

Local Safety and Security Equipment Grant Assurances and Civil Rights Training



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PRESENTED BY


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www.grants.ks.gov



As we get
started...

- This webinar is being recorded.
 - Please mute your microphone/turn off video
 - Have the LSSE Reporting Requirements document available for reference, either in print or on your computer.
 - Closed captioning is available - Click the CC button in the toolbar at the bottom to access
 - We want this to be helpful for you! Please ask questions in the chat throughout- **all questions will be answered at the end of the webinar.**
 - Let us know in the chat if you are having technical issues, or send an email to kggp@ks.gov
 - **The link to the PowerPoint and the recorded training will be sent to the Subgrantee's primary contact and posted on www.grants.ks.gov.**
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Agenda

Grant Assurances

Managing Your Grant

Forms

Reports

Q and A

Kansas Open Records Act

- ▶ K.S.A. 45-215 through 45-223
- ▶ Once grant awards are announced, grant applications and related documents are subject to the Kansas Open Records Act.
- ▶ Department of Administration's Open Records Request Policy and the Kansas Open Records Act.
 - ▶ <https://www.admin.ks.gov/offices/chief-counsel/kansas-open-records-act>

Local Safety and Security Equipment (LSSE) Grant Assurances

What are Grant Assurances?

- ▶ Grant Assurances are specific requirements set forth by awarding agencies (the U.S. Department of the Treasury and the KGGP) that must be followed by the grant recipient to be eligible for and in compliance with a federal grant award
- ▶ Terms of the Award are Non-Negotiable by the Grantee and the Subgrantee

The Importance of Grant Assurances

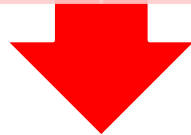
- ▶ If Grantees (KGGP) do not comply with federal grant assurances, the federal awarding agency can withdraw the grant funding
- ▶ If Subgrantees do not comply with federal and state grant assurances, the federal and/or state awarding agency can withdraw the grant funding

Authority for Grant Assurances

Department of the Treasury (Federal Funding Agency)

Grant Program Guidelines

Grants Financial Guide



KS DOA Recovery Office - direct DOT recipient

Kansas Governor's Grants Program (State Administering Agency on behalf of SPARK TF)

Grant Assurances

Reporting Requirements

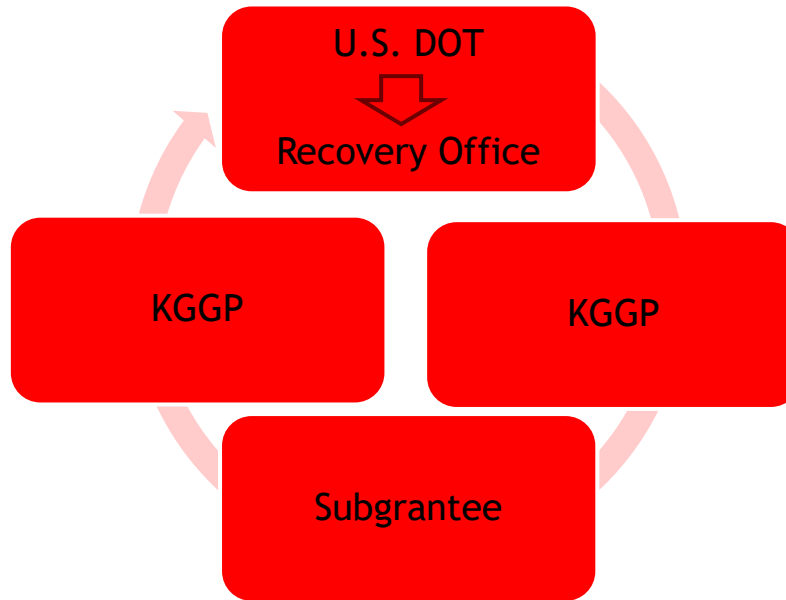


Subgrantees

Compliance

Written Policies

Subgrantee Compliance grant conditions



Subgrantee Compliance Audit

- ▶ KGGP and the Subgrantee must be able to understand and explain all Subgrantee activities
 - ▶ DOCUMENTATION
 - ▶ If it isn't documented it didn't happen

General Provisions

- ▶ Award Period - Expenditures and activities are allowed only during grant award period {1}
 - ▶ October 1, 2023 - December 31, 2024

