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# Access and Visitation Grant Program Funding Application for Fiscal Year 2017

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Friend of the Court Application

Michigan Supreme Court  
State Court Administrative Office  
Office of Dispute Resolution  
Michigan Hall of Justice  
P.O Box 30048  
Lansing, MI 48909

## **ACCESS AND VISITATION GRANT PROGRAM GENERAL INFORMATION**

### **SUMMARY**

For Friend of the Court (FOC) offices, the State Court Administrative Office (SCAO) proposes to award Access and Visitation Grant Program Contracts based on a tier system. This system will group courts by the total number of **new** domestic relations filings involving custody, divorce, paternity, and other support issues reported and verified to the SCAO for 2015.

FOCs interested in applying for Access and Visitation Grant Program funding for fiscal year (FY) 2017 must complete the following noncompetitive two-step application process:

**Step One** – Notify the SCAO of the court’s intent to apply for Access and Visitation Grant Program funding by **5:00 p.m., October 19, 2016**. The SCAO anticipates upwardly adjusting prospective applicants’ minimum available funding by removing the non-applicant counties from the funding formula. Thereafter, FOCs that have notified the SCAO of their intent to apply for funding will receive an amended notice of available funding on or before October 21, 2016 if additional funding can be made available.

**Step Two** - Complete and return the Access and Visitation Grant Program Funding Application by **5:00 p.m., October 28, 2016**.

At mid fiscal year 2017, the SCAO will ask each Access and Visitation Grant Program funded FOC program to assess its expenditures and project anticipated unspent funds. After consulting with the FOCs, a contract may be downwardly adjusted so that the SCAO can redistribute the funds to other FOC program.

The effective date for this contract is October 1, 2016 – September 30, 2017.

### **BACKGROUND**

The Grants to States for Access and Visitation Programs was created under 42 USC 669b and in cooperation with the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193. The goal of PRWORA, while assisting families experiencing temporary financial problems, is to reduce dependency and the length of time people are on welfare.

Under 42 USC 669b, Grants to States for Access and Visitation Programs, states may establish and administer programs to support and facilitate noncustodial parents’ access and visitation with their children. The Catalog of Federal Domestic Assistance number is 93.597. The SCAO receives and administers the Grant to States for Access and Visitation for multiple activities to achieve the goals set forth by the United States Department of Health and Human Services, Administration for Children and Families.

The SCAO receives and administers the Grants to States for Access and Visitation for multiple activities to achieve the goals set forth by the United States Department of Health and Human Services. The SCAO anticipates receiving federal funding in the amount of **\$272,203** or 90 percent of the program costs in Federal Fiscal Year (FFY) 2017 for all services. An additional 10 percent of the program cost or **\$30,245** will be provided in cash or in-kind match.

## **ELIGIBLE SERVICES**

The SCAO has determined that service contracts for FY 2017 are available for FOC programs that provide the following services:

- Parent exchanges (neutral drop-off and pick-up)
- Supervised parenting time (including monitored and therapeutic)

## **ELIGIBLE SERVICE DEFINITIONS**

- **Parent Exchanges** (neutral drop-off/pick-up). Under this service, a neutral location is provided for the safe transfer of children between the noncustodial parent and the custodial parent (or guardian). A neutral third party (someone other than the parents or parties involved) is present during the transfer of the children. In the event threatening or violent behavior is observed, the agency's safeguard plan will be followed. **Services provided to grandparents under MCL 722.27b are not eligible for reimbursement under this contract.**
- **Supervised Parenting Time.** This service is for noncustodial parents – court-ordered or voluntary – who would otherwise be denied access to their children. Visitation services might be offered through visitation centers, public settings, such as park facilities, or offices. Whatever the location, the focus should be on trained staff supervising the visitations in a safe setting appropriate to the particular issues experienced by the family. The direct service provider is present before, during, and after the supervised parenting time to ensure the safety of the children and the safe exchange of the children to the custodial parent (or guardian). In the event threatening or violent behavior is observed, the agency's safeguard plan will be followed. **Services to grandparents under MCL 722.27b and services to parents involved in the child welfare system (Title IV-E and Title IV-B) are not eligible for reimbursement under this contract.**

**Note:** If your program is offering “therapeutic visitation” to parents, the Access and Visitation Grant Program **cannot pay** for the cost of the therapist to address such issues as anger management, appropriate discipline techniques, general family therapy, or other such issues. Only access and visitation issues can be addressed.

