2019 Residential Substance Abuse Treatment for State Prisoners Program

Request for Proposals

The Indiana Criminal Justice Institute (ICJI) is now accepting applications for the Residential Substance Abuse and Treatment (RSAT) for State Prisoners Program. This grant is being released through Intelligrants. All applications must be submitted online through this system.

Applicants must be registered in Intelligrants to access the electronic application. Applications must be submitted on or before

12:00 P.M. EDT (noon) on February 25, 2019

Applicants are strongly encouraged to submit 72 hours prior to the deadline.

For technical assistance with submitting an application, contact the Intelligrants Help Desk at CJIHelpDesk@cgi.in.gov.

Award Period: May 1, 2019 – April 30, 2020

ICJI is not responsible for technical issues with grant submission within 24 hours of grant deadline.

For assistance with any other requirements of this solicitation, please contact: Terrie Grantham at Tgrantham@cgi.in.gov or Leann Jaggers LeJaggers@cgi.in.gov
Purpose of the Grant

RSAT assists state, local, and tribal governments to develop and implement substance abuse treatment programs in state and local correctional and detention facilities and to create and maintain community-based aftercare services for offenders. The purpose of subgrants is to achieve the goals and objectives of the federal program, on behalf of ICJI. The goals and objectives of the RSAT Program are the following:

1. Enhance the capability of states and units of local government to provide residential substance abuse treatment for incarcerated inmates;
2. Prepare offenders for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs; and
3. Assist offenders and their communities through the reentry process through the delivery of community-based treatment and other broad-based aftercare services.

Award Period

The award period for the 2019 RSAT program shall be May 1, 2019 – April 30, 2020. Projects should begin on May 1, 2019, and must be in operation no later than 45 days after this date. Failure to have the funded project operational within the time allotted may result in the cancellation of the grant and the de-obligation of all awarded funds. Projects must conclude no later than April 30, 2020. Funding obligations must be made prior to the grant end date, all outstanding expenses must be paid, and the Final Financial Report submitted via Intelligrants within 45 days of the grant end date. All program activities must be completed by the end of the approved award period.

This includes but is not limited to a program awarded funding for the purchase and utilization of equipment. All grant funded equipment must be purchased, installed, and operational by the end of the award period. Ordering of equipment by the grant end date (without it being installed and operational) will result in the awarding agency not providing reimbursement of purchased items. Additionally, the state will not approve extension requests solely for this purpose and the subrecipient will be required to deobligate any related funds.

Selection Process and Award Notification

ICJI staff will conduct an initial screening of the proposal to check for completeness of the application. ICJI staff conducts a risk assessment of all applicants; the proposed applications will be scored and eligible applications will be presented to the Drug and Crime Subcommittee of the ICJI Board of...
Trustees for consideration. Incomplete applications will not be scored or considered for review. The subcommittee will make recommendations for funding and present recommendations to the ICJI Board of Trustees.

**Reporting and Monitoring Requirements**
Subgrantees are required to submit quarterly programmatic reports via the Bureau of Justice Assistance’s Performance Measurement Tool (PMT). Additional information and assistance on the updated measures may be found at the [BJA PMT website](#).

Additional quarterly performance measures, narrative reports, and financial reports should be submitted as directed in Intelligrants. To validate requests for reimbursement, supporting documents must be included for the reported expenses, to demonstrate “proof of payment” and the details of the expense. Details of the expense to include “proof of payment” may consist of but is not limited to the following items:

- Copies of timesheets (2 signatures)
- Invoices
- Employee paystubs
- Detailed Ledger sheets
- Canceled checks

**Program Areas**
RSAT funding may be used to implement different types of programs. These programs should be operated by state or local government entities and should include aftercare components as required by the federal award. To be eligible for consideration of funding, applications will propose one of the following types of programs:

1. Residential programs
2. Jail-based programs; and/or
3. Aftercare

Each program-type has specific requirements related to program length, focus, and design. All program types should conduct periodic urinalysis and/or forms of drug/alcohol testing for participants. Additionally, programs are encouraged to coordinate their programming with the Local Coordinating Councils (LCCs) in their counties. To contact the LCC in your area, please visit
Please find additional requirements related to each program area below.

Residential Programs:

- Engage participants for a period between 6 and 12 months.
- Provide residential treatment facilities set apart—in a completely separate facility or dedicated housing unit in a facility exclusively for use by RSAT participants.
- Focus on the inmate’s substance use diagnosis and addiction related needs.
- Develop the inmate’s cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.
- Require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants, including both periodic and random testing, and for former participants while they remain in the custody of the state or local government.
- If possible, RSAT participation should be limited to inmates with 6 to 12 months remaining in their confinement so they can be released from prison instead of returning to the general prison population after completing the program.
- If possible, program design should be based on effective, scientific practices.

