

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 Funding Application for Fiscal Year 2016

Friend of the Court Application

ACCESS AND VISITATION GRANT PROGRAM FUNDING APPLICATION FOR FISCAL YEAR 2016

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 2014.

FOCs interested in applying for Access and Visitation Grant Program funding for fiscal year (FY) 2016 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., September 17, 2015**. 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.

Step Two - Complete and return the Access and Visitation Grant Program Funding Application by **5:00 p.m., September 29, 2015**.

At mid-fiscal year 2016, 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 programs.

The effective date for this contract is October 1, 2015 – September 30, 2016.

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 **\$278,264**, or 90 percent of the program costs in Federal Fiscal Year (FFY) 2014 for all services. An additional 10 percent of the program cost or **\$30,918.22** will be provided in cash or in-kind match.

ELIGIBLE SERVICES

The SCAO has determined that service contracts for FY 2016 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 SERVICES 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 provided to grandparents under MCL 722.27b are not eligible for reimbursement under this contract.**

Note: If your program is offering “therapeutic visitation” to parents who have had their children removed by the Department of Human Services or other child welfare agency, 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 issues identified by the removing agency. 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 2016 **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 services 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 2016 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 the tier group immediately follows the tier number in brackets. The amounts were determined by compiling the number of new domestic relations filings involving custody and parenting time that were reported to the SCAO for 2014. The case types included 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 “Departments 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 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.”

REPORTING REQUIREMENTS

Under 45 CFR 303, §109(c), programs receiving Access and Visitation Grant Program 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 Program contracts must comply with federal, state, and SCAO auditing and monitoring requirements. The reporting periods and deadlines are:

	Report Documents	Report Period	Date Due to SCAO
1 st Quarter	<ul style="list-style-type: none"> • Local Program Worksheet • Program Invoice 	October 1, 2015 - December 31, 2015	January 25, 2016
2 nd Quarter	<ul style="list-style-type: none"> • Local Program Worksheet • Program Invoice 	January 1, 2016 - March 31, 2016	April 25, 2016
3 rd Quarter	<ul style="list-style-type: none"> • Local Program Worksheet • Program Invoice 	April 1, 2016- June 30, 2016	July 25, 2016
4 th Quarter	<ul style="list-style-type: none"> • Local Program Worksheet • Program Invoice 	July 1, 2016 - September 30, 2016	October 7, 2016

ACCESS AND VISITATION GRANT PROGRAM

APPLICATION PROCESS

To receive Access and Visitation Grant Program funding for FY 2016, 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., September 17, 2015**. 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
P.O. Box 30048
Lansing, Michigan 48909-7548
E-mail: hillikerm@courts.mi.gov
Fax: 517-373-5748

Step Two:

After removing nonapplicant counties from the funding formula, the SCAO will upwardly adjust the minimum funds available 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 2016 appears as Attachment C. The application must be completed, signed, and received by the SCAO no later than **5:00 p.m., September 29, 2015**, and may be submitted by e-mail, fax, or postal mail to:

Michelle Hilliker
State Court Administrative Office
Michigan Hall of Justice
P.O. Box 30048
Lansing, Michigan 48909-7548
E-mail: hillikerm@courts.mi.gov
Fax: 517-373-5748

The SCAO will forward Access and Visitation Grant Program contracts and quarterly reporting forms in November 2016.

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.

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, State Access and Visitation Program Grant Terms and Conditions

Attachment A

Attachment A: 2015-16 Access and Visitation Proposed Minimum Award (based on 2014 new filings)

