



Governor's Grants Program

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**FEDERAL STATE
ACCESS AND
VISITATION PROGRAM**

**Fiscal Year 2018
Grant Application**

APPLICATION DEADLINE:

**SUBMITTED BY 11:59 p.m. OCTOBER 12, 2017
ON THE GRANT PORTAL**

**For questions regarding application requirements, please contact the
Kansas Governor's Grants Program (KGGP) at 785-291-3205.**

Federal State Access and Visitation Program Guidelines

Eligibility Criteria

The purpose of the SAVP grant is to increase, enhance, expand, or initiate grant projects that provide services and assistance to children and families in need of supervised exchange or visitation. Assistance may encompass a range of support services. Specific services provided and the specific target group should reflect local needs and priorities. Activities may include: on-site supervision, exchange monitoring, therapeutic supervision, recording observations of visits, referrals to other services, and educational parenting classes. Indicators such as number of staff assigned, the type of services provided, the number of children and families served, and the number of personnel and others trained may be used to evaluate the efficiency and impact of the proposed grant project. Only agencies that received funding during Fiscal Year 2017 are eligible.

The following information outlines eligibility criteria and requirements for application and administration of the Federal State Access and Visitation Program (SAVP) pursuant to P.L. 104-193. The Kansas Governor's Grants Program (KGGP) establishes policies and procedures for the SAVP grant program, consistent with the requirements of the Federal SAVP Program. The KGGP has the discretion to be more restrictive regarding certain requirements.

Eligible applicants must receive 50 percent or more of their agency budget from sources other than funds distributed through this grant fund. Other sources may be public or private and may include contributions of goods or services, including materials, commodities, transportation, office space, or other types of facilities or personal services.

In addition, federal requirements state that eligible applicants must have in place, or must develop, protocols that ensure family violence safeguards. Applicants should provide the protocol as an attachment to the application if the protocol has been developed. If the protocol is not developed, it will be required as a special condition for receiving SAVP grant funds.

Non-federal matching contributions of 10 percent (cash or in-kind) of the total cost of the SAVP grant project (SAVP grant funds plus match) are required for each SAVP grant project and must be derived from non-federal sources.

Example:	Total Grant Project Cost	= \$50,000
	90% Federal Share	= \$45,000
	10% Non-Federal Match	= \$ 5,000

Limitations on the Use of Grant Funds

The following limitations apply to the FVPSA grant program:

- Grant project funds shall only be used for personnel, fringe benefits, travel, and contractual services specifically for security. These costs must be necessary and essential to the grant

project's success. SAVP funds used for fringe benefit costs shall not exceed the proportion of personnel costs supported by SAVP funds.

- Grant project funds shall not be used for applying for or auditing this grant, fundraising, grant writing, lobbying, board development, or research projects or for any training directed at any of these subject areas.
- Grant project funds shall not be used to reimburse mileage, lodging, meal, and other travel expenses in excess of the applicant's approved policy rate or the current federal per diem rates, whichever is lower. If the applicant chooses to reimburse at a rate in excess of the current federal rate, per its agency policy, grant funds administered by the KGGP cannot be used to make up the difference.

Misuse of grant 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 a grant, and civil and/or criminal penalties.

The use of grant project funds is prohibited for grant projects that offer a low probability of improving services to children and families as determined by fiscal and grant project compliance reviews.

Supplanting

SAVP funds shall be used to supplement, **not** supplant, other federal, state, or local funds that would otherwise be available to assist with supervised exchange and visitation services. The following guidelines should be used in determining the supplanting of funds. Although the examples provided below relate specifically to staffing scenarios, supplanting is not limited to personnel. Supplanting can occur in any budget line item if sufficient documentation cannot support that a SAVP grant award has not replaced funds otherwise available for the same program or purpose.

Defined: To reduce federal, state, or local funds for an activity specifically because SAVP funds are available (or expected to be available) to fund that same activity. SAVP funds must be used to **supplement** existing funds for program activities and may **not replace** federal, state, or local funds that have been appropriated or allocated for the same purpose. Additionally, SAVP funding may not replace federal, state, or local funding that is required by law. In instances where a question of supplanting arises, the applicant or grantee may be required to substantiate that the reduction in non-SAVP resources occurred for reasons other than the receipt or expected receipt of SAVP funds.

Example 1 Organization A appropriated or otherwise secured funds in FY18 for salary and benefits for two visitation supervisors. In FY18, Organization A is awarded SAVP funds designated for the hiring of two additional visitation supervisors.