Jail-Based Programs:

- Engage participants for at least 3 months.
- Focus on the inmate’s substance use diagnosis and addiction related needs.
- Develop the inmate’s cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.
- Require urinalysis and/or other proven reliable forms of drug and alcohol testing for program participants, including both periodic and random testing, and for former participants while they remain in the custody of the state or local government.
- If possible, separate the treatment population from the general correctional population and program design should be based on effective, scientific practices.

Aftercare Programs:

- Individuals who participate in the substance abuse treatment program established or implemented with assistance provided under this program must be provided with aftercare services, which may include case management services and a full continuum of support services that ensure providers furnishing services under that program are approved by the appropriate State or local agency, and licensed, if necessary, to provide medical treatment or
other health services.

- Involve coordination between the correctional treatment program and other social service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, self-help, and peer group programs.
- To qualify as an aftercare program, the head of the substance abuse treatment program must work in conjunction with state and local authorities and organizations involved in substance abuse treatment and shall assist with appropriate community substance abuse treatment facilities when such individuals leave the correctional facility at the end of a sentence or on parole.
- Coordinate these activities with any SAMHSA funded state and/or local programs that address the needs of this target population.
- Aftercare program participants must have been in a RSAT treatment program while incarcerated.

Eligibility Requirements

State agencies and units of local government are eligible to apply for RSAT program funds. A local unit of government is defined as a county, borough, municipality, city, town, township, parish, local public authority (including any public housing agency under the United States Housing Act of 1937); special district, school district, intrastate district, councils of government (whether or not incorporated as a nonprofit corporation under state law); and any other agency or instrumentality of a multi, regional, or intra-state or local government. RSAT program funds may also be awarded to federally recognized Indian tribal governments that perform law enforcement functions as determined by the Secretary of the Interior. A city or county jurisdiction must be the legal applicant, with the exception of state agencies. The recipient agency must be the County Auditor or City/Town Clerk Treasurer on behalf of city and county departments.

Please note that all applicant agencies who receive current funding from any Division of ICJI must be current on all reports related to any ICJI funding. Delinquent reports may disqualify an applicant agency from consideration for funding through any grant program at ICJI.

Match Requirements

All program applicants are required to provide a 25% match. Federal funds awarded to sub-recipients may not cover more than the total cost of the project less the match amount designated by the federal award. The applicant must identify the source of the non-federal portion of the total project costs. The applicant must explain how the match funds will be used in the budget and budget narrative sections.
of the application. If a successful applicant’s proposed match exceeds the required match amount, the match amount in the approved budget is mandatory and subject to audit. Additionally, match is restricted to the same uses as those allowed for federal funds. Applicants may satisfy the match requirement with cash, in-kind services, or program income funds. The formula for calculating match is:

\[
\text{(Total Federal Funds Requested / Federal Percentage) - Federal Funds Requested} = \text{Sub grantee Required Match}
\]

The total project cost will equal the “Federal Funds Requested” plus the “Sub grantee Required Match”.

Example:
A sub grantee is requesting $100,000 in federal funds and is required to match 25 percent.
\[
\frac{100,000}{0.75} - 100,000 = 33,333.33
\]

Total Project Cost: $100,000 + 33,333.33 = $133,333.33

Allowable Use of Grant Funds
Allowable costs are those cost principles identified in 2 CFR Part 200, the new government-wide framework for grant management: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, DOJ Grants Financial Guide, RSAT’s authorizing legislation, and the RSAT grant requirements and solicitation. In addition, costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. Any questions about allowable use of funds should be directed to ICJI prior to application submission.

Contracts & Consultants
When a sub-grantee contracts for work or services, the following is required:
1. Follow Indiana procurement procedures located at [http://www.in.gov/idoa/2354.htm](http://www.in.gov/idoa/2354.htm).
2. All consultant and contractual services shall include written contracts stating the services to be performed, rate of compensation, and length of time over which the services will be provided. This shall not exceed the length of the grant contract period.
3. A copy of all written contracts shall be attached in Intelligrants upon their ratification.
4. Payments shall be supported by statements outlining the services rendered and supporting the period covered.
Any consultant costs exceeding those allowable by the OJP Financial Guide (maximum of $81.25 per hour or $650 per day) must be approved by ICJI prior to the start of the grant. Applicants must provide an explanation and documentation of costs exceeding the allowable rates.

**Unallowable Use of Grant Funds**

The following services, activities, and costs must not be supported with RSAT funds.

1. New construction;
2. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plan, a wetland, or habitat for an endangered species;
3. A renovation that will change the basic prior use of the facility or significantly change its size;
4. Research and technology whose anticipated and future application could be expected to have an effect on the environment; and
5. Land acquisition.

