ranging from \$5,000 to \$35,000.

APPLICATION SUBMISSION

Completed applications and all required documentation are to be submitted through IntelliGrants no later than 11:59 pm (ET) on March 30, 2023.

IntelliGrants is an end-to-end solution for the administration of grants. Everything from the grant application, reports, and fiscal drawdowns will occur online within IntelliGrants. Applicants must register in IntelliGrants to apply for funding opportunities. Instructions can be found on the ICJI [website](#).

It is recommended that applicants review the IntelliGrants training materials before logging in for the first time. The training webinar and Subgrantee User Manual are available on the ICJI website and on the training tab in IntelliGrants. ICJI is not responsible for applicants who fail to submit a timely application due to technical difficulties that occur within 48 hours of the deadline.

The application in IntelliGrants for SSBG has been modified to only include those forms that will be required to be completed for this application.

AWARD PERIOD

The award period for this grant shall be July 1, 2023, to December 31, 2023. Projects should begin on July 1, 2023 and must be in operation no later than sixty (60) days after this date. Failure to have the funded project operational within sixty (60) days from July 1, 2023, will result in the termination of the grant and the de-obligation of all awarded funds.

All projects must conclude, and all funding obligations must be made no later than December 31, 2023. All outstanding expenses must be paid, and the Final Fiscal Report must be submitted via IntelliGrants within thirty (30) days from December 31, 2023. Verification of payment for all expenses must be provided with the Final Fiscal Report. Any expenses that have not been paid within thirty (30) days after December 31, 2023, will not be reimbursed. Late Fiscal and Programmatic Reports will not be accepted.

PRIORITY AREAS

Pursuant to 42 U.S.C. § 10407(b)(2), the state will give special emphasis to the support of community-based projects of demonstrated effectiveness that are carried out by nonprofit private organizations and that have as their primary purpose the operation of shelters for victims of family violence, domestic violence, and dating violence, and their dependents; or provide counseling, advocacy, and self-help services to victims of family violence, domestic violence, and dating violence, and their dependents.

ALLOWABLE ACTIVITIES AND COSTS

ICJI awards SSBG dollars to supplement federal Family Violence and Prevention Services Act (FVPSA) grant funding, and state Domestic Violence Prevention and Treatment (DVPT) grant funding in order to fund the most comprehensive efforts to meet the needs of domestic violence victims in the state of Indiana. ICJI allocates SSBG funding to emergency domestic violence shelters that provide emergency shelter services in the form of overnights, congregate meals, and transportation. A “shelter night” is considered a unit rate for the indirect and direct costs expended per night, per client in the shelter facility. The SSBG Program funding is the only funding that shelters receive from ICJI that is solely dedicated to providing emergency shelter operations.

Shelter/Bed Nights (Unit Rate of a maximum of \$100/night/client): Grant recipients must use funding to maintain domestic violence shelter facilities for the purpose of serving survivors and their dependents in need of emergency shelter by:

- » Maintaining residential services and adequately meeting the needs including food, clothing, transportation, and shelter of survivors in crisis, as well as those of their dependents.
- » Following best practice standards in the operation of domestic violence shelter facilities.
- » Complying with [Family Violence Prevention and Services Act \(FVPSA\)](#) and [Domestic Violence Prevention and Treatment \(DVPT\)](#) rules, regulations, and requirements in providing emergency shelter and supportive services to survivors of domestic violence, including program confidentiality requirements.

PROGRAM REQUIREMENTS

CONFIDENTIALITY

In order to ensure the safety of adult, youth, and child victims of family violence, domestic violence, or dating violence, and their families, SSBG-funded programs must establish and implement policies and protocols for maintaining the confidentiality of records pertaining to any individual who is provided with domestic violence services. Subgrantees may not disclose, reveal, or release personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected.

“Personally identifying information” includes information such as an individual’s name, address, other contact information, and social security number, but it also can include information such as an individual’s race, birth date, or number of children if, in the particular circumstances, that information would identify the individual.

TRAUMA-INFORMED PRACTICES AND INTERVENTIONS

Effective interventions and trauma-informed practices need to be in place to build skills and capacities that contribute to the healthy, positive, and productive functioning of individuals and families. An important component of promoting social and emotional well-being includes addressing the impact of trauma, which can

have a profound effect on the overall functioning of victims of family violence, domestic violence, dating violence and their dependents.

ACCESSIBILITY

To comply with federal law, services must be widely accessible to all victims of family violence, domestic violence and dating violence, and their dependents. Grantees must not discriminate on the basis of age, sex, disability, race, color, national origin, or religion (42 U.S.C. § 10406(c)(2)).

EQUAL TREATMENT REGULATIONS

Funds shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from federally funded services or activities.