Organization A expended the SAVP funds as intended, and now has four visitation supervisors.

In this scenario, Organization A has used SAVP funds to supplement existing funds for program activities. Thus, supplanting has **not** occurred. If any of the visitation supervisors had left the organization during FY18 and Organization A did not follow established recruitment procedures to replace the visitation supervisors, or utilized SAVP funding for those positions for other purposes, supplanting **would** have occurred.

Example 2 Organization B appropriated or otherwise secured funds in FY17 for salary and benefits for two visitation supervisors. Due to budget projections for FY18, Organization B expects to lay off one visitation supervisor (facts that Organization B is able to substantiate). In FY18, Organization B is awarded SAVP funds designated for hiring one additional visitation supervisor. At the beginning of FY18, Organization B lays off one visitation supervisor and uses SAVP funds to continue the salary and benefits for the other visitation supervisor.

In this scenario, Organization B will use SAVP funds to pay the salary and benefits for one visitation supervisor who would have been laid off but for the availability of SAVP funds. Therefore, supplanting has **not** occurred.

Example 3 Organization C appropriates or otherwise secures funds in FY18 for salary and benefits for two visitation supervisors. Organization C plans to use SAVP funds to pay the salaries of two additional visitation supervisors. Subsequently, however, Organization C opts to use two current experienced employees for this effort, and uses SAVP funds to pay their salaries and benefits. In doing so, Organization C determines that the remaining employees could handle the services and did not attempt to backfill the positions.

In this scenario, by replacing existing funds with SAVP funds, supplanting **has** occurred. Although Organization C may use experienced staff to fill the new SAVP-funded visitation supervisor positions, use of the SAVP funds has not **supplemented** funds for program activities, but has **replaced** those funds through Organization C's decision not to hire replacements for staff designated for SAVP-funded activities.

Grant Application Deadline

Grant applications must be submitted via the Grant Portal **by 11:59 p.m. October 12, 2017**. [Grant Portal instructions](#) for submitting applications via the Grant Portal are provided at the [KGGP Resource page](#).

Grant Project Period

Grant projects funded by this grant program shall be for a period of 12 months from October 1, 2017 to September 30, 2018. Any funds not expended by September 30, 2018, must be returned to the KGGP.

Grant Recipient Compliance and Reporting Requirements

If SAVP funds are awarded to the applicant, subgrantees will be expected to comply with the SAVP grant program requirements set out in the grant assurances, reporting requirements, and any requirements arising as a result of a compliance review. The KGGP will conduct a compliance review of each SAVP award. Failure to comply with these requirements may result in suspension or termination of grant funding.

In addition, subgrantees must comply with the provisions of the Federal Office of Management and Budget (OMB) Uniform Guidance for Federal Awards, [2 CFR Part 200](#) and applicable administrative requirements, cost principles, and common rules as required by SAVP, the U.S. Department of Health and Human Services, and the KGGP, which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of SAVP funds. This includes, but is not limited to:

- Financial documentation for disbursements;
- Daily time and activity records specifying time and type of service devoted to allowable SAVP activities;
- Grant project files;
- The portion of the grant project supplied by other sources of revenue;
- Job descriptions;
- Contracts for services;
- Statistical documentation; and
- Other records that facilitate an effective audit and grant analysis for compliance.

Agencies receiving a SAVP award are required to submit the following reports:

- The **Five Most Highly Compensated Officers** Certification must be submitted to open the award.
- Monthly **Financial Status Report** provides fiscal information on expenditures made during the month. Monthly reimbursements are made based on these expenditure reports. These reports are due 15 calendar days after the end of each month or the first business day.
- The **Program Income/Expenditure Report** provides information regarding program income/expenditures incurred during the reporting period as a result of the delivery of

SAVP-funded activities. Reports are due 15 calendar days after the end of each quarter or the first business day.

- Quarterly **Grant Project Statistical Report** (due 15 days after each calendar quarter or the first business day) and annual **Federal Statistical Report** (due 15 days after the end of the 12-month grant project period or the first business day) provides statistical information on children and families being served.
- Quarterly **Grant Project Narrative Report** provides a narrative description of the activities and services provided with grant funds. Reports are due 15 calendar days after the end of each calendar quarter grant project period or the first business day.
- The **Projection of Final Expenditures Report** is due July 15th or the first business day.
- Any other reporting procedures that may be required by the federal government or the KGGP.

