

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

ROY COOPER
GOVERNOR

October 4, 2019

Ms. Diana Sierra
County of Buncombe
P.O. Box 7526
Asheville, North Carolina 28802-7526

Dear Ms. Sierra:

The Governor's Crime Commission has completed another successful grant awards process. I am pleased to inform you that your application has been approved and that your agency has been selected to receive a grant award.

Funding for your project, PROJ013509 – Buncombe County Family Justice Center 2019, has been authorized and your grant award is enclosed.

Commission members spend countless hours considering each application in an effort to select programs and projects that will best serve the residents of this state. Your proposal is an example of how we can help communities address challenges together. You are to be commended for your dedication, hard work and commitment to safer communities for families across North Carolina.

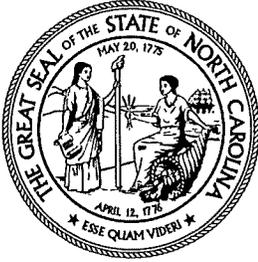
With kind regards, I am

Very truly yours,

A handwritten signature in black ink that reads "Roy Cooper".

Roy Cooper

Enclosure



STATE OF NORTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
GOVERNOR'S CRIME COMMISSION
 1201 Front Street, Suite 200
 Raleigh, NC 27609
 Telephone:(919) 733-4564 Fax:(919) 733-4625
 http://www.ncgccd.org

GRANT AWARD

Applicant: County of Buncombe
Project Name: Buncombe County Family Justice Center 2019
Authorizing Official: Rachael Nygaard
 Planner Evaluator
Implementing Agency: County of Buncombe
Address: PO Box 7526 200 College St
 Asheville, North Carolina 28802-7526
Project Director: Diana Sierra
Vendor Number: 566000279
Project Number: PROJ013509
Account Manager: Desrine Yon

Grant Period: 10/01/2019 - 09/30/2021

Budgets

Period	Personnel	Contractual	Travel	Supplies	Equipment	Indirect Costs	Total
Year 1	\$36,184.68	\$511,236.70	\$57,480.00	\$122,675.04	\$0.00	\$0.00	\$727,576.42
Year 2 (Reserved)	\$36,184.68	\$534,680.90	\$57,480.00	\$122,675.04	\$0.00	\$0.00	\$751,020.62
Grant with Reserve Budget Total							\$1,478,597.04

Source	Federal Grant #	CFDA #	% Funding	Federal Award
2018::Victims of Crime Act	2018-V2-GX-0061	16.575	80%	\$1,182,877.63

In accordance with the laws and regulations of the United States and the State Of North Carolina, and on the basis of the grantee's application, the Department of Public Safety hereby awards to the foregoing grantee an award in the amount above.

This grant is subject to the conditions listed in the approved grant application as well as all applicable rules, regulations and conditions, as may be described by the Department of Public Safety. Special conditions are attached to this award.

This grant shall become effective, as of the start date of the grant period listed, once this original grant award has been properly executed on behalf of the grantee and returned to the Governor's Crime Commission, attention of the Grants Management Director. The grant award must be returned within 30 days of the date the award is mailed from the Governor's Crime Commission. No alterations of any kind may be made on this grant award.

The use of the second year reserve is contingent upon the successful completion of the first year of the grant, and the timely submission of all required reports.

Authorizing Official

 Signature of Authorizing Official Date
 Rachael Nygaard, Planner Evaluator
 Name and Title of Authorizing Official

Governor's Crime Commission

Carroll 11/20/19
 Signature of Director Date
 Caroline C. Valand, Executive Director
 Name and Title of Director

Project Director

 Signature of Project Director Date
 Diana Sierra,
 Name and Title of Project Director

This award is subject to the attached conditions, which must be signed by both the authorizing official and the project director, and returned along with this Grant Award. No alterations of any kind may be made on this grant award.

Federal Award Identification Worksheet

Federal award identification : OVC FY 2018 VOCA Victim Assistance

Project ID : PROJ013509

Subrecipient : County of Buncombe

Federal Award Identification # (FAIN) : 2018-V2-GX-0061

DUNS # : 879203560

Federal award date : Oct 01, 2017 - Sep 30, 2021

Subaward period of performance start and end date : Oct 01, 2019 - Sep 30, 2021

Federal funds obligated in this agreement : \$1,182,877.63

Federal funds obligated to the subrecipient : \$1,182,877.63

Total federal award : \$103,435,763.00

Catalog of federal domestic assistance (CFDA) : Crime Victim Assistance 16.575

Indirect cost rate for the federal award : We do not receive an indirect cost rate

Indirect cost rate to be used by the subrecipient (either a federally-approved rate, a rate negotiated between the pass-through entity and the subrecipient, or the de minimis indirect cost rate) : Direct/Allocated Costs Only

Identification of whether the award is research and development (R&D) : We do not fund research and development

Pass through entity and awarding official : NC Governor's Crime Commission
Caroline C. Valand
caroline.valand@ncdps.gov

Federal awarding agency : USDOJ Office for Victims of Crime

Federal award description : This grant program is authorized and funded by the Victims of Crime Act (VOCA) of 1984 (34 U.S.C. § 20103).

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**CRIME VICTIMS' SERVICES COMMITTEE
GRANT AWARD
2018 SPECIAL CONDITIONS FOR 2019 AWARDS
VICTIMS OF CRIME ACT FUNDING**

SUBRECIPIENT: County of Buncombe
DUNS NUMBER: 879203560
GRANT TITLE: Buncombe County Family Justice Center 2019
PROJECT NUMBER: PROJ013509

By acceptance of this award, the subrecipient agrees to comply with the terms and conditions detailed below. Failure to comply with these terms and conditions may result in the loss of Federal funds and may be considered grounds for the suspension or termination of this grant.

This award is subject to the following terms, conditions and provisions:

1. Requirements of the award; remedies for non-compliance or for materially false statements: The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the subrecipient that relate to conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period -- may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the subrecipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

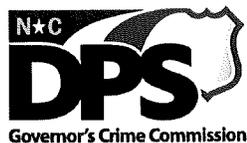
Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements: The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2018 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2018 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or

<p>Authorizing Official: _____ Rachael Nygaard</p>	<p>Project Director: _____ Diana Sierra</p>
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before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2018 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards, see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the subrecipient must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the subrecipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide: References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The subrecipient agrees to comply with the DOJ Grants Financial Guide.
4. Reclassification of various statutory provisions to a new Title 34 of the United States Code: On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

5. Requirements related to "de minimis" indirect cost rate: A subrecipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.
6. Requirement to report potentially duplicative funding: If the subrecipient currently has other active awards of federal funds, or if the subrecipient receives any other award of federal funds during the period of

Authorizing Official: _____
 Rachael Nygaard

Project Director: _____
 Diana Sierra

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performance for this award, the subrecipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the subrecipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

7. Requirements related to System for Award Management and Universal Identifier Requirements: The subrecipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The details of the subrecipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award 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).

8. Specific post-award approval required to use a noncompetitive approach in any procurement contract: Recipients must submit a request approval to use a noncompetitive approach (along with the justification) as a "Sole Source Request" to Grant Management Staff.
9. Requirement to report actual or imminent breach of personally identifiable information (PII): The subrecipient must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient)-- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.
10. All subawards ("subgrants") must have specific federal authorization: The subrecipient, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").
11. The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization) and are incorporated by reference here.
12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000: The subrecipient must comply with all applicable requirements to obtain specific

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advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here.

13. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award: The subrecipient must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the subrecipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

14. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events: The subrecipient must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

15. Subgrant Award Report: The subrecipient agrees to submit a Subgrant Award Report (SAR) to GCC within thirty (30) days of the receipt of the award (through the Grant Enterprise Management System (GEMS)).
16. Requirement for data on performance and effectiveness under the award: The subrecipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.
17. OJP Training Guiding Principles: Any training or training materials that the subrecipient develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees,

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available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

18. Effect of failure to address audit issues: The subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.
19. Potential imposition of additional requirements: The subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the subrecipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.
20. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42: The subrecipient must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.
21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54: The subrecipient must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."
22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38: The subrecipient must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.
23. Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to subrecipient organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

24. Restrictions on "lobbying": In general, as a matter of federal law, federal funds awarded by OJP may not be used by the subrecipient either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Authorizing Official: _____
Rachael Nygaard

Project Director: _____
Diana Sierra



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Another federal law generally prohibits federal funds awarded by OJP from being used by the subrecipient to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by the subrecipient would or might fall within the scope of these prohibitions, the subrecipient is to contact GCC grants management staff for guidance and may not proceed without the express prior written approval of GCC grants management staff.

- 25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2018): The subrecipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2018, are set out at <https://ojp.gov/funding/Explore/FY18AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a subrecipient would or might fall within the scope of an appropriations-law restriction, the subrecipient is to contact GCC grants management staff for guidance, and may not proceed without the express prior written approval of GCC grants management staff.

- 26. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct: The subrecipient must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by mail directed to:

Office of the Inspector General	and	N.C. Governor's Crime Commission
U.S. Department of Justice, Investigations Division		1201 Front Street
1425 New York Avenue, N.W. Suite 7100		Raleigh, NC 27609
Washington, DC 20530		(919) 733-4564

and/or the DOJ OIG Hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax)

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

- 27. Authorization to interview officers and employees: The subrecipient also understands and agrees the GCC, the DOJ, the GAO, the OSA. The State Auditor's Office, and the State Bureau of Investigation are authorized to interview any officer or employee of the subrecipient, contractor, or subcontractor regarding transactions

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related to this VOCA award.

28. Restrictions and certifications regarding non-disclosure agreements and related matters: No subrecipient under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient:

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

29. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees): The subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the

<p>Authorizing Official: _____ Rachael Nygaard</p>	<p>Project Director: _____ Diana Sierra</p>
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subrecipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

30. Encouragement of policies to ban text messaging while driving: Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
31. Requirement to disclose whether subrecipient is designated "high risk" by a federal grant-making agency outside of DOJ: If the subrecipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the subrecipient must disclose that fact and certain related information to the Director of Federal Compliance, N.C. Governor's Crime Commission by email at Diane.Barber-Whitaker@ncdps.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The subrecipient's disclosure must include the following: 1. The federal awarding agency that currently designates the subrecipient high risk, 2. The date the subrecipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.
32. Authorization to examine records: The Grantee authorizes the N.C. Governor's Crime Commission, the Office for Victims of Crime (OVC), and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant. The State will further ensure that all VOCA recipients will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.
33. Filing of Initial Subgrant Award Report (SAR): The subrecipient must submit an Initial Subgrant Award Report (SAR) to GCC for each project funded through VOCA victim assistance funds, within ninety (90) days of the date the grant is opened. Recipients must submit this information through the Grant Enterprise Management System (GEMS) automated system.
34. VOCA Requirements: The subrecipient assures that it will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 34 U.S.C. 20103(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required. Specifically, the subrecipient certifies that funds under this award will not be used to supplant State and local public funds that would otherwise be available for crime victim assistance, 34 U.S.C. 20103(a)(2).
35. Demographic Data: The subrecipient assures that it will collect and maintain information on race, sex, national origin, age, and disability of victims receiving assistance, where such information is voluntarily furnished by the victim.
36. Discrimination Findings: The subrecipient assures that in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the ground of race, religion, national origin, sex, or disability, the agency will forward a copy of the findings to Diane Barber-

<p>Authorizing Official: _____ Rachael Nygaard</p>	<p>Project Director: _____ Diana Sierra</p>
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Whitaker Office, GCC Director of Federal Compliance\Civil Rights Monitor at Diane.Barber-Whitaker@ncdps.gov and to OJP's Office for Civil Rights (at CivilRightsMOA@usdoj.gov).

37. Awards subject to the National Environmental Policy Act: The subrecipient understands that all awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 et seq.) and other related Federal laws (including the National Historic Preservation Act), if applicable. The subrecipient agrees to assist GCC and OJP in carrying out its responsibilities under NEPA and related laws, if the subrecipient plans to use VOCA funds (directly or through contract) to undertake any activity that triggers these requirements, such as renovation or construction. (See 28 C.F.R. Part 61, App. D.) The subrecipient also agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

38. "Methods of Administration" - monitoring compliance with civil rights laws and nondiscrimination provisions: The recipient's monitoring responsibilities include monitoring of subrecipient compliance with applicable federal civil rights laws and nondiscrimination provisions. Within 90 days of the date of award acceptance, the subrecipient must submit to OJP's Office for Civil Rights (at CivilRightsMOA@usdoj.gov) written Methods of Administration ("MOA") for subrecipient monitoring with respect to civil rights requirements. In addition, upon request by OJP (or by another authorized federal agency), the subrecipient must make associated documentation available for review.

The details of the recipient's obligations related to Methods of Administration are posted on the OJP web site at <https://ojp.gov/funding/Explore/StateMethodsAdmin-FY2017update.htm> (Award condition: "Methods of Administration" - Requirements applicable to States (FY 2017 Update) and are incorporated by reference here.

39. Submission of OVC-PMT Quarterly Performance Reports: The subrecipient agrees to submit quarterly performance reports on the performance metrics identified by OVC, and in the manner required by OVC on all open grants funded through VOCA. This information on the activities supported by the award funding will assist in assessing the effects that VOCA Victim Assistance funds have had on services to crime victims within the jurisdiction.

40. Recipient integrity and performance matters: The subrecipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIS").

The details of subrecipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIS), and

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are incorporated by reference here.

41. VOCA Period of Performance: VOCA funding awarded through this project application will be available for two years for the designated Period of Performance (October 1, 2019 – September 30, 2021) unless otherwise stated. At the end of the period of performance, any VOCA funding remaining in the grant award will be deobligated and the funds reverted to the original VOCA funding source.
42. Compliance with financial and administrative requirements: The subrecipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide and the current edition of Governor's Crime Commission Grant Award Packet. The DOJ Grants Financial Guide can be viewed online at: <https://ojp.gov/financialguide/DOJ/index.htm>
43. Categorical exclusion for subrecipients: This VOCA funded grant provides funds from the Victims of Crime Act of 1984 (VOCA) to enhance crime victim services in the State. These funds are awarded by the State to local community-based organizations that provide direct services to crime victims.

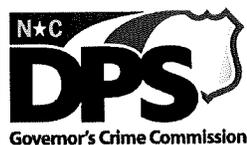
None of the following activities will be conducted either under the OJP federal action or a related third-party action:

1. New construction.
2. Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historical Places or (b) located within a 100-year floodplain.
3. A renovation which will change the basic prior use of a 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.
5. Implementation of a program involving the use of chemicals. Consequently, the subject federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4.(b) of Appendix D to Part 61 of the Code of Federal Regulations.

Additionally, the proposed action is neither a phase or a segment of a project which when viewed in its entirety would not meet the criteria for a categorical exclusion.

44. Organizational Audit Requirements: The subrecipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of State and Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide.
45. Notice of Certain Reporting and Audit Requirements: Grantee shall comply with all rules and reporting requirements established by statute or administrative rules. All reports must be submitted to the addresses below. The applicable prescribed requirements are found in North Carolina General Statute 143C-6-22 & 23 entitled "Use of State Funds by Non-State Entities" and Implementation of Required Rules, 09 NCAC 03M .0102 -0802, North Carolina Administrative Code, issued September 2005.

