



STATE OF TENNESSEE
DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF CRIMINAL JUSTICE PROGRAMS
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LARRY B. MARTIN
COMMISSIONER

MEMORANDUM

All Subrecipients 2015-02

TO: OCJP Subrecipients

FROM: William J. Scollon, Director, OCJP

DATE: September 14, 2014

RE: 2014-2015 OCJP Administrative Manual

The OCJP 2014-2015 Administrative Manual has been posted on OCJP's website. All updated administrative requirements will become effective October 1, 2014. Go to the following link to access the manual: <http://www.tn.gov/finance/adm/ocjp/manuals.shtml>. Please familiarize yourself with the updated grant requirements in that they are necessary for the administration of your OCJP grants.

The updated OCJP 2014-2015 Administrative Manual is applicable to all subrecipients receiving JAG, Coverdell, FVPSA, METH, NCHIP, RSAT, SASP, STOP, VOCA, ICAC, and/or State funding from the Office of Criminal Justice Programs. The Administrative Manual is formatted with generic chapters containing information pertinent to all subrecipient agencies and individual program specific sections for JAG, Coverdell, FVPSA, METH, NCHIP, RSAT, SASP, STOP and VOCA. Generic and program specific appendices are also included.

It is the responsibility of the grant Project Director to ensure that the Administrative Manual is made available to the grant Authorized Official and all other necessary staff, especially those who have administrative, fiscal, data collection and/or reporting responsibilities for OCJP grants. Changes to the Administrative Manual are indicated in red text. A list of changes for the OCJP 2014-2015 Administrative Manual is enclosed on the following pages of this Memo.

Please contact your OCJP Program Manager if you have questions about this memo or the Administrative Manual.

Enclosure: List of OCJP 2014-2015 Administrative Manual Changes

Changes to the 2014-15 OCJP Administrative Manual

*(Changes in the 2014-15 Manual are in Red text.
Minor verbiage changes are not included.)*

CHAPTER I, PREAWARD REQUIREMENTS

SECTION D. CERTIFIED ASSURANCES

The OCJP application consists of narrative application and budget. All applicants must agree to comply with special conditions and/or certifications provided at the time of the grant contract award which may include the following federal assurances and certifications:

SECTION F: ADDITIONAL REQUIREMENTS (Add the following.)

- 15. Computer Networks:** The subrecipient understands and agrees that: (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
- 16. Religious Discrimination:** The subrecipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
- 17. Multiple Awards:** The subrecipient agrees that if it currently has a contract with OCJP and receives additional federal funding, outside OCJP, and those funds are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under the OCJP contract, the subrecipient will promptly notify the OCJP program manager in writing.

CHAPTER II, ACHIEVING OPERATIONAL STATUS

SECTION F. OCJP NOTIFICATIONS:

Subrecipients must provide written notification to OCJP within ten (10) days from the date of occurrence of any of the following:

1. Any change of address for Authorized Official, Project Director, or Financial Director for the grant-funded project.
2. Any lawsuit filed **against an OCJP funded project or program. (Note: Notification of EEOC claims or lawsuits claiming discrimination must follow the procedure outlined in Chapter XXII: Civil Rights.)**
3. Any cessation or interruption of implementation of project activities arising from litigation, loss of staff, or programmatic restructuring
4. Change in project site or location
5. Change in or temporary absence of the Project Director or Financial Director
6. **Change in Authorized Official.**

CHAPTER III, FINANCIAL REQUIREMENTS

SECTION A. STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS

1. Accounting Systems: These records shall include both Federal funds and all matching funds when applicable. Subrecipients shall expend and account for grant funds in accordance with State and local laws and procedures for expending and accounting for their own funds. State and local procedures must ensure compliance with the financial management standards found at [2014 Federal Financial Guide, Section 2.3, Standards for Financial Management Systems.](#)

3. Reporting Irregularities:

Or contact the U.S. Department of Justice, Office of the Inspector General Hotline concerning DOJ contracts or subcontracts. Submit a report online at www.justice.gov/oig/hotline/contact-contracts.htm or mail complaint with supporting documentation to:

U.S. Department of Justice Office of the Inspector General
Fraud Detection Office
Attention FAR Contractor Reporting
1300 North 17th Street, Suite 3200
Arlington, VA 22209

The Definition of Sensitive Minor Equipment in all places.

CHAPTER X, PROPERTY & EQUIPMENT: SECTION A. DEFINITION OF EQUIPMENT; CHAPTER XIII, PROCUREMENT OF PROFESSION SERVICES: SECTION H: EQUIPMENT, SOFTWARE AND HARDWARE; CHAPTER XIV,

**ALLOWABLE COSTS: SECTION H: EQUIPMENT, SOFTWARE AND HARDWARE;
VOCA, CHAPTER IV: ALLOWABLE COSTS;**

“Sensitive Minor Equipment” defined as moveable, high-risk, sensitive property items purchased with a cost between **\$500.00** and \$5,000.00, such as computers (i.e., laptops, tablets), weapons, TVs, and cameras acquired, used and managed for criminal justice and victim services grant purposes.