## **PROGRAM ELIGIBILITY**

The SCAO will administer Access and Visitation Grant Program contracts to FOC programs that support and facilitate noncustodial parents' access to and visitation with their children. FOCs eligible to receive Access and Visitation Grant Program funding for FY 2017 **MUST**:

- Demonstrate efficiency and effectiveness. The Access and Visitation Grant Program services are conducted efficiently and effectively per 45 CFR 303, §109(a).
- Review and maintain on file safeguard plans for all Access and Visitation Grant Program service providers that describe procedures used to assure that Access and Visitation Grant Program funded service are conducted in a safe and neutral environment.
- Not supplant state revenue for similar activities under 42 USC 669b(d).
- Not include start-up costs.
- Periodically review market prices for comparable services to determine that rates charged by service providers are fair and reasonable.
- Agree to comply with the terms and conditions detailed in the United States Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement, State Access and Visitation Program Grant Terms and Conditions. See Attachment D.
- Timely file required statistical and financial reports.

## **JOINT APPLICATIONS**

The letter of intent to apply for Access and Visitation Grant Program funding must identify any collaborating FOC applicants, but does not require their signature as part of the letter of intent. FOC offices jointly applying for Access and Visitation Grant Program funding for FY 2017 are required to submit one application collectively signed by joint applicants. Only information from the principal FOC office is required on the application.

For joint applicants, the principal FOC will be responsible for:

- Subcontracting with the service provider.
- Informing the joint applicants about the contract terms and provisions regarding the program and the direct service provider.
- Reporting requirements identified in this application or as notified by the SCAO during the grant funding period.

## **CONTRACT VALUE; MINIMUM FUNDING SCHEDULE**

Attachment A displays the proposed minimum amount of funding that may be requested. To determine the minimum amount your court is eligible to apply for, locate the court's number and name, and then proceed to the end of the tier group noted with a line. The minimum amount for each court in that tier group immediately follows the tier number. The amounts were

determined by compiling the number of the new domestic relations filings involving custody and parenting time that were reported to the SCAO for 2015. The case types were DC, DM, DP and DS. Tiers reflecting courts having similar case filings were created and funding levels were assigned to each tier.

## **SUBCONTRACTING WITH NON-FOC AGENCIES**

FOCs may refer noncustodial and custodial parents (or guardians) to Access and Visitation Grant Program funded services provided by nonprofit or for-profit agencies. FOCs should negotiate Access and Visitation Grant Program service reimbursement fees that are comparable to market prices for comparable services and are fair and reasonable in comparison to other service providers in the region. [See 2 CFR 225, Appendix A(C)(2)(2005) for additional information]. Subcontracted agencies must provide the FOC with documentation supporting the services provided and costs billed for inclusion in the FOC's program invoice to the SCAO.

In accordance with Public Law 103-333, the "Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 1995," the following provision is applicable to this grant award:

Section 508: "When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources."

## **REPORTING REQUIREMENTS**

Under 45 CFR 303, § 109(c)(1), programs receiving Access and Visitation Grant Contract funding are required to report program goals, services, and certain demographic information. Program Worksheets and Access and Visitation Grant Program Invoices (including supporting documentation) must be submitted to the SCAO on a quarterly basis. The required forms will be forwarded at the time of the contract award. (Prior year reports are available for review upon request). **Incomplete or late reporting may result in contract termination.** All programs receiving Access and Visitation Grant contracts must comply with federal, state, and SCAO auditing and monitoring requirements. The reporting periods and deadlines are:

	<b>Report Documents</b>	<b>Report Period</b>	<b>Date Due to SCAO</b>
<b>1<sup>st</sup> Quarter</b>	<ul style="list-style-type: none"><li>• Local Program Worksheet</li><li>• Program Invoice</li></ul>	October 1, 2016 - December 31, 2016	January 25, 2017
<b>2<sup>nd</sup> Quarter</b>	<ul style="list-style-type: none"><li>• Local Program Worksheet</li><li>• Program Invoice</li></ul>	January 1, 2017 - March 31, 2017	April 25, 2017
<b>3<sup>rd</sup> Quarter</b>	<ul style="list-style-type: none"><li>• Local Program Worksheet</li><li>• Program Invoice</li></ul>	April 1, 2017 - June 30, 2017	July 25, 2017
<b>4<sup>th</sup> Quarter</b>	<ul style="list-style-type: none"><li>• Local Program Worksheet</li><li>• Program Invoice</li></ul>	July 1, 2017 - September 30, 2017	October 10, 2017

## **ACCESS AND VISITATION GRANT PROGRAM APPLICATION PROCESS**

To receive Access and Visitation Grant Program funding for FY 2017, Friend of the Court (FOC) offices must complete the following two-step process:

### **Step One:**

Notify the SCAO of the court's Letter of Intent to apply for Access and Visitation Grant Program funding **no later than 5:00 p.m. on October 19, 2016**. The notification may be via an e-mail message to the effect that the court will (or will not) be applying for available Access and Visitation Grant Program funding. If the application will be for multiple counties, the e-mail message should indicate the counties that will be jointly applying. Letter of Intent submissions should be made to:

Michelle Hilliker  
State Court Administrative Office  
Michigan Hall of Justice  
PO Box 30048  
Lansing, Michigan 48909-7548  
E-mail: [hillikerm@courts.mi.gov](mailto:hillikerm@courts.mi.gov)  
Fax: (517) 373-5748

**\*\*FOC offices submitting a notification of intent to receive funding after 5:00 p.m. on October 19, 2016, will NOT be considered for funding.\*\***

### **Step Two:**

After removing nonapplicant counties from the funding formula, the SCAO will upwardly adjust the minimum funds available if additional funding exists and electronically send the adjusted award amounts to FOCs that notified the SCAO of their intent to apply for funding.