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G.S. 143C-6-23 requires every nongovernmental entity that receives State or Federal pass-through grant funds directly from a State agency to file annual reports on how those grant funds were used. There are 3 reporting levels which are determined by the total direct grant receipts from all State agencies in your fiscal year:

- Level 1: Less than \$25,000
- Level 2: At least \$25,000 but less than \$500,000
- Level 3: \$500,000 or more

A grantee's reporting date is determined by its fiscal year end and the total funding received directly from all State agencies. For those grantees receiving less than \$500,000, the due date is 6 months from its fiscal year end. For those receiving \$500,000 or more, the due date is 9 months from its fiscal year end. In addition to the reports, grantees receiving \$500,000 or more must submit a yellow book audit in electronic or hard copy to the Office of the State Auditor and to all funding State agencies by email sent to DPS_GRANTCOMPLIANCEREPORTS@ncdps.gov or to the Compliance Monitor at:

Compliance Monitoring
N.C. Department of Public Safety
4220 Mail Service Center
Raleigh, NC 27669-4220

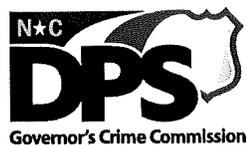
46. Certified Assurances (Non-Discrimination Requirements): Applicants must assure and certify that they will comply with any applicable statutorily-imposed nondiscrimination requirements, which may include those of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d), the Victims of Crime Act (42 U.S.C. § 10604(e)), the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)), the Civil Rights Act of 1964 (42 U.S.C. § 2000d), the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34), the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86), and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07). Applicants should also see Exec. Order 13,279 (Equal Protection of the Laws for Faith-Based and Community Organizations).

In the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, age, national origin, sex, or disability against an agency receiving Federal funds, a copy of such findings must be forwarded immediately to both Diane Barber-Whitaker, GCC Director of Federal Compliance at the Governor's Crime Commission and to the Federal Office for Civil Rights at:

Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Telephone: (202) 307-2222
Toll Free: (888) 848-5306 (English and Spanish/ ingles y español)
TDD: (202) 307-2678

Complaints alleging or containing reference to discrimination on the basis of race, color, religion, age, national origin, sex, or disability by a subrecipient of federal funds or by any sub-grantee or contractor of that subrecipient shall be reported to the Discrimination Complaint Coordinator of the Governor's Crime

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Commission. Complaints of this type may be reported to the federal Office for Civil Rights, though such reporting does not relieve the reporter of the duty to also report to Diane Barber-Whitaker, GCC Director of Federal Compliance at the Governor's Crime Commission.

47. Whistleblower Protections: In accordance with federal civil rights laws, all recipients and sub-recipients must refrain from retaliation against any individuals who take action or participate in action to secure rights protected by such laws.
48. Access to services for victims with limited English proficiency: All recipients and sub-recipients must take reasonable steps to provide meaningful access to programs and activities for persons who may be LEP (Limited English Proficient).
49. Requirement to post provisions of the Equal Employment Opportunity Plan: All recipients must also provide the Office for Civil Rights with an Equal Employment Opportunity Plan, if required to maintain one, where the award is \$500,000 or more.

The subrecipient agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEOP, as shown in the provided Department of Labor Regulations found at 41 CFR Part 60.

50. Access to financial and programmatic records related to grant award: The subrecipient agrees promptly to provide; upon request to representatives of GCC, State Auditors and representatives of DOJ access to examine all records related to financial and programmatic documentation related to this grant award, including documentation of expenditures and achievements.

The subrecipient understands that it will be subject to financial and programmatic on-site monitoring, which may be on short notice and/or unannounced and agrees that it will cooperate with any and all such monitoring.

51. The Executive Director of GCC, upon a finding that there has been substantial failure by the grantee to comply with applicable laws, regulations, and/or terms and conditions of the grant, will terminate or suspend grant funding until the Executive Director is satisfied that there is no longer such failure, all or part of the grant, in accordance with the provisions of 28 CFR Part 18, as applicable mutatis mutandis.
52. Program Income: The subrecipient agrees that all income generated as a direct result of this award shall be deemed program income. All program income must be accounted for and used for the purposes under the conditions applicable for the use of funds under this award, including the effective edition of the OJP Financial Guide and as applicable, either (1) 28 C.F.R. Part 66 or (2) 28 C.F.R. Part 70 and 2 C.F.R. Part 215 (OMB Circular A-110). Further, the use of program must be shown on the monthly expense reimbursement of the month it was earned.
53. Submission of reports and proposed publications: The subrecipient agrees to submit one copy of all reports and proposed publications funded under this project not less than twenty (20) days prior to public release for

Authorizing Official: _____
Rachael Nygaard

Project Director: _____
Diana Sierra

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GCC review. Prior review and approval of a report or publication is required if project funds are to be used to publish or distribute reports and publications developed under this grant.

54. All materials and publications (written, visual, or sound) resulting from award activities shall contain the following statements: "This project was supported by Grant No. 2018-V2-GX-0061 awarded by the Office for Victims of Crime, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication, program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office for Victims of Crime."
55. Cooperation with assessments, national evaluation efforts, of information or data collection requests: The subrecipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
56. Penalties for misuse of award funds: The subrecipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
57. Compliance with modification and/or other requirements: The subrecipient agrees to comply with any modifications or additional requirements that may be imposed by law and future GCC or DOJ (including government-wide) guidance and clarifications of OVC requirements.
58. Assurance of legal authority to apply for funding: The subrecipient assures and certifies that it has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of the project cost) to ensure proper planning, management, and completion of the project described in the application.
59. Conflict of interest policies: The subrecipient agrees to establish safeguards to prohibit employees and in the case of non-profits, board members from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

Further, the subrecipient is required to submit a board approved "Conflict of Interest" policy to the Governor's Crime Commission prior to any funds being released for this project. This is accordance with N.C.G.S. § 143C-6-6-23. (This must be returned with the signed grant award and special conditions

60. The subrecipient agrees that all contracts must be submitted to and approved by the Governor's Crime Commission Grants Management Staff prior to execution. Any expenses incurred will be in violation of the grant award if they are incurred prior to approval of the contract. Any rate at or over \$81.25/hour or \$650/day must be justified in writing to the Governor's Crime Commission. All Sole Source contracts must receive prior approval from the GCC.
61. Personnel Modifications: Positions created must be new and increase the agency staff by the number of positions requested.

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All requests to transfer funds from a Personnel line item to any other budget category will be subject to a high degree of scrutiny and will require justification.

The subrecipient further agrees that ALL personnel whose activities are to be charged to this award will maintain timesheets to document hours worked and the activities related to this award and non-award-related activities.

- 62. The subrecipient acknowledges that failure to submit programmatic or financial reports in a timely manner may result in the termination of this grant or designation as a 'high-risk' organization. Upon termination, all outstanding reimbursements will be forfeited by the recipient.
- 63. The subrecipient understands that the awarding of this grant in no way assures or implies continuation of funding beyond the project duration indicated on the current grant award. If a continuation application is approved, funds available under the current grant and corresponding cash matching funds must be expended or obligated and documented prior to the implementation of the continuation grant and expenditure of new funds.
- 64. The subrecipient assures that the following items are true and correct:
 - (1) The subrecipient has the authority to make the following representations on behalf of the agency and that these representations will be relied upon as material in any GCC decision to make an award to the subrecipient based on the application submitted.
 - (2) The subrecipient certifies that it has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.
 - (3) The subrecipient assures that, throughout the period of performance for the award made by the Department based on the application--
 - a .the subrecipient will comply with all award requirements and all federal statutes and regulations applicable to the award;
 - b. the subrecipient will comply with all applicable award requirements and all applicable federal statutes and regulations; and
 - c. the subrecipient will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.
 - (4) The subrecipient understands that the federal statutes and regulations applicable to the award (if any) made by the Governor's Crime Commission based on the application specifically include statutes and

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regulations pertaining to civil rights and nondiscrimination, and, in addition--

- a. the subrecipient understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
 - b. the subrecipient understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by the Office on Violence Against Women, also may apply to an award made otherwise;
 - c. the subrecipient understands that it must comply with all such applicable statutes (and associated regulations); and
 - d. on behalf of the agency, the subrecipient makes specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.
- (5) The subrecipient also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by the GCC based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), 38 (regarding faith-based or religious organizations participating in federal financial assistance programs), and 46 (human subjects protection).
- (6) the subrecipient assures that they will assist the GCC as necessary to comply with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).
- (7) the subrecipient assures that they will give the GCC, through any authorized representative of the GCC or the Department of Justice, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the GCC based on the application.
- (8) the subrecipient assures, if the subrecipient is a governmental entity, with respect to the award (if any) made by the GCC based on the application--
- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally assisted programs; and

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b. it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

(9) If the subrecipient applies for and receives an award from the GCC they will assure that as required by 34 U.S.C. § 10382(c)(11), it will, to the extent practicable and consistent with applicable law--including, but not limited to, the Indian Self- Determination and Education Assistance Act--seek, recruit, and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions, as provided under 34 U.S.C. § 10382(c)(11).