CHAPTER XIII, PROCUREMENT OF PROFESSIONAL SERVICES

SECTION A: PROFESSIONAL SERVICES CONTRACTS (SUBCONTRACTS)

Types of Subcontracts:

Project Based Professional Service Subcontracts: OCJP requires subrecipients to use professional service subcontracts when a subrecipient is planning to subcontract with one provider to carry out multiple pieces of the OCJP funded project. For example, a City may subcontract with a local nonprofit agency to fulfill service expectations of their overall grant funded project. Project based professional service subcontracts require a detailed annual budget to be submitted for each year of the subcontract. **Project Based Professional Service Subcontracts require the use of the Subcontract Monitoring Form (Appendix F) for oversight purposes. See Section D of this chapter.**

Fee for Service Subcontracts: OCJP requires subrecipients to use professional fee for service subcontracts for direct services to clients such as counseling services, nursing services, etc. when these services are not provided by subrecipient staff. Professional fee for service subcontracts do not require a detailed annual budget to be submitted for each year of the subcontract; budget information is only required in the payment Terms and Conditions section of the subcontract. **Subrecipients are required to provide oversight of Fee for Service Subcontracts according to Section D of this chapter, however, the use of the Subcontract Monitoring Form (Appendix F) is not required.**

**SECTION D: OVERSIGHT OF A PROFESSIONAL SERVICE CONTRACT
(SUBCONTRACT)**

The Subcontract Monitoring Form (Appendix F) should be used to record appropriate test work and conclusions and retained as evidence of monitoring grant funded Project Based Professional Service Subcontracts. Subcontract monitoring must be conducted by the agency within 6 months of the subcontract start date and then again periodically for multi-year Project Based Professional Service Subcontracts. The completed form should be retained in the grant file and available for inspection by OCJP staff.

State agencies should follow and use state and internal monitoring policies and forms.

CHAPTER XIX, SUBRECIPIENT MONITORING

SECTION A: DEFINITION OF MONITORING

(Replaced 4th paragraph)

SECTION B: POLICY 2013-007 Replaces POLICY 22

1. Issued by the Department of General Services, Central Procurement Office.

SECTION C. OCJP MONITORING

2. Prior to an on-site monitoring visit, subrecipients will receive notification from OCJP detailing the date and time of the monitoring visit in addition to what information will be requested. **Beginning October 1, 2014 the information requested for the monitoring visit will include completed, printed year-to-date program fund source annual reports. These will be provided to the program monitor at the time of the review.**

FUND SOURCE CHAPTERS

ALL

REPORTING REQUIREMENTS

REQUIREMENT: A copy of each report submitted must be saved in the corresponding grant file.

Related to Quarterly Income Summary Report

***NOTE: State and Local Government as well as Educational sub-recipients who do not generate program income may submit this report form annually 15 days after the end of the fiscal year or end of the grant period.**

ALL FEDERAL FUND SOURCES

IMPORTANT RESTRICTIONS

Consulting Fees *(The amount increased for some fund sources.)*

Individual consultant fees are limited to \$650 per day or \$81.25 per hour; this includes legal, medical, psychological, training, and accounting consultants. Consulting fees must be pre-approved by OCJP.

JAG –STOP-VOCA

PROGRAM REQUIREMENTS

TIBRS Reporting Requirement. The Agency shall ensure that they comply with the rules and regulations of the Tennessee Bureau of Investigations (TBI) as empowered by Tennessee Code Annotated (TCA) 38-10-101 et seq. with regard to the Tennessee Incident Based Reporting System (TIBRS). The agency will at all times maintain TBI certification of their compliance with those rules and regulations.

CHAPTER II, JAG GRANT PURPOSE/REQUIREMENTS

E. SUBCONTRACTS / RESEARCH AND EVALUATION

Any subcontract which involves the research or evaluation of a project or project data must be reviewed by an OCJP Program Manager to assure that the subcontract contains language which would prohibit researchers and evaluators from possessing a personal or financial interest to the project they are reviewing.

In all circumstances program staff will attempt to mitigate any potential bias related to the research or evaluation components of any JAG funded projects so that a reasonable person, understanding all the facts related to a project, will have confidence that the results of any research or evaluation will be objective and reliable

CHAPTER VI, IMPORTANT RESTRICTIONS ON THE USE OF JAG FUNDS

(This section includes important additions – Please Read.)

CHAPTER VII, DTFs FUNDED WITH BYRNE JAG GRANTS

E. METHAMPHETAMINE LAB CLEAN UP: The Tennessee Bureau of Investigation's Tennessee Methamphetamine and Pharmaceutical Task Force (TMPTF) currently has a Memorandum of Understanding with the U. S. Department of Justice Drug Enforcement Agency (DEA) for the clean-up, removal, and disposal of hazardous wastes found and seized at clandestine drug laboratories.