- ▶ All grant award obligations must be paid within 30 days following the end of the project period {1}

- ▶ Expenditures and activities are allowed only for approved purposes {2}
 - ▶ Allowable costs / activities and limitations
 - ▶ Activities articulated in Subgrantee grant application

- ▶ Solicitation {3}
 - ▶ Allowable costs / activities and limitations of solicitation incorporated

Activities Not Allowed {2}

- ▶ Supplanting
 - ▶ These federal funds cannot be used to replace any other funds used for the same activity due to the availability of this LSSE award
 - ▶ Utilize this LSSE award to *Supplement* activities
- ▶ Research
- ▶ Fundraising
- ▶ Construction, renovation, and/or purchase/lease of land/buildings
- ▶ Capital outlay
- ▶ Payment of debt

Laws and Regulations {4}

Subgrantee Responsibilities

- ▶ Comply with all provisions of the Grant Assurances document.
 - ▶ By signing the Grant Assurances, the Subgrantee documents compliance with all conditions as applicable to the LSSE project.
- ▶ Ensure that any partnering/contractual entity on this LSSE project also complies with all provisions of the Grant Assurances.

Reporting Requirements {5}

- ▶ Compliance with all reporting requirements of the Federal and KGGP
- ▶ LSSE Reporting Requirements
 - part of Award Documents
- ▶ Evaluative, Statistical, Narrative/Anecdotal, Financial
- ▶ Subject to change if necessary

Training and Technical Assistance {7}

- ▶ Subgrantees must participate in KGGP sponsored training or technical assistance events as required

DOCUMENT,

DOCUMENT,

DOCUMENT!

Communications Equipment Compliance {15}

- ▶ Subgrantee shall provide safe and secure interactions and interoperability of communications and ensure compliance with Cybersecurity and Infrastructure Security Agency mandates.
- ▶ <https://www.cisa.gov/>

Lobbying Activities {19}

- ▶ Subgrantees cannot, directly or indirectly, use federal funds to effect law, regulation, policy at any level of government
- ▶ If funds other than federal funds have been or will be used, a “Disclosure of Lobbying Activities” form must be completed and submitted to the KGGP.

Text Messaging {21}

- ▶ Encouraged to adopt and enforce policies banning employees from texting while driving any vehicle in the course of performing grant-funded work
- ▶ Should establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers
- ▶ Kansas law prohibits texting while driving
 - ▶ K.S.A. 8-15,111
- ▶ Sample company policy on texting while driving/distracted driving:
 - ▶ http://www.att.com/Common/about_us/txtng_driving/7_TWDTToolkit_Policy.pdf

Liability Issues and Insurance {22 and 23}

- ▶ Disclaimer of Liability {22}
 - ▶ Tort Claims Act
- ▶ Insurance {23}
 - ▶ KGGP does not purchase insurance against Subgrantee losses

Additional Requirements {24}

- ▶ Subgrantee may be subject to additional requirements if KGGP determines that it is warranted.

Misuse of Grant Funds {25}

Misuse of grant funds may result in various penalties

- ▶ Suspension of current and/or future funds
- ▶ Debarment from state and/or federal grants
- ▶ Recoupment of monies
- ▶ Civil and/or criminal penalties

Fraud, Waste, and Abuse {26}

The Subgrantee shall promptly refer to the U.S. Department of Treasury and the KGGP any credible evidence that any person has submitted a false claim for LSSE funds under the False Claims Act or committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

Unused Funds {27}

- ▶ The Subgrantee shall return to the KGGP any unused grant funds on hand within 10 business days after the final Financial Status Report is due.

Failure to Commence / Right to Terminate {28 and 29}

Failure to Commence Grant Project {28}

- Process articulated to terminate grant if extended delay in commencement of grant activities

Right to Terminate {29}

- Failure to comply with applicable laws, regulations, or terms of assurances
- Reimbursement of funds, equipment, etc.

Correspondence and Reports {30}

- ▶ Signatures and initials on Grant Assurances:
 - ▶ Due October 5, 2023
 - ▶ Email signed Grant Assurances, including attachments to kggp@ks.gov.

Special Conditions {31}

Examples:

- ▶ New requirements and/or assurances
- ▶ Submission of delinquent reports
- ▶ Submission of requested documentation
- ▶ Budget adjustments when applicable
- ▶ Additional requirements if determined to be warranted

Questions?