The Access and Visitation Grant Program Funding Application for FY 2017 appears as Attachment C. The application must be completed, signed, and received by the SCAO no later than **5:00 p.m. on October 28, 2016**, and may be submitted via e-mail, fax, or postal mail to:

Michelle Hilliker  
State Court Administrative Office  
Michigan Hall of Justice  
PO Box 30048  
Lansing, Michigan 48909-7548  
E-mail: [hillikerm@courts.mi.gov](mailto:hillikerm@courts.mi.gov)  
Fax: (517) 373-5748

The SCAO will forward Access and Visitation Grant Contracts and any revised quarterly reporting forms in November 2016. The contract effective dates will remain October 1, 2016 through September 30, 2017.

Questions about this application and the application process may be directed to Michelle Hilliker at (517) 373-4839, or by e-mail at [hillikerm@courts.mi.gov](mailto:hillikerm@courts.mi.gov).

Attachment A: Proposed Minimum Funding for Letters of Intent  
Attachment B: Letter of Intent to Apply for Access and Visitation Grant Program Funding  
Attachment C: Application for Access and Visitation Grant Program Funding  
Attachment D: United States Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement, General Terms and Conditions Mandatory Formula, Block and Entitlement Grant Programs and State Access and Visitation Program Grant Terms and Conditions Addendum

# **Attachment A**

**Attachment A: 2016-17 Access and Visitation Proposed Minimum Award**

Based on new 2015 court filings types DC, DM, DP, DS

Circuit Court Number	Counties	2015 Filings Total	Tier	Minimum Award Amount
C32	Gogebic, Ontonagon	79		
C57	Emmet	111		
C12	Baraga, Hough, Kew	112		
C52	Huron	125		
C33	Charlevoix	139		
C19	Benzie, Manistee	163		
C11	Alger, Luce, Mac, Sch	164		
C47	Delta	167		
C26	Alpena, Montmorency	168		
C53	Cheboygan, Pres Isle	180		
C51	Lake, Mason	187		
C50	Chippewa	192		
C15	Branch	195	Tier 1	\$400.00
C24	Sanilac	207		
C54	Tuscola	214		
C01	Hillsdale	229		
C21	Isabella	231		
C34	Ogemaw, Roscommon	234		
C43	Cass	235		
C05	Barry	247		
C28	Missaukee, Wexford	261		
C41	Dickinson, Iron, Menom	263		
C23	Alcona, Are, Ios, Osc	287		
C25	Marquette	304		
C46	Crawford, Kalkaska, Otse	306		
C49	Mecosta, Osceola	308		
C42	Midland	323		
C35	Shiawassee	324		
C55	Clare, Gladwin	335		
C40	Lapeer	390		
C45	St. Joseph	391	Tier 2	\$600.00
C29	Clinton, Gratiot	439		
C36	Van Buren	462		
C13	Antrim, GT, Lee	470		
C44	Livingston	477		
C48	Allegan	477		
C27	Newaygo, Oceana	498		
C18	Bay	517		
C39	Lenawee	556		
C56	Eaton	577		
C38	Monroe	707		
C08	Ionia, Montcalm	742	Tier 3	\$1,200.00

**Attachment A: 2016-17 Access and Visitation Proposed Minimum Award**

Based on new 2015 court filings types DC, DM, DP, DS

Circuit Court Number	Counties	2015 Filings Total	Tier	Minimum Award Amount
C37	Calhoun	887		
C04	Jackson	919		
C31	St. Clair	924		
C20	Ottawa	1079		
C14	Muskegon	1111		
C22	Washtenaw	1310		
C02	Berrien	1394	Tier 4	\$2,500.00
C10	Saginaw	1423		
C09	Kalamazoo	1676		
C30	Ingham	1756	Tier 5	\$4,300.00
C17	Kent	3502		
C16	Macomb	3994	Tier 6	\$9,000.00
C07	Genesee	4225		
C06	Oakland	4364	Tier 7	\$13,000.00
C03	Wayne	20062	Tier 8	\$42,000.00
Total Filings		61,619		

## **Attachment B**

**Attachment B**

State Court Administrative Office

[Local Court or Friend of the Court Letterhead]

[Date]

State Court Administrative Office  
Office of Dispute Resolution  
Michigan Hall of Justice  
P.O. Box 30048  
Lansing, MI 48909-7548

This office intends to apply for FY 2017 Access and Visitation Grant Program funding for service(s) in the following county(ies):

\_\_\_\_\_.

