EVERETT CITY COUNCIL WORKSHOP AGENDA
6:30 P.M., WEDNESDAY, SEPTEMBER 2, 2020

YOU MAY CALL IN TO LISTEN TO THE COUNCIL MEETINGS AT

1.425.616.3920, Conference ID: 724 887 726#

WE ENCOURAGE YOU TO PROVIDE YOUR COMMENTS IN WRITING BEFORE THE MEETING AT COUNCIL@EVERETTWA.GOV.

Roll Call

ACTION ITEMS:

1. Authorize the Mayor to sign all necessary documents and agreements with the Department of Justice, COPS Hiring Program regarding the award acceptance and utilization of the COPS Hiring Program funding in the amount of $6,054,160

Documents:

COPS GRANT ACTION ITEM 9.2.2020.pdf

BUDGET WORKSHOP:

1. Balancing Options 2021

2. Discussion

Everett City Council agendas can be found, in their entirety, on the City of Everett Web Page at www.everettwa.gov/citycouncil.

Everett City Council meetings are recorded for rebroadcast on the Everett Channel, Comcast Channel 21 and Frontier Channel 29, at 12:00 p.m. on Monday and Tuesday; 2 p.m. and 7:00 p.m. Thursday; 7 p.m. Friday and Sunday; 10:00 a.m., Saturday.

The City of Everett does not discriminate on the basis of disability in the admission or access to, or treatment in, its programs or activities. Requests for assistance or accommodations can be arranged by contacting the Everett City Council Office at 425 257-8703.

EVERETT | City Council Agenda Item Cover Sheet

Project title: FY2020 COPS Hiring Program

Council Bill # *interoffice use*

Agenda dates requested:
8/26/2020, 9/2/20

Briefing
Proposed action
Consent
Action X 9.2.20
Ordinance
Public hearing
Yes x No

Budget amendment:
Yes X No

PowerPoint presentation:
Yes x No

Attachments:
Award Documents and Certifications

Department(s) involved:
Police, Legal

Contact person:
John DeRousse

Phone number:
425-257-8408

Email:
jderousse@everettwa.gov

Initialed by:

Department head

Administration

Council President

Project:	Funds to hire new community policing positions
Partner/Supplier :	U.S. Department of Justice / COPS Office
Location:	City of Everett
Preceding action:	N/A
Fund:	031/Police

Fiscal summary statement:

The City of Everett has been awarded $6,054,160 in federal funding from the Department of Justice, COPS Hiring Program. This allocation will be utilized for partial funding to hire new police officers over a three-year period with a focus on addressing ongoing public safety challenges in our community.

Project summary statement:

The $6,054,160 grant funds from the COPS Hiring Program will assist the Everett Police Department with increased staffing in our patrol and traffic safety divisions, add resources during peak call load periods and increase the size of our bicycle unit, allowing for expansion and enhancement of these resources outside of the downtown area and into our neighborhoods.

Recommendation (exact action requested of Council):

Authorize the Major to sign all necessary documents and agreements with the Department of Justice, COPS Hiring Program regarding the award acceptance and utilization of the COPS Hiring Program funding in the amount of $6,054,160.

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, NE, Washington, D.C. 20530

COPS

June 25, 2020

Chief Dan Templeman
Mayor Cassie Franklin

Everett, City of
3002 Wetmore Avenue
Everett, WA 98201

Re: COPS Hiring Program award number 2020UMWX0068
ORI WA03103

Dear Chief Templeman and Mayor Franklin:

Congratulations on your agency's award for 16 officer position(s) and $6,054,160.00 in federal funds over a three-year award period under the 2020 COPS Hiring Program (CHP). The local cash match required for this award will be $0.00. Your agency may use CHP award funding to (1) hire new officers, (2) rehire officers who have been laid off, or (3) are scheduled to be laid off on a specific future date, as a result of local budget reductions, on or after the official award start date. Please note that any changes to the awarded hiring categories require an official review and approval by the COPS Office.