(10) If the subrecipient applies for and receives a GCC award under the STOP School Violence Act program, they assure as required by 34 U.S.C. § 10552(a)(3), that it will maintain and report such data, records, and information (programmatic and financial) as GCC may reasonably require.

The subrecipient acknowledges that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject the subrecipient to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). The subrecipient acknowledges that the projects approved for Victims of Crime Act funded awards, including certifications provided in connection with such awards, are subject to review by the Governor's Crime Commission and/or by the Department of Justice, including the DOJ's Office of the Inspector General.

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FY 2019 Governor's Crime Commission Grant Award Checklist

Please make sure you have completed **ALL** the following before mailing the executed Grant Award and Special Conditions back to the Governor's Crime Commission:

- Read the Grant Award and Special Conditions carefully as compliance with the standard and special grant conditions are necessary to maintain federal funding for this project.
- Your Authorizing Official and your Project Director **MUST** sign the Grant Award (gray page), the Special Conditions (white pages) and many of the required certification forms.

*NOTE: If the name of your Authorizing Official and/or your Project Director has changed, do **NOT** mark through the pre-printed name. First, the Organizational Administrator for your agency must access your project in GEMS and update the name(s) as instructed during the Grants Management Workshops or using the online help functions in GEMS. Once the information has been updated, contact your GCC planning team and request that a new award be issued. Changes to the Grant Award will render it null and void. You must return the incorrect Grant Award and Special Conditions to GCC so that we can reissue you corrected documents.*

- Complete and return a signed copy of the following forms. Please attach the documents in the order listed. These forms are available either from the GCC website at: www.ncdps.gov/gccforms or from the Office of Justice Programs website at <https://ojp.gov/funding/Apply/forms.htm>
 - o Award Attachment 1: Civil Rights Compliance Checklist
 - o Award Attachment 2: Civil Rights Self-certification Form
 - o Award Attachment 3: EEOP Certification Form
 - o Award Attachment 4: Confidentiality Assurance Form
 - o Award Attachment 5: State Grant Certification of No Overdue Tax Debt
 - o Award Attachment 6: GCC Subrecipient Single Audit Certification Form
 - o Award Attachment 7: Employment Eligibility Verification Certification
 - o Award Attachment 8: Advance Suitability for Interacting with Minors
 - o Award Attachment 9: NCID Acceptable Use Policy
 - o Award Attachment 10: Certifications Regarding Lobbying; Debarment, Suspension...

NOTE: If you choose to complete and submit the EEOP Certification Form attached here, you MUST also mail or email the completed EEOP Certification Form to the DOJ Office for Civil Rights (the address of the OCR is on the form) as well as returning a copy to GCC. This form MUST be signed by your Authorizing Official. If you are a part of a larger parent organization, please upload the executed EEOP Certification Form of your parent organization.

Instead of using the EEOP form, you may also choose to complete the EEO requirements using DOJ's online EEO Reporting Tool. A copy of the screen showing that you completed the EEO Reporting Tool should be returned as Award Attachment 4. EEOP requirements and assistance with this process, can be found online at <https://ojp.gov/about/ocr/eeop.htm>.

- Mail the signed, original Grant Award (the gray page), the Special Conditions (white pages), and completed, signed copies of the award attachments back to GCC. Please keep a copy of all documents for your records.



Civil Rights Responsibilities and Requirements for GCC Grantees

As a recipient of Department of Justice federal funds, your organization is required to comply with civil rights requirements. These requirements encompass several areas, including training, reporting, responding to discrimination complaints, and having policies and procedures for your organization. As a grantee, you should refer to the reference document written for grantees (the *Civil Rights Information for GCC Grantees*) document, accessible at <http://www.ncdps.gov/gccforms> to find further information about the requirements for grantees.

Discrimination Complaints.

Your organization is required to respond to complaints of discrimination from individuals or groups (i.e. program beneficiaries, subrecipient beneficiaries, or subrecipient agency employees) who are aggrieved by your agency or any agency receiving funds through this grant. A discrimination complaint may be related to a claim to have been denied the benefits of, excluded from participation in, subjected to discrimination under, or denied employment in connection with any program or activity, on the basis of race, color, religion, national origin, sex, gender identity, sexual orientation, disability or age.

Your policies and procedures should direct aggrieved persons in the process and forms for submitting a discrimination complaint. You can find additional information on filing a discrimination complaint and copies of the GCC Discrimination Consent and GCC Discrimination Complaint Forms at: <http://www.ncdps.gov/gccforms>

Civil Rights Notice

In addition, you must post your agency's nondiscrimination policy and the procedure for filing a civil rights complaint prominently in your organization and display it on all forms of communication available to the public regarding program availability. Following is a short statement that can be used to express your compliance with this federal requirement.

NOTICE of NONDISCRIMINATION RIGHTS and PROTECTIONS to BENEFICIARIES

<Your Organization Name> operates its program, services and activities in compliance with federal nondiscrimination laws. No person shall, on the basis of race, color, national origin (including limited English proficiency), disability, religion, sex, gender identity, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs.

To file a complaint of discrimination, write Office of Civil Rights, Office of Justice Programs,

U.S. Department of Justice (OCR), 810 7th Street, NW, Washington, DC 20531 or call 202-307-0690 (Voice) or 202-307-2027 (TDD/TTY). Individuals who are hearing impaired or have speech disabilities may also contact OCR through the Federal Relay Service at 800-877-8339 (TTY), 877-877-8982 (Speech) or 800-845-6136 (Spanish).

Limited English Proficiency

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of national origin. Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” requires all recipients of federal financial assistance to provide meaningful access to Limited English Proficient (LEP) persons. GCC grantees receiving federal funds are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. LEP guidance and requirements for grantees receiving federal funds can be found online at: <https://ojp.gov/about/ocr/lep.htm>

Civil Rights Training

Training and technical assistance on federal civil rights laws is available through the Office of Civil Rights (OCR). Online training on federal civil rights laws is accessible at <https://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm> GCC requires that the Project Directors (or their designees) view the online training videos as part of the award process and complete the attached form to certify that they have completed their training and are aware of their Civil Rights responsibilities and requirements.

Grant Monitoring

To ensure subrecipient compliance with applicable federal civil rights laws, GCC’s grants monitoring staff will ask you questions and request documentation to complete the Civil Rights Compliance Checklist (disseminated by OJP). This checklist will be completed during your regular on-site monitoring visit conducted by GCC staff. The goal of the checklist is to assist GCC grants managers in ensuring that GCC subrecipients are in compliance with all applicable federal civil rights laws. On-site monitoring visits will occur as prescribed in GCC’s agency-wide monitoring policy.

Equal Employment Opportunity Plan Reporting

An Equal Employment Opportunity Plan (EEOP) is a workforce report that some organizations must complete as a condition for receiving Justice Department funding authorized by the Omnibus Crime Control and Safe Streets Act of 1968. The EEOP's purpose is to ensure that recipients of financial assistance from the Justice Department are providing equal employment opportunities to men and women regardless of sex, race or national origin. Federal regulations establishing the EEOP requirement also link a diverse workforce to effective law enforcement.