This office **does not** intend to apply for FY 2017 Access and Visitation Grant Program funding.

Please list applicant's court, name of FOC and e-mail address:

\_\_\_\_\_  
Name of Court

\_\_\_\_\_  
E-mail Address

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
Date

If the application will be for a combined award, offering services through multiple FOC's, please list the joint applicant's court, name of FOC, and e-mail address:

\_\_\_\_\_  
Name of Court

\_\_\_\_\_  
County

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
FOC E-mail Address

\_\_\_\_\_  
Name of Court

\_\_\_\_\_  
County

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
FOC E-mail Address

## **Attachment C**

**Attachment C**

**Access and Visitation Grant Program Funding Application for FY 2017**

**Friend of the Court:** \_\_\_\_\_

**FOC Address:** \_\_\_\_\_

**FOC city, state, and zip code:** \_\_\_\_\_

**FOC contact:** \_\_\_\_\_

**FOC telephone number:** \_\_\_\_\_

**FOC fax number:** \_\_\_\_\_

**FOC contact e-mail address:** \_\_\_\_\_

**Federal ID number:** \_\_\_\_\_

**Total amount requested: \$** \_\_\_\_\_

**List all the counties the applicant serves:** \_\_\_\_\_

**List the FOCs in joint agreement:** \_\_\_\_\_

**Types of services to be provided:**

(If multiple providers are used, please copy and complete the following information for each service provider)

**Supervised parenting time (including monitored and therapeutic)**

Amount allocated for this service \$ \_\_\_\_\_

**Direct service provider agency:** \_\_\_\_\_

**Address line 1:** \_\_\_\_\_

**Address line 2:** \_\_\_\_\_

**Contact person:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**E-mail address:** \_\_\_\_\_

**Enter rate charged to AV contract:** (Please check either hourly rate or unit rate)

Hourly rate OR  Unit rate \$ \_\_\_\_\_

**Is there a client co-pay?**  Yes  No

**Please Note: The total amounts of the award allocated must equal the total amount requested.**

**Types of services to be provided:**

(If multiple providers are used, please copy and complete the following information for each service provider)

**Parent Exchanges (neutral drop-off and pick-up)**

Amount allocated for this service \$ \_\_\_\_\_

**Direct service provider agency:** \_\_\_\_\_

**Address line 1:** \_\_\_\_\_

**Address line 2:** \_\_\_\_\_

**Contact person:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**E-mail address:** \_\_\_\_\_

**Enter rate charged to AV contract:** (Please check either hourly rate or unit rate)

Hourly rate OR  Unit rate \$ \_\_\_\_\_

**Is there a client co-pay?**  Yes  No

**Type of direct service provider:**  Nonprofit Agency  State Agency

Court  Local Public Agency

**Applicant service area:**  Urban  Suburban  Rural

Of the activities for which you are requesting funding, please note if participation in the program is mandatory, voluntary or both.

**Supervised visitation:**  Mandatory  Voluntary  Both

**Neutral drop-off/pick-up:**  Mandatory  Voluntary  Both

- Project goals (check all that apply):**
- To improve the child's well being
  - To improve compliance with support orders
  - To increase custody and parenting time between the children and noncustodial parent
  - To increase visitation between noncustodial parent and custodial parent
  - To improve the relationship between the noncustodial parent and the custodial parent
  - To strengthen noncustodial parent's role as a nurturer within relationships with their children
  - To promote public awareness of responsible parenting
  - To broaden custody and parenting time options for children

**Process of referring parents to services (check all that apply):**

- Interview with parent or guardian
- Written request from custodial parent or guardian
- Written request from noncustodial parent or guardian
- Interview with custodial parent
- Interview with noncustodial parent
- Interview with judge
- Interview with court officer
- Interview with children
- Interview with another individual
- Order of the court
- Other (describe): \_\_\_\_\_

**What constitutes completion of parent exchange services? (Check all that apply)**

- Order of the court
- Friend of the court recommendation
- Custodial parent's consent
- Direct service provider's recommendation
- Noncustodial parent will attend all scheduled exchanges
- Not applicable because this service is not provided
- Other (describe): \_\_\_\_\_

**What constitutes completion of supervised parenting time services? (Check all that apply)**

- Order of the court
- Friend of the court recommendation
- Custodial parent's consent
- Direct service provider's recommendation
- Noncustodial parent will attend all scheduled exchanges

**What follow-up activities are provided to parties receiving parent exchange services? (Check all that apply)**

- Not applicable because this service is not provided
- Other (describe): \_\_\_\_\_
- Satisfaction surveys are mailed at the conclusion of services
- Telephone contact at the conclusion of services
- No follow-up activities are provided
- Other (describe): \_\_\_\_\_