A list of conditions that apply to your award is included on your Award Document and Award Document Supplement, if applicable. A limited number of agencies may be subject to an Additional Award Notification as a result of an ongoing federal civil rights investigation, other award review, or audit of your agency by the Department of Justice. If applicable to your agency, the Additional Award Notification is included at the end of this letter and is incorporated by reference as part of this letter. In addition, a limited number of agencies may be subject to Special Conditions as a result of high risk designation or other unique circumstances. If applicable to your agency, these Special Conditions will be found in an Award Document Supplement in your award package. You should read and familiarize yourself with these conditions. **To officially accept your award, the Award Document (including the conditions and special conditions, if applicable) must be signed electronically via the Account Access link on the COPS Office website at www.cops.usdoj.gov within 45 days from the date of this letter.**

The official start date of your award is 07/01/2020. Therefore, you can be reimbursed for allowable and approved expenditures made on or after this date. Please carefully review the Financial Clearance Memorandum (FCM) included in your award package to determine your approved budget, as some of your requested items may not have been approved by the COPS Office during the budget review process and award funds may only be used for approved items. The FCM will specify the final award amount and will also identify any disallowed costs.

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Supplemental online award information for 2020 COPS CHP recipients can be found on the CHP Program page at https://cops.usdoj.gov/chp-award. We strongly encourage you to visit this site immediately to access a variety of important and helpful documents that will assist you with the implementation of your award including the 2020 CHP Award Owner's Manual, which specifies the programmatic and financial terms, conditions, and requirements of your award. In addition, the above website link includes the forms and instructions necessary to begin drawing down funds for your award. Please also ensure that you print out a copy of your application and maintain it with your award file records.

Once again, congratulations on your 2020 CHP award. If you have any questions about your award, please do not hesitate to call your Grant Program Specialist through the COPS Office Response Center at 800-421-6770.

Phillip E. Keith, Director Date: 06/12/2020

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Additional Award Notification

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, NE, Washington, D.C. 20530

Award Document

COPS Office COPS Hiring Program (CHP)

CFDA - 16.710 - Public Safety Partnership and Community Policing Grants
Treasury Account Symbol (TAS) 15X0406

Award Number: 2020UMWX0068
ORI Number: WA03103
OJP Vendor Number: 916001248
DUNS Number: 608909156
Applicant Organization's Legal Name: Everett, City of
Applicant's System for Award Management (SAM) name: Everett, City Of
Law Enforcement Executive / Agency Executive: Chief Dan Templeman
Government Executive / Financial Official: Mayor Cassie Franklin

Award Start Date: 07/01/2020
Award End Date: 06/30/2023
Award Amount: $6,054,160.00

Full-Time Officers Funded: 16
New Hires: 16 Rehires Previously Laid Off: 0 Rehires Scheduled for Lay Off: 0

The FY 2020 COPS Hiring Program (CHP) award provides funding to law enforcement agencies to hire and/or rehire career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts. CHP awards provide up to 75 percent of the approved entry-level salaries and fringe benefits of full-time officers for a 36-month award period, with a minimum 25 percent local cash match requirement and a maximum federal share of $125,000 per officer position.

The Financial Clearance Memorandum (FCM) and, if applicable, the Cooperative Agreement included in your award package are incorporated by reference in their entirety and shall become part of this Award Document. By signing this Award Document, the recipient agrees to abide by all FY 2020 Community Policing Development Program (CHP) Award Terms and Conditions; the approved budget in the FCM; if applicable, all requirements in the Cooperative Agreement; and, if applicable, the Special Award Conditions and/or High Risk Conditions in the Award Document Supplement.

Phil Keith

Phillip E. Keith, Director Date: 06/12/2020

(Signature Pending) (Date Pending)
Signature of the Program Official with the Authority to Accept this Grant Award *Date*

(Signature Pending) (Date Pending)

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Signature of the Financial Official with the Authority to Accept this Grant Award *Date*

False statements or claims made in connection with COPS office awards may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any remedy available by law to the Federal Government.

U.S. Department of Justice
Office of Community Oriented Policing Services

2020 COPS Hiring Program
Award Terms and Conditions

By signing the Award Document to accept this **COPS Hiring Program** award, your agency agrees to abide by the following award terms and conditions:

1. Award Owner's Manual
The recipient agrees to comply with the terms and conditions in the applicable 2020 COPS Office Program Award Owner's Manual; COPS Office statute (34 U.S.C. § 10381, et seq.) ; the requirements of 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101; 48 C.F.R. Part 31 (FAR Part 31) as applicable (Contract Cost Principles and Procedures); the Cooperative Agreement as applicable; representations made in the application; and all other applicable program requirements, laws, orders, regulations, or circulars.

2. Assurances and Certifications
The recipient acknowledges its agreement to comply with the Assurances and Certifications forms that were signed as part of its application.