BACKGROUND CHECKS

Subgrantees are required to perform biennial background checks on all employees and volunteers who work directly with victims/survivors. At a minimum, agencies should complete background checks through the Indiana State Police. ICJI will verify background checks have been completed during on-site and/or desk review monitoring.

ATTACHMENTS REQUIRED WITH APPLICATION

1. *Sustainability Plan*: Please attach a document detailing the applicant's plan to maintain the program once the grant period expires.
2. *Timeline*: Please attach a timeline for the completion of the project and/or expenditure of the grant funds.
3. *Letters of Endorsement*: Please attach at least one letter of endorsement evidencing community support for the applicant's SSBG program.
4. *Miscellaneous*
 - a. Completed and signed [EEOC certification](#).
 - b. If applicable, attach other requested information.

PROGRAM COSTS

Costs must meet the following criteria:

1. Costs must be necessary and reasonable for the stated purpose of the grant.

2. Costs must be in accordance with generally accepted accounting principles. [Learn more.](#)
3. Costs must conform to any limitations or exclusions set forth in 2 C.F.R. Part 200, 45 C.F.R. Part 75, or the SSBG Grant Program Requirements.
4. Costs must be consistent with policies and procedures of the SSBG grant program and applied uniformly.
5. Costs must be adequately documented with supporting materials including receipts, invoices, timesheets, paystubs, etc.

APPLICATION REVIEW

Pursuant to 45 CFR 75, ICJI will review and score all grant applications as part of the competitive application process. The following areas will be assessed:

- » The completeness of the grant application;
- » Whether the grant application is within the purpose areas of the funding;
- » The applicant's eligibility;
- » Whether the grant application, the applicant, and the project are in compliance with all federal and state laws, regulations, and rules;
- » Whether the proposed expenditures set forth in the project budget are allowable and allocable;
- » Any potential conflicts of interest;
- » Whether the applicant has any federal and/or state debt delinquency;
- » The applicant's ability to successfully pass clearance checks from the Department of Revenue (DOR), Department of Workforce Development (DWD), and Secretary of State (SOS).
- » Any and all risk associated with granting funds to the applicant;
- » Whether the applicant is debarred or suspended by any federal or state department or agency; and
- » Whether the applicant maintains a current registration in SAM and has an active UEI number.

MONITORING

All grant awards will be monitored by an ICJI Grant Manager and/or ICJI Compliance Monitoring team using a combination of desk reviews and site visits. Additionally, the Grant Manager will review all submitted reports for

timeliness and accuracy. Delinquencies and report contents will be addressed as needed by ICJI staff. Late and repeated incorrect reports could disqualify subrecipients from future funding.

AUDIT REQUIREMENTS

Pursuant to 2 C.F.R. Part 200, specifically, § 200.500 *et.seq.*, recipients of federal funds are subject to annual audit requirements.

1. *Audit required:* A non-federal entity that expends \$750,000 or more during the non-federal entity's fiscal year in federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.
2. *Single audit:* A non-federal entity that expends \$750,000 or more during the non-federal entity's fiscal year in federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.
3. *Program-specific audit election:* When an entity expends federal awards under only one federal program (excluding research and development) and the federal program's statutes, regulations, or the terms and conditions of the federal award do not require a financial statement audit of the entity, the entity may elect to have a program-specific audit conducted in accordance with §200.507 program-specific audits. A program-specific audit may not be elected for research and development unless all of the federal awards expended were received from the same federal agency, or the same federal agency and the same pass-through entity, and that federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.
4. *Exemption when federal awards expended are less than \$750,000:* A non-federal entity that expends less than \$750,000 during the non-federal entity's fiscal year in federal awards is exempt from federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the federal agency, pass-through entity, and Government Accountability Office (GAO).
5. *Federally Funded Research and Development Centers (FFRDC):* Management of an entity that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity for purposes of this part.
6. *Subrecipients and Contractors:* An entity may simultaneously be a recipient, a subrecipient, and a contractor. Federal awards expended as a recipient or a subrecipient are subject to audit under this part. The payments received for goods or services provided as a contractor are not federal awards. Section §200.330 subrecipient and contractor determinations sets forth the considerations in determining whether payments constitute a federal award or a payment for goods or services provided as a contractor.
7. *Compliance responsibility for contractors:* In most cases, the entity's compliance responsibility for contractors is only to ensure that the procurement, receipt, and payment for goods and services comply with federal statutes, regulations, and the terms and conditions of federal awards. Federal award compliance requirements normally do not pass through to contractors. However, the entity is

responsible for ensuring compliance for procurement transactions, which are structured such that the contractor is responsible for program compliance or the contractor's records must be reviewed to determine program compliance. Also, when these procurement transactions relate to a major program, the scope of the audit must include determining whether these transactions are in compliance with federal statutes, regulations, and the terms and conditions of federal awards.