**What follow-up activities are provided to parties receiving supervised parenting time services? (Check all that apply)**

- Satisfaction surveys are mailed at the conclusion of services
- Telephone contact at the conclusion of services
- No follow-up activities are provided
- Other (describe): \_\_\_\_\_

**What sanctions may be applied to parties who fail to comply with an order or recommendation to participate in parent exchange services?**

- No sanctions are applied
- Not applicable because participation in services is voluntary
- Other (describe): \_\_\_\_\_

**What sanctions may be applied to parties who fail to comply with an order or recommendation to participate in supervised parenting time services?**

- No sanctions are applied
- Not applicable because participation in services is voluntary
- Other (describe): \_\_\_\_\_

**If FOC applicant was funded in the prior year, what percentage of cases in which AV services were provided, were actively charging child support?**

\_\_\_\_\_ %

**If FOC applicant was funded in the prior year, what percentage of cases, of which AV services were provided, involved domestic violence concerns?**

\_\_\_\_\_ %

**Courts are strongly encouraged to:**

Verify that their service contractor has a written policy for conducting a Criminal History Background Check (CHBC) and that the CHBC's have been conducted on staff and volunteers who provide supervised visitation services and neutral drop-off and pick-up services.

Require service providers to conduct domestic violence screening using some tool such as the Michigan Supreme Court – State Court Administrative Office's Abbreviated Domestic Violence Screening Protocol Questionnaire.

Model their operational safeguard plans with an established state or national standard such as the Supervised Visitation Network standards or Department of Justice-Safe Havens standards.

**Safeguard Plan**

By checking this box, we assert that the direct service provider's Safeguard Plan has been reviewed by the FOC, and is maintained on file with the FOC.

**State Access and Visitation Grant**

By checking this box, we assert that our FOC and any direct service providers will comply with the General Terms and Conditions and the State Access and Visitation Program Terms and Conditions Addendum. See Attachment D for Terms and Conditions.

Applicant Signature:

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
Date

**Offices applying for combined awards must include the signatures of joint FOC applicants.**

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
Court name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
Court name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Friend of the Court

\_\_\_\_\_  
Court name

\_\_\_\_\_  
Date

## **Attachment D**



**GENERAL TERMS AND CONDITIONS  
MANDATORY FORMULA, BLOCK and ENTITLEMENT GRANT PROGRAMS**

Except as noted otherwise, these Terms and Conditions apply to all mandatory grant programs administered by the Administration for Children and Families (ACF), see Appendix A. Please also review the separate program-specific Addendum to these Terms and Conditions applicable to each program.

By acceptance of the individual awards, each grantee agrees to comply with these requirements. Failure to comply may result in the loss of Federal funds and may be considered grounds for the suspension or termination of the grant.

**ADMINISTRATIVE REQUIREMENTS**

1. These programs are governed by the following Federal regulations:
  - **2 CFR Part 376** – Nonprocurement Debarment and Suspension;
  - **2 CFR Part 382** – Requirements for Drug-Free Workplace (Financial Assistance);
  - **45 CFR Part 16** – Procedures of the Departmental Grant Appeals Board;
  - **45 CFR Part 30** – Claims Collection;
  - **45 CFR Part 75** – Uniform Administrative Requirements, Cost Principles and Audit Requirements for HHS Awards;
  - **45 CFR Part 80** – Nondiscrimination Under Programs Receiving Federal Assistance through the Department of Health and Human Services, Effectuation of Title VI of the Civil Rights Act of 1964;
  - **45 CFR Part 81** – Practice and Procedure for Hearings Under Part 80 of this Title;
  - **45 CFR Part 84** – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance;
  - **45 CFR Part 86** – Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance;
  - **45 CFR Part 87** – Equal Treatment for Faith-Based Organizations;
  - **45 CFR Part 91** – Nondiscrimination on the Basis of Age in HHS Programs or Activities Receiving Federal Financial Assistance;
  - **45 CFR Part 93** – New Restrictions on Lobbying;
  - **45 CFR Part 95** – General Administration – Grant Programs;
  - **45 CFR Part 100** – Intergovernmental Review of Department of Health and Human Services Programs and Activities.
  
2. In accordance with Public Law 103-333, the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 1995,” the following provisions are applicable to the mandatory grant programs:
  - Section 507: “Purchase of American-Made Equipment and Products - It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.”
  - Section 508: “When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all States receiving Federal funds, including but not limited to State and local governments and recipients of Federal

research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.”

3. *Drug-Free Workplace Requirements*. In accordance with provisions of Title V, Subtitle D of Public Law 100-690 (41 USC 701 et. seq.), the “Drug-Free Workplace Act of 1988,” all grantees must maintain a drug-free workplace and must publish a statement informing employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and establishing the actions that will be taken against employees violating these prohibitions. The grantee must notify ACF if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. (See 2 CFR Part 382)
4. *Smoking Prohibitions*. In accordance with Title XII of Public Law 103-227, the “PRO-KIDS Act of 1994,” smoking may not be permitted in any portion of any indoor facility owned or regularly used for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs wither directly or through State or local governments. Federal programs include grants, cooperative agreements, loans and loan guarantees, and contracts. The law does not apply to children’s services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions or facilities and used for inpatient drug and alcohol treatment.