3. Allowable Costs
The funding under this project is for the payment of approved full-time entry-level salaries and fringe benefits over three years (for a total of 36 months of funding) up to a maximum federal share of $125,000 per officer position for career law enforcement officer positions hired and/or rehired on or after the official award start date. Any salary and fringe benefit costs higher than entry-level that your agency pays a CHP-funded officer must be paid with local funds.

Your agency is required to use CHP award funds for the specific hiring categories awarded. Funding under this program may be used for the following categories:

- Hiring new officers, which includes filling existing officer vacancies that are no longer funded in your agency's budget;
- Rehiring officers laid off by any jurisdiction as a result of state, local, or Bureau of Indian Affairs (BIA) budget reductions; and/or
- Rehiring officers who were, at the time of award application, scheduled to be laid off (by your jurisdiction) on a specific future date as a result of state, local, or BIA budget reductions

If your agency's local fiscal conditions have changed and your agency needs to change one or more of the funded hiring categories, your agency should request an award modification and receive prior approval before spending CHP funding under the new category.

The Financial Clearance Memorandum (FCM), included in your award package, specifies the amount of CHP funds awarded to your agency. You should carefully review your FCM, which contains the final officer salary and fringe benefit categories and amounts for which your agency was approved. Please note that the salary and fringe benefit costs requested in your CHP application may have been adjusted or removed. Your agency may only be reimbursed

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for the approved cost categories that are documented within the FCM, up to the amounts specified in the FCM. Your agency may not use CHP funds for any costs that are not identified as allowable in the Financial Clearance Memorandum.

Only actual allowable costs incurred during the award period will be eligible for reimbursement and drawdown. If your agency experiences any cost savings over the course of the award (for example, your award application overestimated the total entry-level officer salary and fringe benefits package), your agency may not use that excess funding to extend the length of the award beyond 36 months. Any funds remaining after your agency has drawn down for the costs of approved salaries and fringe benefits incurred for each awarded position during the 36-month funding period will be deobligated during the closeout process and should not be spent by your agency.

4. Supplementing, Not Supplanting

State, local, and tribal governments must use award funds to supplement, and not supplant, state, local, or Bureau of Indian Affairs (BIA) funds that are already committed or otherwise would have been committed for award purposes (hiring, training, purchases, and/or activities) during the award period. In other words, state, local, and tribal government recipients may not use COPS Office funds to supplant (replace) state, local, or BIA funds that would have been dedicated to the COPS Office-funded item(s) in the absence of the COPS Office award. 34 U.S.C. § 10384(a).

5. Extensions

Your agency may request an extension of the award period to receive additional time to implement your award program. Such extensions do not provide additional funding. Awards may be extended a maximum of 36 months beyond the initial award expiration date. Any request for an extension beyond 36 months will be evaluated on a case-by-case basis. Only those recipients that can provide a reasonable justification for delays will be granted no-cost extensions. Reasonable justifications may include difficulties in filling COPS Office-funded positions, officer turnover, or other circumstances that interrupt the 36 month award funding period. An extension allows your agency to compensate for such delays by providing additional time to complete the full 36 months of funding for each position awarded. **Extension requests must be received prior to the end date of the award.**

6. Modifications

Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its COPS Office CHP award. Award modifications under CHP are evaluated on a case-by-case basis in accordance with 2 C.F.R. § 200.308. For federal awards in excess of $250,000, any modification request involving the reallocation of funding between budget categories that exceed or are expected to exceed 10 percent (10%) of the total approved budget requires prior written approval by the COPS Office. Regardless of the federal award amount or budget modification percentage, any reallocation of funding is limited to approved budget categories. In addition, any budget modification that changes the scope of the project requires prior written approval by the COPS Office. In addition, please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

In addition, modification requests should be submitted to the COPS Office when an agency determines that it will need to shift officer positions awarded in one hiring category into a different hiring category and/or reduce the total number of positions awarded. For example, if an agency was awarded CHP funding for two new, additional sworn officer positions, but due to fiscal distress/constraints the agency needs to change the hiring category from the new hire category to the rehire category for officers laid off or scheduled for layoff on a specific future date post-application, the agency would have to request a modification. The COPS Office will only consider a modification

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request after an agency makes final, approved budget and/or personnel decisions. An agency may implement the modified award following written approval from the COPS Office. Please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

7. Evaluations

The COPS Office may conduct monitoring or sponsor national evaluations of its award programs. The recipient agrees to cooperate with the monitors and evaluators 34 U.S.C. § 10385(b).