Subgrantees submitting late, incorrect, or incomplete reports will not receive payment until the next scheduled payments for grant programs. Repeatedly late reports, failure to submit reports or supporting documentation required by the grant assurances, or failure to respond to compliance review findings in the timeframe provided will result in the suspension of grant funds. The subgrantee must come into compliance with grant requirements before grant funds will be paid.

Copies of all financial and statistical supporting documentation must be maintained by the agency for a period of five years following the closeout of the grant award.

Conditions of Grant Award

If Federal SAVP grant funds are awarded, subrecipients must comply with the Child Exchange and Visitation Center Guidelines developed by the Office of the Kansas Attorney General. All approved applicants are responsible for providing the KGGP with a copy of any revisions and/or updates to the agency's operations manual.

Review of Applications

KGGP staff will review applications for completeness, ensuring requirements are met and that proposed budgetary and programmatic information is allowable, reasonable, understandable, measurable, and achievable. Applications submitted incomplete, with *any* missing components or information, will receive consideration only after all other successfully completed applications have been considered. Applicants will be notified via the Grant Portal of the grant award decision.

Resource and Contact Information

Visit the [KGGP Resource page](#) for more guidance on specific steps of submitting an application via the Grant Portal and for detailed [Grant Portal instructions](#). For technical assistance regarding the SAVP grant program guidelines or application submission, contact the Kansas Governor's Grants Program at 785-291-3205.

What an Application Must Include

Please read all grant requirements and instructions before completing the grant application. Submit application documents in 12 pt. Times New Roman, number the pages of the Project Narrative, and title each document filename as indicated below. Do not submit any section of the application in landscape format. Do not submit any items not specified in the instructions.

The application must include the following items:

- _____ General Information
- _____ Project Narrative
- _____ Grant Project Budget
- _____ Agency Program Budgets
- _____ Proof of 501(c)(3) status
- _____ Certificate of Good Standing
- _____ Board of Directors Information
- _____ Family Violence Protocols
- _____ Federal Certifications

General Information

Applicants must complete the General Information page online. Please note that the language provided in the "Brief Description of Proposed Grant Project" field may be utilized on public websites and documents to describe the purpose of the project and accomplishments of the grant program.

Project Narrative

The following items must be included in the Project Narrative. Include each item in the order listed below and clearly label each section.

Prior Accomplishments

If the applicant received a 2017 SAVP grant award, describe specific agency accomplishments from the previous period that were funded, in whole or in part, by SAVP grant project funds. Clearly state the 2017 approved Goals and Objectives and report the actual outcomes to date. Applicants must utilize the following format:

2017 Goal I –
2017 Objective 1 –
2017 Actual Outcome -

Provide documented evidence and anecdotal examples that show how SAVP-funded goals and objectives were met or how progress was made toward achieving the stated goals and objectives. Provide statistics that document the project's performance and the timeframe represented by those statistics. Include the number of children and families served by the agency. Describe any evaluations that were conducted, explain the results, and describe how that information will be used to support and enhance the grant project.

Problem Statement and Needs Assessment

The submission of an application presumes there is a definable problem that will be addressed by the requested grant funds. Provide a detailed explanation of the problem that will be addressed, either in whole or in part, with the requested grant funds. Provide data that supports the problem to be addressed in the grant application and site the source of the data provided. Describe how the grant funds will address the problem. Describe any needs assessment that was used to develop the problem statement, such as an evaluation of agency service activity or other assessment. If the applicant is comparing local data to state or national data, include information that either establishes the need locally or describes why the local community is limited in resources to address the problem.

Justification of Need for Grant Funds/Increase Request

All applicants must provide a justification of need for the grant funds requested. This justification must tie the financial need to the described problem statement and needs assessment. If the applicant received a 2017 SAVP award, explain why grant funds are needed to support the continuation of the project and why other funds are not available to support the project. In addition, if the applicant is requesting a new budget line item or funding increase to line items from the previous grant award, explain the need for additional funds and what additional activities and/or services will be provided. Describe how the increase to or addition of the new line item(s) is not supplanting other funds, per the definition provided on page 3 of this document. If the expenses are existing agency costs or activities, the non-supplanting explanation must include a description of how they were previously supported and why that support cannot continue to be utilized. The applicant must ensure that any request for additional funds outlined in the Project Narrative corresponds to the grant project budget submitted. The applicant should state whether other funds have been sought to support the program and describe the outcome of those efforts.

