

## **Victim Assistance Certified Assurances and Compliance**

**By checking the certification box on the grant agreement signatures page in Iowa Grants for Victim Services, grantee understands the assurances and will comply with these provisions. These certified assurances should be saved in a grant file and shared with those at your agency who oversee or administer grant funding.**

**1. Non-supplantation:** The subrecipient agrees that grant funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.

**2. Confidentiality:** All grant funded organizations will maintain confidentiality of client-counselor information as required by state and federal law.

The following does not apply to law enforcement, prosecution, court and victim witness coordinator grants. Depending on the activities and the type of services provided, victim counselor training may or may not apply to community coordinated response team grants.

All domestic abuse, sexual abuse, shelter, survivors of homicide and other violent crimes comprehensive programs and grant funded staff of VOCA (general crimes) projects, are required to obtain and maintain victim counselor status by participating in victim counselor training provided by the Iowa Coalition Against Domestic Violence, the Iowa Coalition Against Sexual Assault, Central Iowa Trauma and Recovery Center, Crisis Intervention Service (NIAD).

Victim Counselor Status: Anyone, who on behalf of this grant, engages in any of the following activities must obtain and maintain victim counselor status: provides direct or indirect services to victims, has access to confidential client data, supervises direct service staff or volunteers or, interacts with victims on the telephone, online or in person, or provides any other related service where victims' identifying information is available.

Certification: Everyone who provides direct victim services and supervisors of those providing direct services must, in addition to maintaining victim counselor status, also obtain and maintain the specific certification respective to their field of work. This includes, but is not limited to: advocates, supervisors, volunteers who interact with clients and/or have access to confidential information, grant funded project staff and executive directors.

If an employee or a volunteer, who is required to be certified, cannot obtain or maintain certification, or if certification is subsequently terminated by one of the organizations listed above, the staff member or volunteer may not work or volunteer for any grant funded program. Failure to adhere to this assurance will put all of the agency's grant funding in jeopardy. This certified assurance applies to all persons engaged in victim services work in comprehensive victim service programs, even those whose salary is not paid with grant funds, or staff whose time is used for match purposes (paid staff and volunteers). For those projects defined as general crimes projects, this certified assurance applies to all grant funded staff and is recommended for

any other staff member who may interact with crime victims. Proof of training for all staff and volunteers must be maintained on site and shall be made available upon request. Any program or person who is required to be certified but is unable to attain the proper training for any reason must advise their primary contact at Victim Assistance Section immediately.

It is recommended, but not required all agency staff who have contact with victims obtain and maintain the applicable certification.

**DV/Shelter Comprehensive Programs:** Domestic Violence and Shelter Advocates are required to complete 20 hours of victim counselor training before providing any direct service to survivors. Certification must be renewed every two years. Certified victim advocates must complete 40 additional hours of training. For more information, contact ICADV, review their training manual or visit their website at <https://www.icadv.org/>.

**SA Comprehensive Programs:** Sexual Abuse Advocates are required to complete 20 hours of victim counselor training. Certified victim advocates must also complete the IowaCASA's core and advanced trainings. Certification must be renewed every two years before providing any direct service to survivors. For more information contact IowaCASA, review their training manual or visit their website at <https://www.iowacasa.org/>.

**SOHP Comprehensive Programs:** Survivors of Homicide Victim Advocates are required to complete 20 hours of victim counselor training before providing any direct service to survivors. SOH Advocates must also complete SOHOVC certification training provided by either Crisis Intervention Service of Mason City or Central Iowa Trauma and Recovery Center of Des Moines. Certification must be renewed every two years.

**General Crimes Projects:** (VOCA Projects or any other project type not listed above, excluding criminal justice grants) Staff of General Crimes Projects are required to complete 20 hours of victim counselor training within the first six months of hire before providing any direct service to survivors. Staff must also complete certification training provided by either Crisis Intervention Service of Mason City or Central Iowa Trauma and Recovery Center of Des Moines. Certification must be renewed every two years.

### **3. Civil Rights and Non Discrimination**

The Subgrantee 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);

The Subgrantee 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, may also apply to other awards.

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, national origin, sex, age, or disability against the program, the program will forward the findings to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Office, Victim Assistance Section.