All Drug Task Forces receiving Byrne JAG funding must utilize the TMPTF for the clean-up, removal and disposal of hazardous wastes found and seized at clandestine drug laboratories in order to be covered by the TMPTF federally approved Mitigation Plan.

Note: Agencies failing to comply with Section E are not eligible for JAG funding.

CHAPTER I, ELIGIBILITY REQUIREMENTS

The Family Violence Prevention Fund (FVPSA) requires all funded programs to adhere to an LGBTQ Accessibility Policy. The intent of this policy is to ensure that the needs of lesbian, gay, bisexual, transgender, and questioning shelter program participants are taken into consideration in the subrecipients' program design. Furthermore, the policy is intended to ensure that programs are safe, inclusive and non-stigmatizing by design and function for the LGBTQ Community. During FY2015, all FVPSA funded programs must have or will put in place within 12 months of the award, the following four conditions of the LGBTQ Accessibility Policy.

- a. Have in place policies prohibiting harassment based on race, sexual orientation, gender, gender identity (or expression), religion and national origin
- b. Will enforce these policies
- c. Will ensure that all staff will be trained during the award period on how to prevent and respond to harassment or bullying in all forms
- d. Have a plan in place to monitor claims, address them seriously and document their corrective action(s)

See [Appendix I: LGBTQ Accessibility Guides](#) for helpful resources for developing appropriate policies and procedures.

CHAPTER II, PROGRAM PURPOSE; B. PROGRAM REQUIREMENTS

6. FVPSA funded shelter programs, in their effort to promote social and emotional well-being for victims and their dependents are strongly encouraged to address the impact of trauma on those they serve. The Department of Health and Human Services, Administration for Children, Youth, and Families, under which FVPSA functions, promotes a trauma-informed approach which “involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress...as well as the behavioral and mental health sequelae of trauma.” (Department of Health and Human Services, Administration for Children and Families, FY2014 RFP, HHS-2014-ACF-FVPSA-0564, page 5.) OCJP strongly encourages shelter programs to implement a Trauma Informed Care approach which is now widely recognized across the field as an established best practice for Domestic Violence residential and nonresidential programming.

(Updated information concerning Trauma Informed Care practices in other numbered sections of B. PROGRAM REQUIREMENTS– Please read.)

13. Accessibility: To be in compliance with the federal FVPSA Reauthorizing Legislation, 2010 (42 U.S.C. §10406), programs that receive FVPSA funding must be

accessible. The coordination of accessible services will ensure that effective interventions are in place to build skills and capacities that contribute to the healthy, positive, and productive functioning of victims, children, youth, and families. This means services have to be delivered without discrimination on the basis of age, disability, gender, race, color, national origin, or religion. Barriers to accessing shelter, such as requiring participation in supportive services and rigid program rules, are not allowed. Accessibility is a broad requirement that warrants consideration in many situations, including, but not limited to, sheltering adolescents with their abused parent or guardian and offering all core services; offering shelter and all core services to victims irrespective of citizenship or limited English; accommodating victims with disabilities whether mental or physical, and creating a welcoming environment for LGBTQ victims.
(42U.S.C. §10406) FVPSA Reauthorizing Legislation, 2010, [Appendix A](#))

SASP

CHAPTER I, ELIGIBLE SUBRECIPIENTS

A. ELIGIBLE SUBRECIPIENTS FOR FEDERAL SASP FUNDING INCLUDE:

3. Governmental entity rape crisis centers. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services. 42 U.S.C. § 13925 (a)(25).

B. OTHER ELIGIBILITY REQUIREMENTS:

2. All applicant agencies must provide intervention and related assistance to victims of sexual assault without regard to their age.

CHAPTER II, PURPOSE AND PRIORITIES

A. PROGRAM PURPOSE

(Updated information concerning purpose – Please read.)

CHAPTER III, REPORTING REQUIREMENTS

A. REPORTING REQUIRMENTS

(Revision includes important information concerning reports due – Please Read.)

CHAPTER IV, ALLOWABLE COSTS

A. ALLOWABLE COSTS

(This section has been expanded – Please read.)

STOP

CHAPTER II, PURPOSE AND REQUIREMENTS

(This chapter has significant changes related to PROGRAM REQUIREMENTS AND CERTIFICATIONS – Please read.)

CHAPTER IV, ALLOWABLE COSTS

ALLOWABLE COSTS – (This section has been expanded – Please read.)

CHAPTER V, UNALLOWABLE COSTS

UNALLOWABLE COSTS

17. STOP funding may not be used for substance abuse counseling.
18. STOP funding may not be used to fund any criminal defense work, including defending women who assault, kill, or otherwise injure their abusers.