Court	County	2014 Court Total	Tier	Minimum Award
C11	Alger, Luce, Mac, Sch	169		
C12	Baraga, Hough, Kew	156		
C19	Benzie, Manistee	159		
C32	Gogebic, Ontonagon	78		
C33	Charlevoix	159		
C47	Delta	183		
C50	Chippewa	196		
C52	Huron	132		
C53	Cheboygan, Pres Isle	148		
C57	Emmet	120	Tier 1	\$450
C01	Hillsdale	226		
C05	Barry	281		
C15	Branch	228		
C21	Isabella	222		
C23	Alcona, Are, Iosc, Osco	297		
C24	Sanilac	209		
C25	Marquette	332		
C26	Alpena, Montmorency	200		
C28	Missaukee, Wexford	302		
C34	Ogemaw, Roscommon	224		
C36	Van Buren	347		
C41	Dickinson, Iron, Menom	286		
C42	Midland	320		
C43	Cass	278		
C46	Crawford, Kalaska	356		
C49	Mecosta, Osceola	379		
C51	Lake, Mason	214		
C54	Tuscola	276		
C55	Clare, Gladwin	306	Tier 2	\$600
C08	Ionia, Montcalm	841		
C13	Grand Trav, Antrim, Lee	513		
C18	Bay	541		
C27	Newaygo, Oceana	427		
C29	Clinton, Gratiot	496		
C35	Shiawassee	400		
C37	Calhoun	879		
C38	Monroe	681		
C39	Lenawee	608		
C40	Lapeer	452		
C44	Livingston	466		
C45	St. Joseph	416		
C48	Allegan	537		
C56	Eaton	614	Tier 3	\$1,500

Attachment A: 2015-16 Access and Visitation Proposed Minimum Award (based on 2014 new filings)

Court	County	2014 Court Total	Tier	Minimum Award
C02	Berrien	1,409		
C04	Jackson	987		
C14	Muskegon	1,444		
C20	Ottawa	961		
C22	Washtenaw	1,094		
C31	St. Clair	1,007	Tier 4	\$2,900
C09	Kalamazoo	1,710		
C10	Saginaw	1,810		
C30	Ingham	1,847	Tier 5	\$4,300
C07	Genesee	3,348		
C16	Macomb	3,677		
C17	Kent	3,566	Tier 6	\$9,200
C06	Oakland	4,525	Tier 7	\$13,000
C03	Wayne	20,875	Tier 8	\$42,000

Attachment B

[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, Michigan 48909-7548

This office intends to apply for FY 2016 Access and Visitation Grant Program funding for services in the following county(ies):
_____.

This office **does not** intend to apply for FY 2016 Access and Visitation Grant Program funding.

Please list the 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 FOCs, please list the joint applicants' 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

Access and Visitation Grant Program Funding Application for FY 2016

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.)

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

Access and Visitation Grant Program Funding Application for FY 2016

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.

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

Access and Visitation Grant Program Funding Application for FY 2016

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 parents
- To increase visitation between noncustodial parent and custodial parent
- To improve relationships between children and noncustodial parents
- 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
- 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 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 attend all scheduled supervised custodial and parenting time sessions
- Not applicable because this service is not provided
- Other (describe): _____

What follow-up activities are provided to parties receiving parent exchange 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 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): _____

For courts funded in prior years

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, in which AV services were provided, involved domestic violence concerns?

_____ %

****All applicants must confirm the items below by checking the boxes****

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.

Note: Do not send a copy of the Safeguard Plan to the SCAO.

**State Access and Visitation
Grant Terms and Conditions
(Attachment D)**

- By checking this box, we assert that the funded court will abide by the terms and conditions set forth by the Department of Health & Human Services, State Access and Visitation Program Grant 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



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Grants Management
Division of Mandatory Grants
370 L'Enfant
Promenade, SW
Washington, DC
20447

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 (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 225** – Cost Principles for State, Local and Indian Tribal Governments;
 - **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 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 92** – Uniform Administrative Requirements for Grants and Cooperative Agreements to State, and Local, and Tribal Governments
 - **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. These programs are governed by Office of Management and Budget **Circular A-133**, “Audits of States, Local Governments, and Non-Profit Organizations,” issued pursuant to the Single Audit Act of 1984 (Public Law 98-502) and the Single Audit Act Amendments of 1996 (Public Law 104-156).

3. 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.”

4. 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)

5. 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.

6. 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 87)

7. 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 93.)