8. Reports/Performance Goals

To assist the COPS Office in monitoring and tracking the performance of your award, your agency will be responsible for submitting semi-annual programmatic progress reports that describe project activities during the reporting period and quarterly Federal Financial Reports using Standard Form 425 (SF-425). 2 C.F.R. §§ 200.327 - 200.328. The progress report is used to track your agency's progress toward implementing community policing strategies and to collect data to gauge the effectiveness of increasing your agency's community policing capacity through COPS Office funding. The Federal Financial Report is used to track the expenditures of the recipient's award funds on a cumulative basis throughout the life of the award.

9. Award Monitoring Activities

Federal law requires that law enforcement agencies receiving federal funding from the COPS Office must be monitored to ensure compliance with their award conditions and other applicable statutes and regulations. The COPS Office is also interested in tracking the progress of our programs and the advancement of community policing. Both aspects of award implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the U.S. Department of Justice. Award monitoring activities conducted by the COPS Office include site visits, enhanced office-based grant reviews, alleged noncompliance reviews, financial and programmatic reporting, and audit resolution. As a COPS Office award recipient, you agree to cooperate with and respond to any requests for information pertaining to your award. This includes all financial records, such as general accounting ledgers and all supporting documents. All information pertinent to the implementation of the award is subject to agency review throughout the life of the award, during the close-out process and for three-years after the submission of the final expenditure report. 34 U.S.C. § 10385(a) and 2 C.F.R. §§ 200.333 & 200.336.

10. Federal Civil Rights

The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition —

a. the Applicant 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 Applicant 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;

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c. the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and

d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.

The Applicant 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 Department 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).

11. Equal Employment Opportunity Plan (EEOP)
All recipients of funding from the COPS Office must comply with the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan (28 C.F.R. Part 42 subpart E).

12. False Statements
False statements or claims made in connection with COPS Office awards may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

13. Duplicative Funding
The recipient understands and agrees to notify the COPS Office if it receives, from any other source, funding for the same item or service also funded under this award.

14. Additional High-Risk Recipient Requirements
The recipient agrees to comply with any additional requirements that may be imposed during the award performance period if the awarding agency determines that the recipient is a high-risk recipient (2 C.F.R. § 200.207).

15. System for Award Management (SAM) and Universal Identifier Requirements
The recipient agrees to comply with the following requirements of 2 C.F.R. Part 25, Appendix A to Part 25 – Award Term:

I. System for Award Management and Universal Identifier Requirements

A. Requirement for System for Award Management

Unless you are exempted from this requirement under 2 C.F.R. § 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for unique entity identifier

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.

2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

C. Definitions

For purposes of this award term:

1. *System for Award Management (SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at https://www.sam.gov).

2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.

3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 C.F.R. Part 25, subpart C:

a. A Governmental organization, which is a State, local government, or Indian Tribe;

b. A foreign public entity;

c. A domestic or foreign nonprofit organization;

d. A domestic or foreign for-profit organization; and

e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward:*

a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

b. The term does not include your procurement of property and services needed tocarry out the project or program (for further explanation, see 2 C.F.R. § 200.330).

c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

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5. *Subrecipient* means an entity that:

   a. Receives a subaward from you under this award; and

   b. *Is accountable to you for the use of the Federal funds provided by the subaward.*

16. Reporting Subawards and Executive Compensation

The recipient agrees to comply with the following requirements of 2 C.F.R. Part 170, Appendix A to Part 170 – Award Term:

I. Reporting Subawards and Executive Compensation.

a. Reporting of first-tier subawards.

1. *Applicability.*

Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. Where and when to report.

i. You must report each obligating action described in paragraph a.1. of this award term to ***https://www.fsrs.gov***.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.*

You must report the information about each obligating action that the submission instructions posted at **https://www.fsrs.gov** specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if —

i. the total Federal funding authorized to date under this award is $25,000 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 C.F.R. § 170.320 (and subawards); and

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(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 C.F.R. § 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at **https://www.sec.gov/answers/execomp.htm**.)