As a recipient of Department of Justice funding, your organization may also be required to submit a Certification Report or the Utilization Report portion of your EEOP to the Office for Civil Rights. Based on the following requirements, you are responsible for either completing the

EEOP Certification Form and submitting it to the appropriate authorities or developing and maintaining an agency EEOP and submitting it to the appropriate authorities.

The following table shows at a glance a recipient's EEOP reporting responsibilities:

What is the recipient type?	What is the award amount?	What is the number of employees?	Does the recipient need to develop an EEOP?	Does the recipient need to submit a Certification Form to OCR?	Must the recipient submit an EEOP to OCR?
Nonprofit, Indian Tribe, Medical or Education Institution	Does not matter	Does not matter	NO	YES (Section A)	NO
State or local government and private entity	Less than \$25,000	Does not matter	NO	YES (Section A)	NO
State or local government and private entity	Does not matter	Less than 50 employees	NO	YES (Section A)	NO
State or local government and private entity	\$25,000 or more, but less than \$500,000, for an individual grant	50 or more employees	YES	YES (Section B), certifying that the recipient has created an EEOP and is maintaining it on file in a designated office for review by employees, applicants, OCR or a state administrative agency	NO
State or local government and private entity	\$500,000 or more for an individual grant	50 or more employees	YES	NO	YES

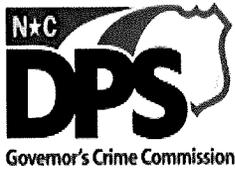
GCC provides the Certification Form to potential recipients as part of the grant award process. The form may also be found online at: <http://www.ncdps.gov/gcc>. The EEOP Certification Form must be completed and returned to GCC in order to process your award. Your grant award will not be moved to “open” status until both the Standard Conditions (which contains EEO and discrimination conditions required by the federal awarding agency) and the EEO Certification Form have been completed, signed, and returned.

If your organization is required to develop an EEOP Utilization Report and has received a single award for \$500,000 or more, whether directly from the Justice Department or indirectly from a

state or local agency, you must send the EEOP Utilization Report to OCR for review. The mailing address to send the report is as follows:

Attn: EEOP Utilization Report Submission
Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531

If you need additional assistance with preparing the report or completing the form, The Equal Employment Opportunity Plan Reporting Tool provides a step-by-step method and guidance for completing the EEO Utilization Report and/or Certification Form. The tool can be found online at https://ocr-eeop.ncjrs.gov/_layouts/15/eeopLogin2/customLogin.aspx?ReturnUrl=%2f_layouts%2f15%2fAuthenticate.aspx%3fSource%3d%252F&Source=%2F. If you have questions regarding EEO Program requirements, visit the DOJ Office for Civil Rights (OCR) website at: www.ojp.gov/about/ocr/eeop



NC Governor's Crime Commission Civil Rights Compliance Checklist

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has authority to monitor civil rights compliance for grants awarded by the DOJ, such as those issued by the Bureau of Justice Assistance, Office for Victims of Crime, and Office on Violence Against Women. OCR has established monitoring standards for State Administering Agencies (e.g., GCC) of DOJ grants to ensure civil rights compliance by each subrecipient. This checklist was adapted from an OCR sample checklist and is part of the civil rights monitoring process. Please complete the checklist and upload a copy in GEMS to your project.

Name of Agency _____

Project Number: _____

Contact Information:

Name _____

Title _____

Phone _____

Email _____

Date of Submission _____

1. If the subrecipient is required to prepare an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R. pt. 42, subpt. E, does the subrecipient have an EEOP on file for review? (If a subrecipient is unsure as to whether they are required to prepare an EEOP, they can find out at <https://ojp.gov/about/ocr/eeop.htm>, where they can also prepare and file their EEOP electronically).

Yes

No

If yes, on what date did the subrecipient complete the EEOP?

2. If the subrecipient is required to submit an EEOP Utilization Report to the Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) in accordance with 28 C.F.R. pt. 42, subpt. E, has the subrecipient done so?

Yes

No

- If yes, on what date did the subrecipient submit the EEOP Utilization Report?
3. Has the subrecipient submitted a Certification Form to the OCR certifying compliance with the EEOP requirements?

Yes

No

If yes, on what date did the subrecipient submit the Certification Form?

4. How does the subrecipient notify program participants and beneficiaries (e.g., through brochures, postings, or policy statements) that it does not discriminate in the delivery of services or benefits based on race, color, national origin, religion, sex, disability, and age (as well as sexual orientation and gender identity if the subrecipient receives funding from the Office on Violence Against Women (OVW) or under the Violence Against Women Act (VAWA) of 1994, as amended)?

Comments:

5. How does the subrecipient notify employees and prospective employees (e.g., through advertisements, recruitment materials, postings, dissemination of orders or policies) that it does not discriminate on the basis of race, color, national origin, religion, sex, and disability (as well as sexual orientation and gender identity if the subrecipient receives funding from OVW or under VAWA)?

Comments:

6. Does the subrecipient have written policies or procedures for notifying employees on how to file complaints alleging discrimination by the subrecipient?

Yes

No

If yes, explain these policies and procedures.

7. Does the subrecipient have written policies or procedures for notifying program participants and beneficiaries on how to file complaints alleging discrimination by the subrecipient, including how to file complaints with the NC Governor's Crime Commission and the OCR?

Yes

No

If yes, explain these policies and procedures.

8. If the subrecipient has fifty or more employees and receives DOJ funding of \$25,000 or more, has the subrecipient taken the following actions:
- a. Adopted grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Section 504 of the Rehabilitation Act of 1973, found at 28 C.F.R. pt. 42, subpt. G, which prohibit discrimination on the basis of disability in employment practices and the delivery of services?
 Yes No
 - b. Designated a person to coordinate compliance with the prohibitions against disability discrimination contained in 28 C.F.R. pt. 42, subpt. G?
 Yes No
 - c. Notified program participants, beneficiaries, employees, applicants, and others that the subrecipient does not discriminate on the basis of disability?
 Yes No

Comments:

9. If the subrecipient operates an educational program or activity, has the subrecipient taken the following actions:
- a. Adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education Amendments of 1972, found at 28 C.F.R. pt. 54, which prohibit discrimination on the basis of sex?
 Yes No
 - b. Designated a person to coordinate compliance with the prohibitions against sex discrimination contained in 28 C.F.R. pt. 54?
 Yes No

c. Notified applicants for admission and employment, employees, students, parents, and others that the subrecipient does not discriminate on the basis of sex in its educational programs or activities?

Yes

No

Comments:

10. Has the subrecipient complied with the requirement to submit to the OCR any adverse findings of discrimination against the subrecipient based on race, color, national origin, religion or sex that are the result of a due process hearing conducted by a federal or state court or a federal or state administrative agency?

Yes

No

Comments:

11. What steps has the subrecipient taken to provide meaningful access to its programs and activities to persons who have limited English proficiency (LEP)?

Comments:

12. Does the subrecipient have a written language-access policy on providing services to LEP persons?

Yes

No

13. Does the subrecipient conduct any training for its employees on the requirements of applicable federal civil rights laws?

Yes

No

Comments

14. Does the subrecipient provide federally funded services to eligible beneficiaries regardless of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice?

Yes

No

If the subrecipient engages in explicitly religious activities, does it do the following:

- a. Separate the explicitly religious activities in either time or location from the federally funded activities?

Yes

No

- b. Ensure that participation in the explicitly religious activities is voluntary for participants in the federally funded program?

Yes

No

Comments:

15. If the subrecipient is a religious institution or a faith-based organization, does the subrecipient do the following:

- a. Provide appropriate notice to program beneficiaries or prospective beneficiaries that the subrecipient does not discriminate on the basis of religion in the delivery of services or benefits?

Yes

No

- b. Provide appropriate notice to program beneficiaries or prospective beneficiaries that if they object to the "religious character" of the subrecipient, the subrecipient will make a reasonable effort to find an acceptable alternative provider in close geographic proximity that offers comparable services?