**Supplanting**

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose.

**Provision of Evidence-Based Substance Abuse Treatment Services**

Applicants are strongly urged to provide substance abuse treatment practices and services that have a demonstrated evidence base and that are appropriate for the target population. Applicants should identify the evidence-based practice being proposed for implementation; identify and discuss the evidence that shows that the practice is effective; and discuss the population(s) for which this practice has been shown to be effective and show that it is appropriate for the proposed target population.

Applicants can find information on evidence-based treatment practices in the Substance Abuse and Mental Health Services Administration’s (SAMHSA’s) *Guide to Evidence-Based Practices* available at [https://www.samhsa.gov/ebp-web-guide](https://www.samhsa.gov/ebp-web-guide). The *Guide* provides a short description and a link to dozens of websites with relevant evidence-based practices information – either specific interventions or comprehensive reviews of research findings. Note that SAMHSA’s Guide also references the National Registry of Evidence-Based Programs and Practices (NREPP), a searchable database of interventions for the prevention and treatment of mental and substance abuse disorders. NREPP is
intended to serve as a decision support tool, not as an authoritative list of effective interventions. Being included in NREPP, or in any other resource listed in the Guide, does not mean an intervention is “recommended” or that it is demonstrated to achieve positive results in all circumstances. If possible, applicants should document that the selected practice is appropriate for the specific target population and purposes of their project.
**APPENDIX A. APPLICABLE LAW AND MANDATORY REQUIREMENTS**

**General**

This award is governed by 2 C.F.R. Part 200 and the 2017 DOJ Grants Financial Guide. All applicants must adhere to all provisions set forth in federal and state statute, regulation, or rule. 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 Applicant 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 Applicant 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 an Applicant for expenditures outside the grant period of performance.

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

The Applicant 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 Applicant must contact the ICJI program manager in writing and refrain from the expenditure, obligation, or draw 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 the Indiana Civil Rights Law, 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 Applicant covenants that it shall not discriminate against any employee or applicant 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 applicant’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, Applicant certifies compliance with
applicable federal laws, regulations, and executive orders prohibiting discrimination based on the Protected Characteristics in the provision of services.

Applicant 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 Applicant understands that the State is a recipient of federal funds, and therefore, where applicable, Applicant 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 the website [http://www.lep.gov](http://www.lep.gov).

- **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 Right’s (OCR) website at [http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm](http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm).

  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 at [http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf](http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf). Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants 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 (EEOPs).

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

- **Meeting the EEOP 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 EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at [http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf](http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf).

  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- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP 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 at [http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf](http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf).

  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- and part- time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an
EEOP 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 at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP 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 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 Applicant 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 Applicant 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 Applicant shall ensure compliance with the disclosure requirements in IC § 4-2-6-10.5 prior to the execution of this grant. If the Applicant is not familiar with these ethical requirements, the Applicant should refer any questions to the Indiana State Ethics Commission or visit the Inspector General's website at [http://www.in.gov/ig/](http://www.in.gov/ig/). If the Applicant or its agents violate any applicable ethical standards, the State may, in its sole discretion, terminate this grant immediately upon notice to the Applicant. In addition, the Applicant 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, applicant 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 Applicant and any principals of the Applicant 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 Applicant 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 Applicant and any principals of the Applicant certify that an affiliate or principal of the Applicant and any agent acting on behalf of the Applicant or on behalf of an affiliate or principal of the Applicant, 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.**

  Applicant 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. Applicant will give written notice to the State within ten (10) days after receiving actual notice that the Applicant, or an employee of the Applicant 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 Applicant 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 Applicant’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 Applicant’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 Applicant 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 Applicant hereby swears or affirms under the penalties of perjury that:

A. The Applicant has enrolled and is participating in the E-Verify program;

B. The Applicant has provided documentation to the State that it has enrolled and is participating in the E-Verify program;

C. The Applicant does not knowingly employ an unauthorized alien; and

D. The Applicant shall require its contractors who perform work under this Grant Agreement to certify to Applicant 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 Applicant shall maintain this certification throughout the duration of the term of a contract with a contractor.

The State may terminate for default if the Applicant fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.

**Application Review**

Pursuant to 2 C.F.R. Part 200, the State will review and score all grant applications as part of the competitive bid process. The State will assess:

- The completeness of the grant application;
- The Applicant’s eligibility
- The Project’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 Indiana Department of Workforce Development, Indiana Department of Revenue, and Indiana Secretary of State;
- 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 the SAM (System for Award Management) and has an active DUNS (DATA Universal Number Systems) number.