The above language must be included in any subawards that contain provisions for children’s services and that all sub-grantees shall certify compliance accordingly. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1,000 per day.

5. *Religious Activity Prohibitions*. Direct Federal grants, sub-awards, or contracts under these programs 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 the services funded under these programs. (See 45 CFR Part 87)
6. *Lobbying Prohibitions*. Federal grant funds provided under these awards may not be used by the grantee or any sub-grantee to support lobbying activities to influence proposed or pending Federal or State legislation or appropriations. This prohibition is related to the use of Federal grant funds and is not intended to affect an individual’s right or that of any organization, to petition Congress, or any other level of Government, through the use of other resources. (See 45 CFR Part 93.)
7. *Same-Sex Marriage Provisions*. In accordance with the decision in United States v. Windsor (133 S. Ct. 2675 (June 26, 2013); Section 3 of the Defense of Marriage Act, codified at 1 USC 7, in any grant-related activity in which family, marital, or household considerations are, by statute or regulation, relevant for purposes of determining beneficiary eligibility or participation, grantees must treat same-sex spouses, marriages, and households on the same terms as opposite sex spouses, marriages, and households, respectively. By "same-sex spouses," HHS means individuals of the same sex who have entered into marriages that are valid in the jurisdiction where performed, including any of the 50 states, the District of Columbia, or a U.S. territory or in a foreign country, regardless of whether or not the couple resides in a jurisdiction that recognizes same-sex marriage. By "same-sex marriages," HHS means marriages between two individuals validly entered into in the jurisdiction where performed, including any of the 50 States, the District of Columbia, or a U.S. territory or in a foreign country, regardless of whether or not the couple resides in a jurisdiction that recognizes same-sex marriage. By "marriage," HHS does not mean registered domestic partnerships, civil unions or similar formal relationships recognized under the law of the jurisdiction of celebration as something other than a marriage.

8. Human Trafficking Provisions. These awards are subject to the requirements of Section 106(g) of the “Trafficking Victims Protection Act of 2000” (22 USC 7104). The full text of this requirement is found at <http://www.acf.hhs.gov/grants/award-term-and-condition-for-trafficking-in-persons> .
9. Transparency Act Requirements. Awards under these programs are included under the provisions of P.L. 109-282, the “Federal Funds Accountability and Transparency Act of 2006” (FFATA). Under this statute, the State is required to report information regarding executive compensation and all subgrants, contracts and subcontracts in excess of \$25,000 through the Federal Subaward Reporting System (<https://www.frs.gov/>) and in accordance with the terms found in Federal regulations at 2 CFR Part 170, including Appendix A. (NOTE: This requirement became applicable to all mandatory grant programs July 1, 2011.)
10. Federal Awarding Agency Review of Risk Posed by Applicants  
As required by 2 CFR 200 of the Uniform Guidance and HHS implementing regulations (45 CFR Part 75) effective January 1, 2016, ACF is issuing guidance to implement the mandatory disclosures provision at 45 CFR 75.113. ACF is required to review and consider any publicly available information about the applicant that is in the Federal Awardee Performance and Integrity Information System (FAPIIS), <https://www.fapiis.gov> (45 CFR 75.205(a)(2)). Before making any award in excess of the simplified acquisition threshold (currently \$150,000) over the period of performance (45 CFR 75.2). An applicant may review and comment on any information about itself that a federal awarding agency has previously entered into FAPIIS. ACF will consider any comments by the applicant, in addition to other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR §200.205 Federal Awarding Agency Review of Risk Posed by Applicants (<http://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200.1205&rgn=div8>).
11. Construction Prohibitions. Unless superseded by program-specific regulations, these awards may not be used for construction or the purchase of land.

## SUB-RECIPIENTS UNDER GRANTS

12. Grantees are required to determine recipient type when sub-granting or contracting using Federal funds. In accordance with the standards set in 45 CFR 75.351, the determination is based on the substance of the relationship with the grantee, rather than the form of the agreement.
- The presence of one or more of the following conditions would indicate that the sub-recipient should be considered a subgrantee and is subject to the provisions of 45 CFR Part 75 Subpart F:
    - a. Determines who is eligible to receive what Federal financial assistance;
    - b. Has its performance measured against whether the objectives of the Federal program are met;
    - c. Has responsibility for programmatic decision making;
    - d. Has responsibility for adherence to applicable Federal program compliance requirements;
    - e. Uses the Federal funds to carry out a program of the organization as compared to providing goods or services for a program of the pass-through entity;
  - The presence of one or more of the following conditions would indicate that the sub-recipient should be considered a Uvendor or contractorU and is not subject to the provisions of 45 CFR Part 75 Subpart F:
    - a. Provides the goods and services within normal business operations;
    - b. Provides similar goods or services to many different purchasers;
    - c. Operates in a competitive environment;
    - d. Provides goods or services that are ancillary to the operation of the Federal program;
    - e. Is not subject to compliance requirements of the Federal program.
13. No organization may participate in these programs in any capacity or be a recipient of Federal funds designated for these programs if the organization has been debarred or suspended or otherwise found to be ineligible for