8. *For-profit subrecipient*: Since this part does not apply to for-profit subrecipients, the pass-through entity is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. The agreement with the for-profit subrecipient must describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for federal awards made to for-profit subrecipients may include pre-award audits, monitoring during the agreement, and post-award audits. See also §200.331 requirements for pass-through entities.

APPENDIX A: APPLICABLE LAWS AND MANDATORY REQUIREMENTS

GENERAL

This award is governed by 2 C.F.R. Part 200 and the current DOJ Grants Financial Guide. All subgrantees must adhere to all provisions set forth in federal and state statutes, regulations, and rules. Failure to abide by the federal and state mandates may, at the discretion of the State, be considered to be a material breach. The consequences of a material breach include, but are not limited, to:

- » The subgrantee becoming ineligible for this grant funding opportunity;
- » Requiring repayment of any grant funds already received;
- » The de-obligation of grant funds; and
- » The material breach becoming a factor in the scoring process for future grant applications.

Furthermore, the subgrantee may not obligate, expend, or draw down grant funds until the Federal Office of the Chief Financial Officer notifies the State that the grant has been awarded to Indiana. The State shall not reimburse a subgrantee for expenditures outside the grant period of performance.

Pursuant to 2 C.F.R. Part 200, all subgrantees are required to establish and maintain grant accounting systems and financial records to accurately account for funds awarded to them.

The subgrantee understands and agrees that it cannot use federal funds from different funding sources for one or more of the identical cost items, in whole or in part. If this scenario presents itself, the subgrantee must contact the ICJI program manager in writing and refrain from the expenditure, obligation, or drawn down of any federal funds awarded from ICJI concerning the identical cost items.

CIVIL RIGHTS LAWS AND REQUIREMENTS

Recipients of federal grants are required to adhere to all federal and state laws concerning civil rights including, but not limited to, the laws set forth below

- » *Nondiscrimination*: Pursuant to Indiana Civil Rights Laws, specifically including IC § 22-9-1-10, and in keeping with the purposes of the federal Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, the subgrantee covenants that it shall not discriminate against any employee or subgrantee for employment relating to this grant with respect to the hire, tenure, terms, conditions, or privileges of employment or any matter directly or indirectly related to employment, because of the employee or subgrantee's race, color, national origin, religion, sex, age, disability, ancestry, status as a veteran, or any other characteristic protected by federal, state, or local law ("Protected Characteristics"). Furthermore, the subgrantee certifies compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination based on the Protected Characteristics in the provision of services.

The subgrantee covenants that it shall not discriminate against any individual based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity as outlined in the Violence Against Women Act Reauthorization Act of 2013.

The subgrantee understands that the State is a recipient of federal funds, and therefore, where applicable, subgrantee and any subcontractors shall comply with requisite affirmative action requirements, including reporting, pursuant to 41 C.F.R. Chapter 60, as amended, and Section 202 of Executive Order 11246 as amended by Executive Order 13672.

- » *Services to Limited English Proficiency (LEP) Individuals:* In accordance with Department of Justice (DOJ) guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41, 455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see this [website](#).
- » *Ensuring Equal Treatment for Faith-Based Organizations:* Faith-based organizations are prohibited from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by this grant, and recipients cannot compel beneficiaries to participate in these activities. The Equal Treatment Regulation also makes it clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of the beneficiary's religion. For more information on the regulation, please see the Office of Civil Rights (OCR) [website](#).

Faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and the Violence Against Women Act Reauthorization Act of 2013, Pub. L. no. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funding while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

- » *Using Arrest and Conviction Records in Making Employment Decisions:* The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available [here](#). Recipients should be mindful that the misuse of arrest or conviction records to screen either subgrantees for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the

advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Opportunity Plans (EEOs).

- » *Complying with the Safe Streets Act:* An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt.42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c),.205(c)(5)).
- » *Meeting the EEO Requirement:* If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEO requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online [here](#).

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full-time and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEO Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form is available [here](#).

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full-time and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEO Short Form) and submit it to OCR for review within sixty days from the date of the award. For assistance in developing a Utilization Report, please consult the OCR's [website](#). In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available [here](#).

To comply with the EEO requirements, you may request technical assistance from an EEO specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmission@usdoj.gov.

- » *Ensuring Access to Federally Assisted Programs:* Federal laws that apply to recipients of federal grant awards prohibit discrimination on the basis of actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity in funded programs or activities, not only in employment but also in the delivery of services or benefits. Federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.
- » *Enforcing Civil Rights Laws:* All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

- » *Meeting the Requirement to Submit Findings of Discrimination:* If in the three (3) years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to OCR. A copy must also be sent to the State.

STATE LAWS AND REQUIREMENTS

Recipients of grant funds from the State are required to adhere to all state laws concerning the receipt and use of grant funds from federal and state funding sources. Those laws include, but are not limited to, the laws set forth below.