Any item, factor, or circumstance that would adversely affect or contribute to the adverse effect of the Applicant’s fitness to successfully complete the Project must be reported to the State prior to or contemporaneous with the grant application. Those items would include, but are not limited to,
federal or state debt; conflicts of interest; federal or state debarments or suspensions; current,
pending or outstanding criminal, civil, or enforcement actions initiated by the State; and whether the
Applicant has been designated as high risk by any federal or state department or agency. If the
Applicant has been designated as high risk, it must specifically disclose to the State:

- The federal or state agency that currently designated the Applicant as high risk.
- Date the Applicant was designed high risk.
- The high risk point of contact name, phone number, and email address, from the federal or
  state agency.
- Reason(s) for the high risk status.

The grant application shall include accurate and descriptive information detailing the Project thereby
allowing the State to adequately assess and score the grant application. This documentation shall
include, but is not limited to:

- The total budget for the Applicant’s organization (including all sources of funds);
- Detailed information concerning Applicant’s employees and/or contractors including, but not
  limited to, information regarding compensation, benefits, overtime, and travel.
- A sustainability plan detailing the Applicant’s plan to succeed once the grant fund period
  expires;
- A timeline for the completion of the Project and/or expenditure of the grant funds; and
- Letters of endorsement evidencing community support for the (1) Applicant’s program and
  mission and (1) value and need in its community.

**Monitoring**

2 C.F.R. Part 200 sets forth monitoring requirements whereby the State must establish and carry out a
process of assessing the progress of projects and programs that are funded, in whole or in part, by
federal funds. This monitoring function measures both financial and programmatic progress. It also
provides an opportunity for technical assistance to the Applicant, measures compliance, builds
partnerships for success, and provides results based feedback to the Applicant. The State will monitor
all grant awards via an ICJI Program Manager and/or ICJI Compliance Monitoring Team. As part of the
monitoring process, the ICJI Program Manager will review all reports submitted by the Grantee for
accuracy, timeliness, completeness, etc. The State will conduct on-site or off-site monitoring reviews
of the Project during the term of the grant agreement and for up to three (3) years after it expires or is
otherwise terminated. At the request of the State, any and all documentation related to the grant shall
be provided at no cost. If the Applicant fails to cooperate with the State’s monitoring process, the
State may consider such non-cooperation as a material breach.

Delinquent, inaccurate, incomplete, or fraudulent reports will be addressed by ICJI. ICJI’s remedies
include, but are not limited to, identifying the Grantee as high risk, de-obligated funding,
disqualification from future funding, and referral to the federal Office of Inspector General. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the State determines that the recipient is a high-risk Applicant or Grantee pursuant to 28 C.F.R. parts 66, 70.

**Reporting**

Reporting requirements are included in both 2 C.F.R and 28 C.F.R. Reporting to the State shall be completed on a quarterly basis via Intelligrants. In addition, Applicant is required to submit quarterly reports via the Bureau of Justice Assistance’s Performance Measurement Tool (PMT). Failure to submit any report in a timely fashion may be considered a material breach, at the discretion on the State.

The recipient agrees to comply with applicable requirements to report first-tier subawards of $25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs website at [http://ojp.gov/funding/Explore/FFATA.htm](http://ojp.gov/funding/Explore/FFATA.htm) (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

**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.

A. **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.

B. **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.

C. **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.

D. **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).

E. **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.

F. **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.

G. **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.

H. **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.
Grant Amendments, Modifications & Exemptions

An amendment would include any modification to the grant agreement or any of its terms or conditions. Any amendment to the grant agreement must be submitted in writing and approved by the State prior to the implementation of the amendment. Amendments include, but are not limited to, changes to the Project Budget or scope of the Project, extensions to the period of performance, changes concerning an authorized official. Amendments require strong justification and supporting documentation. Furthermore, the amendment must comply with all federal and state laws, rules, and regulations.

If the Applicant wishes to seek an exemption to a federal or state law, regulation, or rule, such request must be submitted in writing and approved by the State prior to the Applicant obligating or expending any grant funds related to the desired exemption. For example, if the Applicant wishes to hire a consultant at a rate in excess of $650 per day, a detailed justification must be submitted to and approved by the State prior to obligation or expenditure of such funds.

Unallowable Costs for all Federal Grants

Federal law prohibits the use of federal funds from certain activities irrespective of the federal funding source or the specifics of the grant program. These prohibitions include:

- Lobbying, including attempts to influence legislation or the outcome of any federal, state, or local elections. Recent changes to the law have expanded the prohibition to any federally appropriated funding used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express written approval of OJP. Violations of this prohibition are now subject to civil fines of up to $100,000 per violation.
- Fundraising (including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions).
- The direct or indirect support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

The Applicant understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of victims who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such victims.