Yes

No

- c. Keep a record of the requests for an alternative provider from beneficiaries or prospective beneficiaries who object to the subrecipient's "religious character," noting the subrecipient's efforts to find an appropriate alternative provider and to follow up with the beneficiary or prospective beneficiary?

Yes

No

Comments:

16. If the subrecipient receives funding under VAWA or from OVW, does it serve male victims of domestic violence, dating violence, sexual assault, and stalking?

Yes

No

Comments:

17. If the subrecipient receives funding under VAWA or from OVW, does the subrecipient provide sex- segregated or sex-specific services?

Yes

No

If yes, describe how the services are sex-segregated or sex-specific.

If yes, has the subrecipient determined that providing services that are sex-segregated or sex specific is necessary to the essential operation of the program?

Yes

No

If yes, describe how the subrecipient determined that providing sex-segregated or sex-specific services is necessary to the essential operation of the program.



Civil Rights Compliance Self-Certification for GCC Grantees

Completed for: _____
Organization Name

GCC Project Number: _____

I hereby certify that I have viewed the following online training modules offered by the U.S. Department of Justice, Office for Civil Rights (OCR) listed below.

I accept responsibility for ensuring that project staff members are trained and understand their responsibilities to comply with federal civil rights laws applicable to recipients of Department of Justice funds covered in the training materials cited below. I may do this by having project staff also view the OCR videos.

Training Video (Found at: https://ojp.gov/about/ocr/assistance.htm)	Date Completed	# Staff Trained
What is the Office for Civil Rights and What Laws Does It Enforce?		
What are the Standard Assurances and How Does the Office for Civil Rights Enforce Civil Rights Laws?		
What Obligations Do Recipients of Justice Department Funding Have to Provide Services to Limited English Proficient Persons?		
What are the Civil Rights Laws that Affect Funded Faith-Based Organizations?		
What Civil Rights Protections Do American Indians Have in Programs Funded by the Justice Department? What are the Obligations of Funded Indian Tribes?		

I also certify that I have read and understand “Civil Rights and Responsibilities for GCC Grantees” and that I will ensure that activities funded with federal grant funds under this project are in compliance with applicable civil rights laws. I understand that this self-certification is valid for the period of performance of the listed grant project.

Signature, Project Director

Date

Printed Name

Title

CERTIFICATION FORM

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Recipient's Name:	
Address:	
Is agency a; <input type="checkbox"/> Direct or <input type="checkbox"/> Sub recipient of OJP, OVW or COPS funding?	Law Enforcement Agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
DUNS Number:	Vendor Number (only if direct recipient)
Name and Title of Contact Person:	
Telephone Number:	E-Mail Address:

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply.

- | | | |
|---|--|--|
| <input type="checkbox"/> Less than fifty employees. | <input type="checkbox"/> Indian Tribe | <input type="checkbox"/> Medical Institution. |
| <input type="checkbox"/> Nonprofit Organization | <input type="checkbox"/> Educational Institution | <input type="checkbox"/> Receiving a single award(s) less than \$25,000. |

I, _____ [responsible official], certify that _____ [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R § 42.302. I further certify that _____ [recipient] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title

Signature

Date

Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that _____ [recipient], which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

[organization],

[address].

Print or Type Name and Title

Signature

Date

Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of \$500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.

I, _____ [responsible official], certify that _____ [recipient], which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [date] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title

Signature

Date

INSTRUCTIONS

Completing the Certification Form Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). *See* 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete *either* Section A *or* Section B *or* Section C, not all three. If recipient completes Section A *or* C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Section A

The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; *or* it received an award under \$25,000; *or* it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B

Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; *and* (2) have fifty or more employees; *and* (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C

Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, *and* (2) have fifty or more employees, *and* (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, *submit to the OCR for review*, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Section D

Recipients that (1) receive a single award over \$500,000; *and* (2) subaward a single award of \$500,000 or more must provide a list; including, name, address and DUNS # of each such sub-recipient by completing Section D.

Submission Process

Recipients should download the online Certification Form, complete required sections, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. *The document must have the following title: EEOP Certification.* If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).



N.C. Governor's Crime Commission
**Acknowledgement of Compliance with the Confidentiality
and Privacy Provisions**

Under the program rules at 28 CFR 94.115 of the Victims of Crime Act, Section 40002(b)(2) of the Violence Against Women Act, as amended (42 U.S.C 13925(b)(2), and 42 U.S.C 5676 Section 299E of the Juvenile Justice and Delinquency Prevention Act, subgrantees are required to meet the following terms in regard to nondisclosure of confidential or private information and to document their compliance. By signature on this form, applicants for grants from the Office of Justice programs acknowledge that that they are required to comply with these provisions, and will create and maintain documentation of compliance, such as policies and procedures for the release of victim information.

- (A) In general: In order to ensure the safety of juveniles, crime victims, and adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this subchapter shall protect the confidentiality and privacy of persons receiving services.
- (B) Nondisclosure: Subject to subparagraphs (C) and (D), grantees and subgrantees shall not—
- (i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or
 - (ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

- (C) Release: If release of information described in subparagraph (B) is compelled by statutory or court mandate—
- (i) grantees and subgrantees shall make reasonable attempts to provide notice to persons affected by the disclosure of information; and
 - (ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.
- (CI) **Information sharing:**
- (i) Grantees and subgrantees may share—
 - (I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to be compliant with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

- (II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and
 - (III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.
- (ii) In no circumstances may—
- (I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;
 - (II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.
- (E) **Statutorily mandated reports of abuse or neglect:** Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.
- (F) **Oversight:** Nothing in this paragraph shall prevent the Governor’s Crime Commission from disclosing grant activities authorized through this award to the members of the Governor’s Crime Commission and other staff of the Governor’s Crime Commission. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.
- (G) **Confidentiality assessment and assurances:** Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

As the duly authorized representative of the applicant, I hereby acknowledge that the applicant has received notice that if awarded funding they will comply with the above statutory requirements. This acknowledgement shall be treated as a material representation of fact upon which the Department of Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Project Name	Project Number
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Agency	
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Signature, Authorizing Official	Authorizing Official (Print Name)	Date
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Signature, Project Director	Project Director (Print Name)	Date
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State Grant Certification – No Overdue Tax Debts

Date: _____

To: State Agency Head and Chief Fiscal Officer

Certification:

We certify that _____ (organization name) does not have any overdue tax debts, as defined by N.C.G.S. §105-243.1, at the federal, State, or local level. We further understand that any person who makes a false statement in violation of N.C.G.S. §143C-6-23(c) is guilty of a criminal offense punishable as provided by N.C.G.S. §143C-10-1.

Sworn Statement:

_____ and _____ being duly sworn, say that we are the Board Chair and Project Director, respectively, of _____ (organization name) of _____ in the State of North Carolina; and that the foregoing certification is true, accurate, and complete to the best of our knowledge and was made and subscribed by us. We also acknowledge and understand that any misuse of State funds will be reported to the appropriate authorities for further action.

Board Chair

Project Director

(Seal)

Sworn to and subscribed before me on the day of the date of said certification.

Notary Signature

My Commission Expires: _____

If there are any questions, please contact the Governor's Crime Commission's Grants Management Director at (919) 733-4564 or you may contact the North Carolina Office of State Budget and Management, NCGrants@osbm.nc.gov - (919) 807-4795.

G.S. §105-243.1 defines: "Overdue tax debt. – Any part of a tax debt that remains unpaid 90 days or more after the notice of final assessment was mailed to the taxpayer. The term does not include a tax debt, however, if the taxpayer entered into an installment agreement for the tax debt under G.S. 105-237 within 90 days after the notice of final assessment was mailed and has not failed to make any payments due under the installment agreement."