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.fsrs.gov/>) and in accordance with the terms found in Federal regulations at 2 CFR Part 170, including Appendix A.
10. 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

11. Grantees are required to determine recipient type when sub-granting or contracting using Federal funds. In accordance with the standards set in OMB Circular A-133, 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 OMB Circular A-133:
 - 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 vendor and is not subject to the provisions of OMB Circular A-133:
 - 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.
12. 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 92.35.) 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>.
13. 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 92.40.)
14. 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 requirements under 45 CFR Part 92, audit requirements under OMB Circular A-133 (where applicable) and cost principles according to recipient type:
 - Non-Profit Organizations: 2 CFR Part 230;
 - Educational Institutions: 2 CFR Part 220;
 - Commercial Vendors or Subcontractors: 48 CFR Part 31.

15. Grantees must ensure that any sub-recipient that expends Federal funds totaling \$500,000 or more during the course of its fiscal year must arrange for a financial audit in compliance with the requirements of OMB Circular A-133.

NON-FEDERAL SHARE OF PROGRAM FUNDING

16. 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

16. Grantees are required to file periodic financial reports either quarterly, semiannually or annually for each program, in accordance with specific program requirements.
17. All grantees are requested to file these reports electronically through the ACF On-Line Data Collection (OLDC) system. OLDC requires electronic signatures from the authorized grantee officer or official. (See Action Transmittal OA-ACF-AT-01-05, issued January 24, 2005.) When electronic reports are completed and submitted, no paper submission is required.
18. For any grantee the elects to submit paper copies of the required periodic financial report, send a copy with an original signature to the financial office. (See "Important Addresses," below.) When stipulated by specific program requirements, send a second copy of each report to the appropriate Regional Grants Officer.

GRANT PAYMENTS

17. Payments 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 to the payment office. (See "Important Addresses," below).

IMPORTANT ADDRESSES

Financial Office: Administration for Children and Families
Office of Grants Management
Division of Mandatory Grants
370 L'Enfant Promenade, S.W., 6th Floor East
Washington, D.C. 20447
Fax: (202) 401-5644

Payment Office: U.S. Department of Health and Human Services
Division of Payment Management
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 U.S. Government Accountability Office (GAO) maintains **FraudNET**, a system for reporting allegations of fraud, waste and abuse under Federal grants and cooperative agreements. Reports are kept 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 mail, phone, fax or email. Please provide as much detailed information as possible in your report.

- Phone: (800) 424-5454;
- Fax: (202) 512-3086;
- E-mail: fraudnet@gao.gov
- Mail: GAO FraudNET
441 G Street N.W.
Washington, D.C. 20548

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 Treatment Act) | (CAPTA - Child Abuse Prevention and Treatment Act) |
| 7. Children's Justice Act Treatment Act) | (CAPTA - Child Abuse Prevention and Treatment Act) |
| 8. Community-Based Family Resource and Support Treatment Act) | (CAPTA - Child Abuse Prevention and Treatment Act) |
| 9. Family Violence Prevention and Services Treatment Act) | (CAPTA - Child Abuse Prevention and Treatment Act) |
| 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 Services 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 – Reprogramming
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

- | | |
|--|---|
| 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

- | | |
|---|---|
| 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. Refugee Cash and Medical Assistance
37. Refugee Social Services
38. Refugee Targeted Assistance



ADMINISTRATION FOR
CHILDREN & FAMILIES

TERMS and CONDITIONS ADDENDUM: ADDITIONAL FINANCIAL REQUIREMENTS

OFFICE OF CHILD SUPPORT ENFORCEMENT

STATE ACCESS AND VISITATION PROGRAM

Catalog of Federal Domestic Assistance (CFDA) Program No. 93.597

By acceptance of this award the grantee agrees to comply with the General Terms and Conditions and the additional requirements below applicable to this program.

APPLICABLE LEGISLATION, STATUTE, REGULATIONS

1. The administration of this program is based on:
 - statutory requirements of **Part D of Title IV** of the Social Security Act (specifically, **§469B** of the Act),
 - the approved State application and plan, including all approved amendments or revisions,
 - applicable Federal regulations, program policies and instructions.