participation in Federal assistance programs under Executive Order 12549, “Debarment and Suspension.” (See 45 CFR 75.212.) Grantees must include a similar term and/or condition for all sub-awards or contracts awarded under these programs. Prior to issuing subawards or contracts under this grant, the grantee must consult the ineligible parties list to ensure that organizations under funding consideration are not ineligible. The list is available on the System for Award Management website: <https://www.sam.gov>.

14. Each grantee is responsible for monitoring grant, sub-recipient and contract supported activities to assure compliance with Federal requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function and activity. (See 45 CFR 75.342.)
15. Each grantee is required to advise sub-recipients of requirements imposed on them by Federal laws, regulations, and the provisions of grant agreements or contracts as well as any supplemental requirements imposed by the grantee. These include grant administrative and audit requirements (where applicable) under 45 CFR Part 75
  - Cost principles for non-profit organization and educational institution sub recipients are found at 45 CFR Part 75 Subpart E.
  - Cost principles for commercial vendor or subcontractor sub recipients are found at 48 CFR Part 31.
16. Grantees must ensure that any non-Federal sub-recipient that expends Federal funds totaling \$750,000 or more during the course of its fiscal year must arrange for a financial audit in compliance with the requirements of 45 CFR Part 75 Subpart F.

#### **NON-FEDERAL SHARE OF PROGRAM FUNDING**

17. For some mandatory grant programs, the grantee is required to provide a portion of program funding, as specified in Federal law.
  - In most instances, all of the non-Federal share of funding for these programs will be appropriated specifically for that purpose by a State legislature or provided through other grantee funding sources;
  - Third party in-kind contributions may not be used as the non-Federal share of any program expenditure, unless specifically allowed for that purpose in the Federal statute applicable to that program
  - Donated funds may be used as the non-Federal share under the following conditions:
    - a. The donor may specify the activities to be supported by the donation, but may not be a sponsor or operator of the specified activity. Any specified activity must be an allowable expense under all applicable laws, regulations and policies governing these programs;
    - b. The donor may specify the geographic area in which the specified activity is to be provided;

#### **FINANCIAL REPORTING**

17. *Periodic Reports.* Grantees are required to file periodic financial reports either quarterly, semiannually or annually for each program, in accordance with specific program requirements.
18. *Required On-Line Reporting.* All periodic financial reports for all mandatory grant programs must be submitted electronically through the ACF On Line Data Collection (OLDC) system. Grantees must not submit duplicate copies either by mail, by fax or as an email attachment of any reports submitted through OLDC. (**NOTE:** See ACF Office of Grants Management Action Transmittal, OGM-AT-13-01, issued September 25, 2013.) Beginning FY 2016, the ACF requires submitting financial reports SF-425 only, through PMS in a consolidated single reporting system. Both, the cash transaction (Lines 10 a, b and c) and the expenditures, obligations and liquidations (Lines 10 d through 10 o).

19. **Obligation Deadline.** Unless superseded by program-specific statute or regulations or by other ACF program-specific policies, it is Office of Grants Management policy that the deadline for obligating Federal funds for mandatory grant programs is last day of the fiscal year following the fiscal year for which the award is issued. Example: Funds for an award issued for Fiscal Year 1 must be obligated no later than the final day (September 30) of Fiscal Year 2.
20. **Liquidation Deadline.** Unless superseded by program-specific statute or regulations or by ACF policy, in accordance with 45 CFR 75.309(b), the deadline for liquidating Federal funds is 90 days after the end of the funding (project) period. For awards issued on an annual fiscal year basis, this deadline will be **December 30** – 90 days following the end of the fiscal year on September 30.
21. **Report Submission Deadline.** Unless superseded by program-specific statute or regulations or by ACF policy, in accordance with 45 CFR 75.341, the deadline for submitting the required Federal reporting form varies based on the frequency of the award. For programs with awards issued on a quarterly basis, the deadline is 30 days after the end of each quarter (i.e., by January 30, April 30, July 30 and October 30). For programs with awards issued on an annual fiscal year basis, the deadline is 90 days after the end of each fiscal year (i.e., by December 30). (See “Required On-Line Reporting” above.)