GCC Subrecipient Single Audit Certification Form

Effective with fiscal years beginning on or after December 26, 2014, the Uniform Guidance requires all recipients of Federal funds to have a Single audit conducted when total Federal award expenditures are **\$750,000** or more during a fiscal year. Subpart F—Audit Requirements

This threshold includes Federal award expenditures from all sources, not just from GCC. For this reason, the certification form should be completed by a financial official in your organization who has access to grant records for your entire organization.

Your assistance is needed in completing and returning this form to GCC. Please upload the completed form to: Documents in each project and send the original back with your signed grant award.

Sub-recipient Name

Tax ID Number

Did your organization expend \$750,000 or more in total Federal awards in fiscal year 2018?

YES **A Single Audit is required.** _____
(Expected completion date)

*If the answer is YES above, your organization must submit a copy of your Single Audit reporting package to the Federal Audit Clearinghouse (FAC) within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the audit period. In addition, if the audit disclosed audit findings that relate to the award(s) provided by (GCC), your organization must concurrently submit the audit report package to GCC, along with a list of related findings and a corrective action plan to address those findings.

NO **A single audit is not required.**

I certify that, to the best of my knowledge, the above information is correct:

Name: _____ **Title:** _____
(Financial Officer)

Date: _____ **E-mail:** _____



Employment Eligibility Verification Certification

I hereby certify that, as part of the hiring and contracting processes, the employment eligibility of all individuals that are currently hired and/or contracted (or will be hired) and funded (in whole or in part) with grant funds awarded from the N.C. Governor's Crime Commission, has been verified (or will be verified) consistent with the provisions of 8 U.S.C. §1324a(a)(1) and (2).

I furthermore certify that:

a. All persons, who are or will be involved in activities under this award, have been notified or will be notified of both (1) the requirement for verification of employment eligibility, and (2) the associated provisions in 8 U.S.C. § 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

b. As part of the recordkeeping for this award (including pursuant to 2 CFR §200 - Uniform Requirements), records are maintained and will be maintained of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

c. For purposes of satisfying the requirement of verification of employment eligibility, our agency may also choose to participate in and use, E-Verify (www.e-verify.gov). An appropriate person, authorized to act on behalf of our agency, may use E-Verify (and will subsequently follow the proper E-Verify procedures, including those procedures related to a "Tentative Non-confirmation" or a "Final Non-confirmation") to confirm employment eligibility for all individuals that are currently hired and/or contracted (or will be hired and/or contracted) and funded (in whole or in part) with grant award funds.

d. I understand that these records may be monitored by the federal awarding agency and/or GCC at any time and will retain copies of the records in accordance with federal record retention requirements.

Project Name

Project Number

Agency

Authorizing Official Signature

Printed Name

Date

Financial Officer Signature

Printed Name

Date

Project Director Signature

Printed Name

Date



Advance Determination of Suitability for Individuals Interacting with Participating Minors

On behalf of the Subrecipient, and in support of this grant agreement, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), that all of the following are true and correct:

I have the authority to make the following representations on behalf of myself and the subrecipient organization.

I certify that this organization will implement processes to make advance determination of suitability for all individuals who may interact with participating minors as part of programs/activities funded (in whole or in part) with funds awarded from the N.C. Governor's Crime Commission (GCC) or included in the GCC approved budget in accordance with the information provided.

1. Advance determination regarding suitability. The recipient (and any subrecipient at any tier) may not permit any covered individual (to include employees, consultants, contractors, employees of a contractor, trainees, volunteers, and/or teachers) to interact with any participating minor in the course of activities under the award, unless the recipient or subrecipient first has made a written determination of the suitability of that individual to interact with participating minors, based on current and appropriate information as described in paragraph 3.E., and taking into account the factors and considerations described in paragraph 4.

2. Updates and reexaminations

A. The recipient (or subrecipient) must, at least every five years, update the searches described reexamine the covered individual's suitability determination in light of those search results, and, if appropriate, modify or withdraw that determination.

B. The recipient also must reexamine a covered individual's suitability determination upon learning of information that reasonably may suggest unsuitability and, if appropriate, modify or withdraw that determination.

3.. "Current and appropriate information"

In addition to information resulting from checks or screening required by applicable federal, state, tribal, or local law, and/or by the recipient's (or subrecipient's) written policies and procedures, current and appropriate information includes the results of all required searches listed below, each of which must be completed no earlier than six months before the determination regarding suitability. I understand that the following searches are mandatory!!

(1) Public sex offender and child abuse websites/registries

A search (by current name, and, if applicable, by previous name(s) or aliases), of the pertinent and reasonably-accessible federal, state, and (if applicable) local and tribal sex offender and child abuse websites/public registries, including--

- (a) the Dru Sjodin National Sex Offender Public Website (www.nsopw.gov);
- (b) the website/public registry for each state (and/or tribe, if applicable) in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years; and
- (c) the website/public registry for each state (and/or tribe, if applicable) in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.

(2) Criminal history registries and similar repositories of criminal history records

For each individual at least 18 years of age who is a covered individual under this FY 2019 award, a fingerprint search (or, if the recipient or subrecipient documents that a fingerprint search is not legally available, a name-based search, using current and, if applicable, previous names and aliases) (-- encompassing at least the time period beginning five calendar years preceding the date of the search request -- of pertinent state (and, if applicable, local and tribal) criminal history registries or similar repositories, including--

- (a) the criminal history registry for each state in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years; and
- (b) the criminal history registry for each state in which he or she is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.

4.. Factors and considerations for determining suitability.

A. In addition to the factors and considerations that must or may be considered under applicable federal, state, tribal, or local law, and under the recipient's (or subrecipient's) written policies and procedures, in making a determination regarding suitability, the recipient (or subrecipient) must consider the current and appropriate information as collected within the applicable timeframes.

In particular (unless applicable law precludes it), with respect to either an initial determination of suitability or a subsequent reexamination, the recipient (or subrecipient) may not determine that a covered individual is suitable to interact with participating minors in the course of activities under the award if the covered individual--

- (a) Withholds consent to a criminal history search required by this condition;
- (b) Knowingly makes (or made) a false statement that affects, or is intended to affect, any search required by this condition;
- (c) Is listed as a registered sex offender on the Dru Sjodin National Sex Offender Public Website;

(d) To the knowledge of the recipient (or subrecipient), has been convicted -- whether as a felony or misdemeanor -- under federal, state, tribal, or local law of any of the following crimes (or any substantially equivalent criminal offense, regardless of the specific words by which it may be identified in law):

- sexual or physical abuse, neglect, or endangerment of an individual under the age of 18 at the time of the offense;
- rape/sexual assault, including conspiracy to commit rape/sexual assault;
- sexual exploitation, such as through child pornography or sex trafficking;
- kidnapping;
- voyeurism; or

(e) Is determined by a federal, state, tribal, or local government agency not to be suitable.

Furthermore, I certify that I understand that these records may be monitored by the federal awarding agency and/or GCC at any time and will retain copies of the records in accordance with federal record retention requirements.

Project Name

Project Number

Agency

Authorizing Official Signature

Printed Name

Date

Financial Officer Signature

Printed Name

Date

Project Director Signature

Printed Name

Date



N.C. Department of Public Safety, Governor's Crime Commission
NCID Acceptable Use Policy

Section 1. Application

This policy applies to any state employee, contractor, **sub-recipient, or third party** who uses any device, whether state-owned or personal, to connect to the State Network. G.S. §143B—1336(a)(5) defines the State Network as “any connectivity designed for the purpose of providing Internet Protocol transport of information for State agencies.” State law also requires the Department of Information Technology (DIT) to manage the State Network.