- Subgrantee will comply, and all its contractors and subgrantees will comply, with any applicable federal **nondiscrimination requirements**, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. § 11182(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 as amended (29 U.S.C. § 791); the Americans Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); and 28 C.F.R. pt. 38 (Partnerships with Faith-Based and Other Neighborhood Organizations). Additional information about civil rights obligation of grantees can be found at [https://www.ojp.gov/funding/explore/legaloverview2023/civilrightsrequirements#:~:text=A%20nondiscrimination%20provision%20that%20prohibits,1968%20Act%20or%20the%20JJDP](https://www.ojp.gov/funding/explore/legaloverview2023/civilrightsrequirements#:~:text=A%20nondiscrimination%20provision%20that%20prohibits,1968%20Act%20or%20the%20JJDP&context=1) and <https://www.ojp.gov/program/civil-rights-office/home>

Subgrantee will maintain statutorily required **civil rights statistics** on victims served by race, gender, national origin, age and disability and permit reasonable access to its books, documents, papers, and records to determine whether they are complying with applicable civil rights laws. This requirement is waived when soliciting the information may be inappropriate or offensive to the crime victim.

4. The Applicant will give the DOJ and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award made by the Department based on the application.

If the Applicant is a governmental entity, with respect to the award made by the DOJ 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

- 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.
- c.

**5. Equal Employment Opportunity Program (EEOP):** All subgrantees must submit an Equal Employment Opportunity Program (EEOP) certification form to the Office for Civil Rights. For more information, go to: <https://eeop.ocr.ojp.gov/certsab/homepage>

**6. Reports:** Subrecipients will maintain client, staff, policy and procedure information and that reports shall be submitted, in the correct form, on time, and containing information as required by Victim Assistance.

7. Subrecipients will comply with Iowa Code Chapter 216 as amended which governs civil rights protection in Iowa; and Iowa Code Section 8.11 regarding Minority Impact Statements; the Iowa Attorney General's Victim Assistance Grant Program rules as contained in the Iowa Administrative Code, 61 IAC Chapter 9, Section 9.50 through 9.65; and the policies of the Iowa Attorney General's Victim Assistance Section. The Department will not reimburse subrecipients for construction of buildings or the purchase of buildings or land.

## **8. Policies**

a. Subgrantee will create a sexual harassment policy which includes the process for filing a grievance of sexual harassment by a staff member, client, victim, or volunteer. The process shall take into consideration how to file a complaint against a supervisor, administrator or director. After the creation of the sexual harassment policy, all current staff and volunteers, as well as new staff and volunteers will sign an acknowledgement form that they have reviewed and understand the sexual harassment policy. One copy will be provided to the staff member, or volunteer and one will be kept in their personnel file.

b. All other policies are detailed in the Victim Assistance Grant manual and can be found here <https://www.iowaattorneygeneral.gov/manual/chapter-5-policies-and-procedures> and <https://www.iowaattorneygeneral.gov/manual/chapter-2/required-policies-and-procedures>

**9.** Fund accounting, auditing, monitoring, evaluation procedures, and such **records** shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.

**10.** Subgrantee shall maintain programmatic data and information and submit program reports as provided in the subaward agreement and here <https://www.iowaattorneygeneral.gov/manual/chapter-9-reporting-requirements>

**11.** Audits are due the earlier of 30 days after the receipt of the auditor's reports or nine months after the end of the audit period. For example, audits for period ending June 30th would be due no later than March 31st and audits for period ending September 30th would be due no later than June 30th.

Organizations expending \$750,000 or more in federal funds are subject to audit requirements as required by Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

Organizations expending less than \$750,000 during the entity's fiscal year in federal funds are recommended to have an audit conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, also known as Yellow Book Audit.

Submit audits electronically to fiscal department by e-mailing to Kristi.hill@ag.iowa.gov. Electronic copy of audit is preferred. However, you may submit a hard copy to Victim Assistance Section, Finance Department, Lucas State Office Building, 321 East 12th Street, Des Moines, IA 50319.

12. Grant funds cannot be used as direct payment to any victim or dependent of a victim.
13. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with **Federal money**, all programs receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the projects or program.
14. Subgrantee will comply with any **additional eligibility or service criteria** established by the Attorney General's Office.
15. Subgrantee will expend funds received only for the purposes and activities covered by the organization's approved application and budget; and that the grant may be **suspended or terminated** at any time if the program fails to comply with the provisions of the awarded funding source, Victim Services Grant Program Administrative Rules or any of the certified assurances listed in this document.
16. Subgrantee will compensate employees at no less than minimum wage, and provide safe and sanitary working conditions.
17. All grant funded staff, and staff and volunteers used for match will keep time and attendance records showing the hours and activities attributable to this grant.
18. Subrecipient will provide services to victims of crime at **no charge**. No income eligibility standards will be imposed for assistance or services supported with these grant funds.