Grant Project Goal(s) and Objectives

State the goal(s) of the proposed grant project. This should not be the goals of the entire agency, but should be specific to the proposed SAVP-supported project. However, the goals for the grant project should be consistent with the mission and overall goals of the agency, as well as the results of any needs assessment.

List the objectives to be accomplished to achieve each goal listed. Objectives should be specific, measurable, realistic, and consistent with the goals of the grant project and cover a single event or outcome. Include the activities for each objective and explain how each objective will be

measured. Specifically identify any evidence-based programs and/or practices being incorporated into the proposed objectives and activities. Visit the [KGGP Resource page](#) for more guidance on developing goals and measurable objectives.

Example (follow the format below):

Goal I: Provide a safe environment for families using center for visitation services.

Objective	Activities / Time Frame	Person Responsible
1. 95 percent of families using the center will not have a security incident.	1. Trained security and agency personnel are present at all exchanges and visitations. Security incidents are documented immediately. Security incidents are tracked quarterly* to measure family safety. January, April, July, October.	1. Security and agency personnel
2. 100 percent of families will adhere to agency policy and procedures.	2. (a) Center policy and procedures are reviewed with every family at intake, before any services will begin. Intakes are scheduled within one month of referral (b) Any family member not complying with agency policy and procedures will meet with staff to avoid further disruption of services. Families not adhering to policy and procedures will be tracked quarterly. January, April, July, October.	2. (a) Agency personnel (b) Agency personnel
3. Three additional security personnel will be hired and trained.	3. (a) New security personnel will be trained on family issues such as divorce and domestic violence. By December 31, 2017. (b) Policy and procedures are reviewed with new security personnel. By December 31, 2017.	3. (a) Agency personnel and area partner agencies (b) Agency personnel

Grant Project Performance Measures and Results

Grant recipients will be required to demonstrate how the grant project was implemented and if the project achieved the results expected based on the data collected and evaluated. Provide the following information:

- Describe the process to be used for monitoring the implementation, progress, and outcomes of the grant project.
- Describe what data will be collected.
- Describe how the data collected will be used to ensure the success of the grant project.
- Describe the criteria that will be used to evaluate the activities and/or services provided through the proposed grant project.
- Explain how the proposed objectives will be measured and how it will be determined whether the proposed grant project is effectively and efficiently reaching the proposed

- goals and objectives.
- Describe what the grant project will achieve.

Grant Project Staff

Provide a list of each staff member to be funded with the grant along with staff who will be responsible for monitoring and evaluating the grant project. Include the name, title, and a brief job description for each staff listed. In addition, describe how this staffing pattern will help meet the goals of the grant project.

Sustainability

Provide a detailed description that explains what efforts are being made, or will be made, to ensure the long-term fiscal and programmatic sustainability of the project and program. The applicant must detail how the project will be funded in future years if SAVP funding declines or is not available.

Civil Rights Contact Information

Applicants must include the name, address, and telephone number of the civil rights contact person who is responsible for ensuring that all applicable civil rights requirements are met and who will act as liaison in civil rights matters.

DUNS Number and SAM Registration

Applicants must provide the agency's DUNS number and SAM expiration date. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by [applying online](#). In addition, applicants shall ensure that the agency has "active" status in the [U.S. System for Award Management \(SAM\)](#) prior to submitting a SAVP application.

Grant Management Capacity

In accordance with requirements described in the Federal Office of Management and Budget (OMB) Uniform Guidance for Federal Awards, 2 CFR Part 200, the KGGP must assess the applicant's ability and capacity to implement the proposed SAVP project in full compliance with Federal statutes, regulations, and terms and conditions of a subgrant award. Applicants must provide the following information:

- Describe the applicant's written accounting policies and procedures and how often they are updated.
- Describe the applicant's procedures for ensuring that grant funds and associated match are accounted for separately and distinctly from other sources of revenue.
- Describe the applicant's accounting system, when the current system was implemented, its level of automation, and type(s) of technology utilized; describe any manual accounting processes used to complement the system.
- Describe the applicant's procedures for monitoring the approved grant project budget and tracking expenditures at a line item level.
- Describe the applicant's internal controls for ensuring that grant project expenditures are

solely for allowable and approved purposes.

- Describe the applicant's reserve and/or capacity to manage a SAVP subgrant award on a reimbursement basis.
- Describe the knowledge, qualifications, experience, and training of programmatic and fiscal staff responsible for assuring grant compliance.
- Describe experience managing other grant funds awarded to the applicant agency, including the name of the grant program, the purpose of the program, the year(s) awarded, whether any monitoring was conducted by the funder(s), and what findings were cited by the funder(s).