2. *Where and when to report*. You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at **https://www.sam.gov**.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. *Applicability and what to report*. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 C.F.R. § 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at ***https://www.sec.gov/answers/execomp.htm***.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

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i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 C.F.R. Part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec._.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and

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Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 C.F.R. § 229.402(c)(2)):

i. *Salary and bonus.*

ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plan*s. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified*.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

17. <u>Debarment and Suspension</u>

The recipient agrees not to award federal funds under this program to any party which is debarred or suspended from participation in federal assistance programs. 2 C.F.R. Part 180 (Government-wide Nonprocurement Debarment and Suspension) and 2 C.F.R. Part 2867 (DOJ Nonprocurement Debarment and Suspension).

18. <u>Employment Eligibility</u>

The recipient agrees to complete and keep on file, as appropriate, the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States. Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603.

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19. Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information
The recipient agrees not to discharge, demote, or otherwise discriminate against an employee as reprisal for the employee disclosing information that he or she reasonably believes is evidence of gross mismanagement of a federal contract or award, a gross waste of federal funds, an abuse of authority relating to a federal contract or award, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or award. The recipient also agrees to provide to their employees in writing (in the predominant native language of the workforce) of the rights and remedies provided in 41 U.S.C. § 4712. Please see appendices in the Award Owner's Manual for a full text of the statute.

20. Mandatory Disclosure
Recipients and subrecipients must timely disclose in writing to the Federal awarding agency or pass-through entity, as applicable, all federal criminal law violations involving fraud, bribery, or gratuity that may potentially affect the awarded federal funding. Recipients that receive an award over $500,000 must also report certain civil, criminal, or administrative proceedings in SAM and are required to comply with the Term and Condition for Recipient Integrity and Performance Matters as set out in 2 C.F.R. Part 200, Appendix XII to Part 200. Failure to make required disclosures can result in any of the remedies, including suspension and debarment, described in 2 C.F.R. § 200.338.

21. Conflict of Interest
Recipients and subrecipients must disclose in writing to the COPS Office or pass-through entity, as applicable, any potential conflict of interest affecting the awarded federal funding in accordance with 2 C.F.R. § 200.112.

22. Contract Provision
All contracts made by the award recipients under the federal award must contain the provisions required under 2 C.F.R. Part 200, (Appendix II to Part 200 — Contract Provisions for Non-Federal Entity Contracts Under Federal Awards). Please see appendices in the Award Owner's Manual for a full text of the contract provisions.

23. Restrictions on Internal Confidentiality Agreements
No recipient or subrecipient under this award, or entity that receives a 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 the lawful reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. Consolidated Appropriations Act, 2020, Public Law 116-93, Division C, Title VII, Section 742.

24. Recipient Integrity and Performance Matters
For awards over $500,000, the recipient agrees to comply with the following requirements of 2 C.F.R. Part 200, Appendix XII to Part 200 – Award Term and Condition for Recipient Integrity and Performance Matters:

A. Reporting of Matters Related to Recipient Integrity and Performance

1. General Reporting Requirement

If the total value of your currently active awards, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported

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to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2. of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. *Proceedings About Which You Must Report*

Submit the information required about each proceeding that:

a. Is in connection with the award or performance of an award, cooperative agreement, or procurement contract from the Federal Government;

b. Reached its final disposition during the most recent five year period; and

c. Is one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5. of this award term and condition;

(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;

(3) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

i. It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

ii. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

iii. The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. *Reporting Procedures*

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Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2. of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. *Reporting Frequency*

During any period of time when you are subject to the requirement in paragraph 1. of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, award, and cooperative agreement awards with a cumulative total value greater than $10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. *Definitions*

For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or award. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active awards, cooperative agreements, and procurement contracts includes —

(1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

25. <u>Citizenship and Immigration Status Communications</u>
Authority to obligate or expend contingent on compliance with this condition.

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NOTE: This grant condition is established under the COPS Office's broad authority and discretion to award and administer grants. See, e.g., 34 U.S.C. § 10381, et seq. This condition applies only to state or local government entities or to non-state or local government entities that make subawards with these funds to a state or local government entity.

State or local government entity recipients of this award, and any subrecipient of this award at any tier that is an entity of a State or of a unit of local government, may not obligate or expend award funds if – at the time of the obligation or expenditure – the "program or activity" of the recipient funded in whole or in part with the award funds (which includes any such program or activity of any subrecipient at any tier) is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information regarding citizenship or immigration status with components of the U.S. Department of Homeland Security or any federal, state or local government entity, as generally described in 8 U.S.C. 1373(a) or (b). This includes any prohibitions or restrictions imposed or established by a state or local government entity or official.