NON-FEDERAL SHARE OF PROGRAM FUNDING

2. For this program, States are required to provide **10 percent** of program funding. (The requirement to provide a 10 percent share of total program expenditures is not applicable to Guam or the Virgin Islands.)
3. The State share of funding may include funds appropriated by the State legislature, local funds or cash or in-kind contributions.

PROGRAM INCOME

4. Program income is any amount received by the State generated directly from any activity supported by and allocable to the Access and Visitation Program.
5. No State or any sub-recipient is required by Federal law or regulation to charge fees for services provided or to earn any other type of program income as a condition of participation in this program.
6. Where any State or sub-recipient elects or is required by State or local law to charge fees for services provided or to earn any other type of program income, the entire amount earned must be expended by the State or sub recipient for the purposes of providing services under the Access and Visitation program and in accordance with the applicable Terms and Conditions.
7. Program income constitutes a third source of program funding (in addition to the Federal and State shares). The State must identify its program income and make the determination how to utilize and report it in one of two categories, or report a portion of its total program income in each category (See 45 CFR 92.25(g)(1) and (g)(2)). Program income is reported on the expenditure reports submitted by the State.

- a. *Deduction alternative (Report on Line 10m, Form SF-425).* Income in this category is used to offset existing program costs and is deducted from the State's total allowable program costs to determine the net allowable program costs. Program income reported in this category will proportionally reduce both the Federal and State shares of program funding during the project period. The total amount of funds available during the project period will not change.
- b. *Addition alternative (Report on Line 10n, Form SF-425).* Income in this category is used to increase the total amount of funds available to the program during the project period. The State will continue to receive its full allocation of Federal funds and must provide its full share of State funds. Program income in this category must be expended during the project period in addition to the Federal and State funding shares.

FINANCIAL MANAGEMENT and REPORTING

8. Federal funds awarded under this grant must be expended for the purposes for which they were awarded and within the time period allotted.
9. Funding (Project) Period / Obligation Deadline. The two-year funding (project) period for this award is synonymous with the obligation period: from the first day of the Federal Fiscal Year for which these funds were awarded through the last day of the following Federal Fiscal Year. (i.e., October 1, Federal Fiscal Year 1 through September 30, Federal Fiscal Year 2.) Any Federal funds not obligated by the end of the obligation period will be recouped by this Department.
10. Liquidation Deadline. All obligated Federal funds awarded under this grant must be liquidated no later than 90 days after the end of the funding/obligation period (i.e., December 31 following the end of Federal Fiscal Year 2. Any Federal funds from this award not liquidated by this date will be recouped by this Department.
11. Financial Reporting Form: **Form SF-425, "Federal Financial Report."**
12. Submission Schedule: **Annual.** Each annual report must be submitted within 90 days following the end of each Federal Fiscal Year.
 - a. An Interim report (covering Year 1 of the project period) is due 90 days following the end of Federal Fiscal Year 1;
 - b. A Final report (cumulative, covering the entire 2-year project period) is due 90 days following the end of Federal Fiscal Year 2.
13. Submission Methodology: (See General Terms and Conditions)

GRANTEE ADDRESS CHANGES

14. Please send changes or corrections for award mailing addresses to the financial office. Addresses should not include individuals' names and, if possible, be limited to four or five lines of text.

IMPORTANT ADDRESSES

Program Office: Administration for Children and Families
Office of Child Support Enforcement
Division of State, Tribal and Local Assistance
370 L'Enfant Promenade, S.W., 4th Floor East
Washington, D.C. 20447

Contact: Michelle Jadczyk
e-mail: michelle.jadczyk@acf.hhs.gov
phone: (202) 401-4578
fax: (202) 401-5681

Financial Office: Administration for Children and Families
Office of Grants Management
Division of Mandatory Grants
Att'n: State Access and Visitation Program
370 L'Enfant Promenade, S.W., 6th Floor East
Washington, D.C. 20447

Contact: Michael Bratt
e-mail: michael.bratt@acf.hhs.gov
phone: (202) 401-4629
fax: (202) 401-5644