Current Audit Report

All applicants **must** provide information in this section of the Project Narrative on when the organization's most recent financial audit was completed, who performed the audit, what period it covered, whether the applicant met the threshold for a Single Audit, and where the audit is filed.

Nonprofit, community, or faith-based organizations **must** also provide a copy of the most recent audit report, including the Single Audit report if applicable, and IRS Form 990 to the KGGP. If the KGGP has **not** previously received a copy of the organization's most recent audit report and IRS Form 990, both items must be forwarded by U.S. Mail to: Kansas Governor's Grants Program, Landon State Office Building, 900 SW Jackson, Room 304 North, Topeka, KS 66612-1220. Include with the audit the Auditor's Letter to Management if applicable. If there are any findings and/or recommendations in the audit report or in the Letter to Management, explain how the findings and/or recommendations were, or will be, addressed by the applicant.

Grant Project Budget

The applicant must submit a grant project budget, based on the allocation provided by the KGGP, that is reasonable and cost effective. All grant project-specific budget information is completed online within the provided data fields of the Grant Portal. No *grant project* budgetary documents are uploaded as part of the application.

Requested line items must be clearly linked to the proposed activities to be conducted in achieving the goals and objectives of the project. The budget must adhere to allowable costs and activities as outlined in this SAVP solicitation and the Federal Office of Management and Budget (OMB) Uniform Guidance for Federal Awards, [2 CFR Part 200](#).

A detailed calculation and brief narrative explanation must be provided in the Description field of each line item. Calculations shall clearly demonstrate how the requested amounts were derived and must account for both the federal funds requested and the non-federal match provided, including the match source(s). Personnel must be listed by the agency-assigned title for the position. Positions should be classified as "New" *only if* the requested position would be a new position for the agency. Personnel and associated fringe benefit costs must be demonstrated in terms of full compensation and the percentage of time to be devoted to the SAVP grant project for each position requested. Fringe benefit costs shall not be allocated to a position at a rate exceeding the portion of personnel costs requested in the SAVP Personnel category. Training events and

other travel costs must be specifically identified to the extent possible. Following are examples of descriptions that might be used for line item requests. Please visit the [KGGP Resource page](#) for more guidance.

	<u>Federal</u>	<u>Match</u>	<u>Description</u>
CEVC Coordinator	\$8,300		Full-time, salaried, 20% of time on project; employees scheduled to receive a 5% raise on Jan 1 st : (\$40,000 x .25 year) + (\$42,000 x .75 year) x .20 of time
Volunteers		\$ 993	Volunteers will provide office and scheduling assistance to staff on weekends: \$11/hr based on comparable compensation x 91 hours
FICA	\$ 635		7.65% x \$8,300 requested salaries
Conferences/ Workshops	\$ 756	\$ 84	Crime Victims' Rights Conference, April 2018, Topeka: (\$100 registr. x 2 staff) + (200 mi. x \$.50/mi. x 1 vehicle) + (\$90/nt. x 2 nights x 2 staff) + (\$30/day meals x 3 days x 2 staff) = \$840, 90% federal/10% match is City of 'x' funds

Current and Next Fiscal Year Agency Program Budgets

Upload the applicant's current and next fiscal year program budgets for the operation of the child visitation and exchange center, including balanced **income and expenses**. Include the fiscal period utilized by the agency. List all staff positions separately with their respective salaries/ wages. Agency income must list **all** sources of financial support (i.e. foundations, government agencies, fund-raising events, individual contributions, fees, etc.). For each income source, state the amount and its status (received, requested, committed, or projected). If the income is requested or projected, state the date the program expects to be notified of the funding decision or the date the program anticipates collecting the income. Include the appropriate pro-rated portion of this grant application request as budgeted income with a "requested" status. Also, be sure that all line items being requested in this application can be found in the program's budget for expenses.

Example of budget income only:

Current Fiscal Year January 1-December 31, 2017

<u>SOURCE:</u>	<u>AMOUNT:</u>	<u>STATUS:</u>	<u>DATE:</u>
City of 'x'	\$10,000	Projected	10/17
United Way	5,000	Received	1/17
Walk-A-Thon	500	Collected	2/17
Participant Fees	1,500	Collected	1-12/17
SAVP '17-GOV	7,206	Received	10/16
SAVP '18-GOV	<u>2,150</u>	Requested	9/17
Total Agency Income	\$26,356		

*Note: -Budget expenses are also required.
 -Repeat for Next Fiscal Year.