- » *State Ethical Requirements:* The subgrantee and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State as set forth in IC §4-2-6, et seq., IC §4-2-7, et seq. and the regulations promulgated thereunder. If the subgrantee has knowledge, or would have acquired knowledge with reasonable inquiry, that a state officer, employee, or special state appointee, as those terms are defined in IC § 4-2-6-1, has a financial interest in the grant, the subgrantee shall ensure compliance with the disclosure requirements in IC § 4-2-6-10.5 prior to the execution of this grant. If the subgrantee is not familiar with these ethical requirements, the subgrantee should refer any questions to the Indiana State Ethics Commission or visit the Inspector General’s [website](#). If the subgrantee or its agents violate any applicable ethical standards, the State may, in its sole discretion, terminate this grant immediately upon notice to the subgrantee. In addition, the subgrantee may be subject to penalties under IC §§4-2-6, 4-2-7, 35-44.1-1-4, and under any other applicable laws.
- » *Indiana Secretary of State:* Pursuant to Indiana Code Title 23, subgrantee must be properly registered and owes no outstanding reports to the Indiana Secretary of State.
- » *Telephone Solicitation of Consumers; Automatic Dialing Solicitations:* As required by Indiana Code §5-22-3-7:
 - (1) the Subgrantee and any principals of the Subgrantee certify that
 - (A) except for de minimis and nonsystematic violations, it has not violated the terms of:
 - (i) IC §24-4.7 [Telephone Solicitation Of Consumers];
 - (ii) IC §24-5-12 [Telephone Solicitations]; or
 - (iii) IC §24-5-14 [Regulation of Automatic Dialing Machines];
 in the previous three hundred sixty-five (365) days, even if IC § 24-4.7 is preempted by federal law; and
 - (B) the Subgrantee will not violate the terms of IC §24-4.7 for the duration of this Grant Agreement, even if IC §24-4.7 is preempted by federal law.
 - (2) The Subgrantee and any principals of the Subgrantee certify that an affiliate or principal of the Subgrantee and any agent acting on behalf of the Subgrantee or on behalf of an affiliate or principal of the Subgrantee, except for de minimis and nonsystematic violations,
 - (A) has not violated the terms of IC §24-4.7 in the previous three hundred sixty-five (365) days, even if IC §24-4.7 is preempted by federal law; and
 - (B) will not violate the terms of IC §24-4.7 for the duration of the grant agreement even if IC §24-4.7 is preempted by federal law.
- » *Drug-Free Workplace Certification:* Subgrantee hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace as required by Executive Order 90-5, April 12, 1990.

Executive Order 90-5 applies to all individuals and private legal entities who receive grants or contracts from state agencies. This clause was modified in 2005 to apply only to contractor's employees within the State of Indiana and cannot be further modified, altered, or changed. Subgrantee will give written notice to the State within ten (10) days after receiving actual notice that the subgrantee, or an employee of the subgrantee in the State of Indiana, has been convicted of a criminal drug violation occurring in the workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of grant payments, termination of the grant and/or debarment of grant opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total amount set forth in this grant agreement is in excess of \$25,000.00, the subgrantee certifies and agrees that it will provide a drug-free workplace by:

- A. Publishing and providing to all of its employees a statement notifying them that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the subgrantee's workplace and specifying the actions that will be taken against employees for violations of such prohibition; and
 - B. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) the subgrantee's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace; and
 - C. Notifying all employees in the statement required by subparagraph (A) above that as a condition of continued employment the employee will (1) abide by the terms of the statement; and (2) notify the subgrantee of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction; and
 - D. Notifying in writing the State within ten (10) days after receiving notice from an employee under subdivision (C)(2) above, or otherwise receiving actual notice of such conviction; and
 - E. Within thirty (30) days after receiving notice under subdivision (C)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; and
 - F. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (A) through (E) above.
- » *Employment Eligibility Verification:* As required by IC §22-5-1.7, the subgrantee hereby swears or affirms under the penalties of perjury that:
- A. The subgrantee has enrolled and is participating in the E-Verify program;

- B. The subgrantee has provided documentation to the State that it has enrolled and is participating in the E-Verify program;
 - C. The subgrantee does not knowingly employ an unauthorized alien; and the subgrantee shall require its contractors who perform work under this grant agreement to certify to subgrantee that the contractor does not knowingly employ or contract with an unauthorized alien and that the contractor has enrolled and is participating in the E-Verify program. The subgrantee shall maintain this certification throughout the duration of the term of a contract with a contractor.
 - D. The State may terminate for default if the subgrantee fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.
- » *ICJI Policies and Requirements:* Recipients of grant funds from ICJI are required to adhere to all ICJI policies, procedures, and guidelines concerning the receipt and use of grant funds from both federal and state funding sources, including those directives, policies, and guidelines found on ICJI's [website](#).