*The link to the PowerPoint and the recorded training www.grants.ks.gov.



CIVIL RIGHTS

Kansas Governor's Grants Program

Notice of Prohibited Discrimination

- ▶ It is the policy of the Kansas Governor's Grants Program that all individuals have the right to participate in employment, programs, and activities operated by this organization regardless of actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, gender identity, and age.
 - ▶ Kansas EO 19-02: ancestry, military or veteran status, marital or family status, genetic information, political affiliation
 - ▶ Kansas EO 18-04: Prohibits sexual harassment and retaliation
- ▶ KGGP's Non-discrimination Policy:
[https://grants.ks.gov/about-us/kansas-governor's-grants-program-\(kggp\)-non-discrimination-policy](https://grants.ks.gov/about-us/kansas-governor's-grants-program-(kggp)-non-discrimination-policy)

Nondiscrimination Laws

- ▶ As a condition of grant funding, Subgrantees agrees to operate in compliance with the following statutes and regulations and all other regulations implementing the same:
 - ▶ Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C;
 - ▶ The Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. §§ 10228(c) and 10221(a)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
 - ▶ Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
 - ▶ Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
 - ▶ Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;

Nondiscrimination Laws Continued

- ▶ The Age Discrimination Act of 1975 (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I;
- ▶ Executive Order 13,559, amending Executive Order 13279, and the DOJ implementing regulation, Partnerships with Faith-Based and Other Neighborhood Organizations 28 C.F.R. pt. 38 (prohibiting discrimination in federally assisted social service programs based on religion in the delivery of services or benefits);
- ▶ Kansas EO 19-02: Employment practices, contract awards, and service delivery must not discriminate based on race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation; and
- ▶ Kansas EO 18-04: Comply with all state and federal employment discrimination laws prohibiting sexual harassment and retaliation in the workplace

Civil Rights and Nondiscrimination {16}

Subgrantee Responsibilities

Shall not discriminate on the basis of race, color, religion, national origin, sex, age, or disability (U.S.C.s)

Shall not discriminate on the basis of sexual orientation, gender identity or expression, ancestry, military or veteran status, marital or family status, genetic information, or political affiliation (Kansas EO 19-02)

Written non-discrimination policy

Civil Rights and Nondiscrimination {16}

Written Policies

Notify beneficiaries and employees of non-discrimination

Notify beneficiaries and employees how to file a discrimination complaint (must include contact information)

Address how discrimination complaints from beneficiaries and employees will be processed

Designate a civil rights liaison (must include contact information)

Civil Rights and Nondiscrimination {16}

Written Policies

Finding of discrimination
by a state or federal
administrative agency:
notify KGGP and
Department of the Treasury

Train all employees
annually and new
employees upon
employment

**Laws

**Subgrantee policy

Executive Orders:
18-04 Sexual harassment
19-02 non-discrimination

Equal Employment Opportunity Plan {17} Subgrantee Responsibilities

Resources:

- ▶ Civil Rights Toolkit
 - ▶ https://home.treasury.gov/system/files/306/CR_TK_OCRE_508.pdf
- ▶ Equal Opportunity Poster
 - ▶ <https://home.treasury.gov/system/files/306/Equal-Opportunity-for-All-How-to-file-a-complaint-of-discrimination-poster-final-MZ.pdf>

Limited English Proficiency {20}

Subgrantees are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. Subgrantees should conduct an individualized assessment that balances the following four factors:

The number or proportion of LEP persons eligible to be served or likely to be encountered by the program;

The frequency with which LEP individuals come in contact with the program;

The nature and importance of the program, activity, or service provided by the program to people's lives; and

The resources available to the Subgrantee, and costs.

Limited English Proficiency {20}

Subgrantees are required to develop a written policy

Five Topics to Include:

Process for Identifying LEP persons

Availability of language assistance tools:
Interpreter, translator, language line

Process for notifying LEP persons of available and free services

Annual training for ALL staff

Annual review and updates

Limited English Proficiency {20}

Resources

Federal Guidance

- ▶ *“Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against national Origin Discrimination Affecting Limited English Proficient Persons”*
 - ▶ 67 C.F.R. 41466
 - ▶ www.lep.gov

Language Access Tips and Training

- ▶ <https://grants.ks.gov/resources/limited-english-proficiency>
- ▶ Language map:
[2015 Language Map App | LEP](#)

Questions?

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and the recorded training
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