Proof of 501(c)(3)

Upload as an attachment proof of the applicant's exempt status as determined by the Internal Revenue Service.

Certificate of Good Standing

Upload as an attachment a current (less than one year old) copy of the applicant's Certificate of Good Standing from the Kansas Secretary of State's Office, available by calling (785) 296-4564 or visiting the [Kansas Secretary of State website](#).

Board of Directors

Upload as an attachment a current list of the organization's Board of Directors. The attachment must include each board member's name, profession, address, phone number, email address (if available), and the member's term of service.

Family Violence Protocols

Upload as an attachment a copy of the organization's family violence protocols that ensure the safety of parents/guardians and children served. If the organization does not have a current family violence protocol, upload a timeline for the completion of such a protocol.

Federal Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements and Regarding Environmental Tobacco Smoke

The applicant must read, sign, and upload the two required certification forms regarding lobbying; debarment, suspension, and other responsibility matters; and drug-free workplace requirements and regarding environmental tobacco smoke. The certification forms are on the following pages of this document.



Office of the Governor

Sam Brownback, Governor

**INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT,
SUSPENSION INELIGIBILITY AND VOLUNTARY EXCLUSION FOR
LOWER TIER COVERED TRANSACTIONS AND DRUG-FREE
WORKPLACE AND CERTIFICATION REGARDING ENVIRONMENTAL
TOBACCO SMOKE**

By signing and submitting the attached certifications, the prospective lower tier participant is demonstrating their understanding and acceptance of the following material:

1. The certifications are a material representation of fact upon which reliance is placed when this transaction is entered. If it is later determined that the prospective lower tier participant (hereinafter “participant”) knowingly rendered an erroneous certification, or otherwise violates the requirements of a certificate, in addition to other remedies available to the Federal Government, the U.S. Department of Health and Human Services may pursue available remedies, including suspension and/or debarment.
2. The participant shall provide immediate written notice to the Kansas Governor’s Grants Program if at any time the participant learns that a certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The terms controlled substance, conviction, criminal drug statute, and drug-free workplace have the meanings set out in the Drug-Free Workplace Act of 1988 and in the Definitions section of 45 CFR 76, Subpart F. The terms children’s services and indoor facility have the meanings set out in the Pro-Children Act of 1994 and as defined by the U.S. Department of Health and Human Services. You may contact the Kansas Governor’s Grants Program for assistance in obtaining a copy of these regulations.
4. The participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR 9, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the U.S. Department of Health and Human Services.

5. The participant further agrees by submitting this proposal that it will include the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. The participant also agrees to include the “Certification Regarding Environmental Tobacco Smoke” in all subawards which contain provisions for the children’s services and that all subgrantees shall certify accordingly.
6. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR 9, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant, may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
7. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for transactions authorized under paragraph 4 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. '9, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the U.S. Department of Health and Human Services may pursue available remedies, including suspension and/or debarment.
9. The participant agrees 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 the participant’s 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 participant’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 of drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee that will be engaged in the performance of the grant 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 grant, the employee will abide by the terms of the statement and notify the participant in writing of a 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 agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Participants of convicted employees must provide notice, including position title and identification number(s) of each affected grant, to the Kansas Governor's Grants Program;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (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.



Office of the Governor

Sam Brownback, Governor

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR LOWER TIER COVERED TRANSACTIONS AND DRUG-FREE WORKPLACE

Applicants should review the instructions for certification before completing this form. By signing this form the prospective lower tier participant is demonstrating compliance with the certification requirements of 34 CFR Part 85 - Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants). This certification shall be treated as a material representation of fact upon which reliance will be placed by the Kansas Governor’s Grants Program and the Federal Department of Health and Human Services.

The prospective lower tier participant certifies, by submission of this proposal, that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. Further, the participant is certifying that it will make a good faith effort to maintain a drug-free workplace.

If the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this certification.

Signature

Date

Name and Title of Authorized Certifying Official

Name of Organization

Address of Organization



Office of the Governor

Sam Brownback, Governor

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994, requires that smoking not be permitted in any portion of any indoor facility routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by the Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children’s services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the subgrantee certifies that it will comply with the requirements of this Act.

Signature

Date

Name and Title of Authorized Certifying Official

Name of Organization

Address of Organization