Section 2. Requirements

1. Users may not connect personal devices to the State Network without express written permission from the agency head or the agency head’s designee. This requirement does not apply to users who connect to the State Network through a state-supplied “guest” Wi-Fi network.
2. Personally owned “smart” devices may not be connected to the State Network. “Smart” devices, commonly referred to as the “Internet of Things,” include such devices as thermostats, wearable technologies, or appliances.
3. All devices connected to the State Network must have updated malware/anti-virus protection.
4. **Users must not attempt to access any data, documents, email correspondence, and programs contained on systems for which they do not have authorization.**
5. Systems administrators and authorized users must not divulge remote connection information or other access points to information technology resources to anyone without proper authorization.
6. **Users must not share their account(s), passwords, Personal Identification Numbers (PIN), Security Tokens (i.e. Smartcard), or other similar information or devices used for identification and authorization purposes.**
7. Users must not make unauthorized copies of copyrighted or state-owned software.
8. **Users must ensure all files downloaded from an external source to the State Network or any device connected to the State Network, including a diskette, compact disc (CD), USB flash drive, or any other electronic medium, is scanned for malicious software such as viruses, Trojan horses, worms or other malicious code.**
9. Users must ensure that the transmission or handling of personally identifiable information (PII) or other sensitive data is encrypted or has adequate protection.
10. Users may not download, install or distribute software to state-owned devices unless it has been approved by the agency head or the agency head’s designee.
11. Users must not download State data to personally owned devices unless approved by the agency head or the agency head’s designee.
12. Users must not purposely engage in activity that is illegal according to local, state or federal law, or activity that may harass, threaten or abuse others, or intentionally access, create, store or transmit material which may be deemed to be offensive, indecent or obscene.
13. Users accessing the State Network through a Local Area Network (LAN) must avoid unnecessary network traffic and interference with other users. Specific prohibitions include, but are not limited to, the following:
 - (a) Unsolicited commercial advertising by public employees and State Network users. For the purpose of this policy, “unsolicited commercial advertising” includes any transmission initiated by a vendor, provider, retailer, or manufacturer of goods, products, or services, or by a third party retained by, affiliated with, or related to the vendor, provider, retailer, or manufacturer that describes goods, products, or services. This prohibition does not include the following:

- (i) discussions of a product or service’s relative advantages and disadvantages by users of those products or services (unless the user is also the vendor, retailer, or manufacturer, or related to or affiliated with the vendor, provider, retailer, or manufacturer);
 - (ii) responses to questions, but only if such responses are direct replies to those who inquired via electronic mail, or
 - (iii) mailings to individuals or entities on a mailing list so long as the individual or entity voluntarily placed his/her name on the mailing list.
- (b) Any other type of mass mailing by employees and others accessing the State Network through the agency LAN that does not pertain to governmental business or a state-sponsored activity.
14. Users accessing the State Network through an agency LAN must only access Internet-streaming sites as consistent with the mission of the agency for the minimum amount of time necessary.
 15. Users must not engage in activity that may degrade the performance of information resources, deprive an authorized user access to resources, obtain extra resources beyond those allocated, or circumvent information security measures.
 16. Users must not download, install or run security programs or utilities such as password cracking programs, packet sniffers, or port scanners that reveal or exploit weaknesses in the security of information technology resources unless approved in writing by the agency head or the agency head’s designee.
 17. Information technology resources must not be used for personal benefit, political activity, unsolicited advertising, unauthorized fund raising, personal business ventures, or for the solicitation of performance of any activity that is prohibited by any local, state or federal law.
 - 18. Access to the Internet from state-owned, home based, devices must adhere to all acceptable use policies. Employees must not allow family members or other non-employees to access nonpublic accessible information systems.**
 19. Users must report any weaknesses in computer security to the Grant Management Specialist for follow-up investigation. Weaknesses in computer security include unexpected software or system behavior, which may indicate an unauthorized disclosure of information or exposure to security threats.
 - 20. Users must report any incidents of possible misuse or violation of the Acceptable Use Policy.**
 - 21. Users have a responsibility to promptly report the theft, loss or unauthorized disclosure of information.**

Section 3. Violations

Violation of this policy could result in disciplinary action, termination, loss of information resources and criminal prosecution.

Section 4. References

The following sections in the Statewide Information Security Manual provide additional guidance in the appropriate use of State information technology resources.

- 020201 Accessing State Resources in an Acceptable Way*
- 030301 Sending and Receiving Electronic Mail (Email)*
- 030302 Using the Internet for Work Purposes*
- 030303 Downloading Files and Information from the Internet*
- 030307 Filtering Inappropriate Material from the Internet*
- 040102 Implementing New / Upgraded Software*

I certify that I have read and understand the NCID Acceptable Use Policy and that I will ensure compliance with this policy.

Signature, Project Director

Date

Printed Name

Title



U.S. DEPARTMENT OF JUSTICE

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice ("Department") determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 69, the Applicant certifies and assures (to the extent applicable) the following:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If the Applicant's request for Federal funds is in excess of \$100,000, and any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal grant or cooperative agreement, the Applicant shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities" in accordance with its (and any DOJ awarding agency's) instructions; and

(c) The Applicant shall require that the language of this certification be included in the award documents for all subgrants and procurement contracts (and their subcontracts) funded with Federal award funds and shall ensure that any certifications or lobbying disclosures required of recipients of such subgrants and procurement contracts (or their subcontractors) are made and filed in accordance with 31 U.S.C. § 1352.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

A. Pursuant to Department regulations on nonprocurement debarment and suspension implemented at 2 C.F.R. Part 2867, and to other related requirements, the Applicant certifies, with respect to prospective participants in a primary tier "covered transaction," as defined at 2 C.F.R. § 2867.20(a), that neither it nor any of its principals—

(a) is presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) has within a three-year period preceding this application been convicted of a felony criminal violation under any Federal law, or been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, tribal, or local) transaction or private agreement or transaction;

violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects its (or its principals') present responsibility;

(c) is presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, tribal, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and/or

(d) has within a three-year period preceding this application had one or more public transactions (Federal, State, tribal, or local) terminated for cause or default.

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application. Where the Applicant or any of its principals was convicted, within a three-year period preceding this application, of a felony criminal violation under any Federal law, the Applicant also must disclose such felony criminal conviction in writing to the Department (for OJP Applicants, to OJP at Ojpcompliance@usdoj.gov; for OVW Applicants, to OVW at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPSRC@usdoj.gov), unless such disclosure has already been made.

3. FEDERAL TAXES

A. If the Applicant is a corporation, it certifies either that (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to the Department (for OJP Applicants, to OJP at Ojpcompliance@usdoj.gov; for OVW Applicants, to OVW at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPSRC@usdoj.gov).

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application.

4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, as implemented at 28 C.F.R. Part 83, Subpart F, for grantees, as defined at 28 C.F.R. §§ 83.620 and 83.650:

A. The Applicant certifies and assures that it will, or will continue to, provide a drug-free workplace by—

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

- (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 employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the Department, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title of any such convicted employee to the Department, as follows:

For COPS award recipients - COPS Office, 145 N Street, NE, Washington, DC, 20530;

For OJP and OVW award recipients - U.S. Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531.

Notice shall include the identification number(s) of each affected award;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily 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

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

5. COORDINATION REQUIRED UNDER PUBLIC SAFETY AND COMMUNITY POLICING PROGRAMS

As required by the Public Safety Partnership and Community Policing Act of 1994, at 34 U.S.C. § 10382(c)(5), if this application is for a COPS award, the Applicant certifies that there has been appropriate coordination with all agencies that may be affected by its award. Affected agencies may include, among others, Offices of the United States Attorneys; State, local, or tribal prosecutors; or correctional agencies.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.



U.S. Department of Justice
Certifications Regarding Lobbying; Debarment,
Suspension and Other Responsibility Matters; and
Drug-Free Workplace Requirements

As a duly authorized representative of the Subrecipient, and in support of this Application, I hereby certify under penalty of perjury that the Subrecipient will comply with the conditions of the U.S. Department of Justice Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review, including by its Office of the Inspector General.

Project Name

Project Number

Agency/Subrecipient Name

Authorizing Official Signature

Printed Name

Date

Financial Officer Signature

Printed Name

Date

Project Director Signature

Printed Name

Date