## GRANT PAYMENTS

22. Payments (cash drawdowns) under these grants will be made through the Department of Health and Human Services’ Payment Management System (PMS). The State must comply with requirements imposed by the PMS on-line system. Please direct any questions concerning grant payments or audit inquiries to the payment management services office. (See “Important Addresses,” below).

## IMPORTANT ADDRESSES

- Financial Office: Administration for Children and Families  
Office of Grants Management  
Division of Mandatory Grants  
330 C Street, SW Mailstop 3127  
Washington, DC 20201  
Fax: (202) 401-5644
- Payment Office: U.S. Department of Health and Human Services  
Payment Management Services  
Payment Management System (PMS)  
P.O. Box 6021  
Rockville, Maryland 20852  
Contact: PMS Help Desk  
Phone: (877) 614-5533  
Internet site: <http://www.dpm.psc.gov>

**IMPORTANT NOTE:** The *Office of the Inspector General of the U.S. Department of Health and Human Services* maintains the *OIG Hotline*, a system for reporting allegations of fraud, waste, abuse and mismanagement in Department of Health and Human Services’ programs. Your information will be reviewed by a professional staff member and will remain confidential; you need not provide your name. Information provided through the Internet web site is secure and

all information is safeguarded against unauthorized disclosure. Report the possible misuse of federal funds by phone or online. Please provide as much detailed information as possible in your report.

**OIG Hotline**

- Phone: 1-800-HHS-TIPS
- Online: [oig.hhs.gov/report-fraud](http://oig.hhs.gov/report-fraud)

**Appendix A Mandatory Grant Programs – Administration for Children and Families**

**Administration of Children, Youth and Families**

- |   |   |
|---|---|
| 1. Abstinence Education                                 | (Title V of the Social Security Act)                  |
| 2. Adoption Assistance                                  | (Title IV-E of the Social Security Act)               |
| 3. Adoption Incentive Payments                          | (Title IV-E of the Social Security Act)               |
| 4. Chafee Education and State Vouchers                  | (Title IV-B of the Social Security Act)               |
| 5. Chafee Foster Care Independence                      | (Title IV-B of the Social Security Act)               |
| 6. Child Abuse and Neglect                              | (CAPTA - Child Abuse Prevention and Treatment Act)    |
| 7. Children's Justice Act                               |   |
| 8. Community-Based Family Resource and Support          | (CAPTA - Child Abuse Prevention and Treatment Act)    |
| 9. Family Violence Prevention and Services              |   |
| 10. Foster Care   | (Title IV-E of the Social Security Act)               |
| 11. Guardianship Assistance                             | (Title IV-E of the Social Security Act)               |
| 12. Personal Responsibility Education                   | (Title V of the Social Security Act)                  |
| 13. Promoting Safe and Stable Families                  | (Title IV-B of the Social Security Act)               |
| 14. PSSF Caseworker Visitation                          | (Title IV-B of the Social Security Act)               |
| 15. State Court Improvement – Basic                     | (Title IV-E of the Social Security Act)               |
| 16. State Court Improvement - Data                      | (Title IV-E of the Social Security Act)               |
| 17. State Court Improvement – Training                  | (Title IV-E of the Social Security Act)               |
| 18. Statewide Domestic Violence Coalition Act)          | (FVPSA - Family Violence Prevention and Services Act) |
| 19. Stephanie Tubbs Jones Child Welfare Social Services | (Title IV-B of the Social Security Act)               |

**Office of Child Care**

- 20. Child Care Development Fund – Mandatory and Matching
- 21. Child Care Development Fund – Discretionary
- 22. Tribal Construction

**Office of Community Service**

- 23. Community Service Block Grant
- 24. Low Income Home Energy Assistance
- 25. Low Income Home Energy Assistance - Leveraging
- 26. Low Income Home Energy Assistance – Residential Energy Assist Challenge
- 27. Social Services Block Grant

**Office of Child Support Enforcement**

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| 28. Child Support Enforcement – States | (Title IV-D of the Social Security Act) |
| 29. Child Support Enforcement – Tribes | (Title IV-D of the Social Security Act) |
| 30. State Access and Visitation        | (Title IV-D of the Social Security Act) |

**Office of Family Assistance**

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|---|---|
| 31. Native Employment Works                               | (Title IV-A of the Social Security Act) |
| 32. Temporary Assistance for Needy Families - States      | (Title IV-A of the Social Security Act) |
| 33. Temporary Assistance for Needy Families - Territories | (Title IV-A of the Social Security Act) |
| 34. Temporary Assistance for Needy Families – Tribes      | (Title IV-A of the Social Security Act) |
| 35. Temporary Assistance for Needy Families - Contingency | (Title IV-A of the Social Security Act) |

**Office of Refugee Resettlement**

- 36. Cash and Medical Assistance
- 37. Social Services
- 38. Cuban / Haitian Entrants
- 39. Services to Elderly Refugees
- 40. Targeted Assistance