A subrecipient of this award (at any tier) that is an entity of a State or of a unit of local government may not obligate or expend award funds if – at the time of the obligation or expenditure – the "program or activity" of the subrecipient (which includes any such program or activity of any subrecipient at any further tier) funded (in whole or in part) with award funds is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information regarding citizenship or immigration status with components of the U.S. Department of Homeland Security or any federal, state or local government entity, as generally described in 8 U.S.C. 1373(a) or (b). This includes any prohibitions or restrictions imposed by a state or local government entity or official.

Any obligations or expenditures of a recipient or subrecipient that are impermissible under this condition shall be unallowable costs for purposes of this award.

Rules of Construction. For purposes of this condition, "program or activity" means what it means under section 606 of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a).

References to the Immigration and Naturalization Service in 8 U.S.C. 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.

Should any provision of a condition of this award be held to be invalid or unenforceable by its terms, then that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law (to any person or circumstance) under this award. Should it be held, instead, that a condition (or a provision thereof) is of utter invalidity or unenforceability, such condition (or such provision) shall be deemed severable from this award.

Any questions about the meaning or scope of this condition should be directed, prior to acceptance of this award, to the Office of Community Oriented Policing Services Legal Division at 202-514-3750.

26. <u>Contracts and/or MOUs with other Jurisdictions</u>

Sworn law enforcement officer positions awarded must be used for law enforcement activities or services that benefit your agency and the population that it serves. The items funded under the CHP award cannot be utilized by other agencies unless the items benefit the population that your agency serves. Your agency may use items funded under the CHP award to assist other law enforcement agencies under a resource sharing, mutual aid, or other agreement to address multi-jurisdictional issues as described in the agreement.

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27. Retention

At the time of award application, your agency committed to retaining all sworn officer positions awarded under the CHP award with state and/or local funds for a minimum of 12 months following the conclusion of 36 months of federal funding for each position, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the award. Your agency cannot satisfy the retention requirement by using CHP-funded positions to fill locally-funded vacancies resulting from attrition. 34 U.S.C. § 10382 (c)(8).

28. Community Policing

Community policing activities to be initiated or enhanced by your agency and the officers funded by this award program were identified and described in your CHP award application. In sections VI(A) and (B), your agency developed a community policing plan for the CHP award with specific reference to a crime or disorder problem and the following elements of community policing: (a) problem solving—your agency's plan to assess and respond to the problem identified; (b) community partnerships and support, including related governmental and community initiatives that complement your agency's proposed use of CHP funding; and (c) organizational transformation—how your agency will use the funds to reorient its mission to community policing or enhance its involvement in and commitment to community policing. Throughout the CHP award period, your agency is required to implement the community policing plan it set forth in the CHP award application.

The COPS Office defines community policing as a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. CHP awards through the specific officers funded (or an equal number of redeployed veteran officers) must be used to initiate or enhance community policing activities. All newly hired additional or rehired officers (or an equal number of redeployed veteran officers) funded under CHP must implement your agency's approved community policing plan, which you described in your award application.

29. Local Match

COPS Hiring Program award recipients are required to contribute a local match of at least 25 percent towards the total cost of the approved award project, unless waived in writing by the COPS Office. The local match must be a cash match from funds not previously budgeted for law enforcement purposes and must be paid during the award period. The local match contribution must be made on an increasing basis during each year of the three-year award period, with the federal share decreasing accordingly. 34 U.S.C. § 10381(g).

30. School Resource Officer (SRO) Training Requirement

COPS Office-funded SRO(s) are required to complete a National Association of School Resource Officers (NASRO) 40 hour basic training course. Course substitutions are not permitted. Training must be completed no later than nine months after the date shown on the award congratulatory letter or six months from the SRO hire date; whichever comes first. If a COPS Office-funded SRO leaves the recipient agency after completing the NASRO training, the recipient agrees to pay for the new SRO, who is assigned to backfill this position, to attend a NASRO 40 hour basic training course. The new SRO must complete the training no later than nine months after being placed in the school. If the officer has completed NASRO 40 hour
basic training within the last 12 months prior to the award date, the condition has been fulfilled. Any longer than 12 months will require the officers to retake the course. The agency must contact the NASRO Grant Coordinator if they want funds to cover registration and travel costs.

31. Background Investigations

Recipients agree to ensure that each officer(s) hired with CHP funding will be subject to a background investigation, notify the COPS Office upon completion of the background investigation for each officer hired under the CHP award, and cooperate with the COPS Office and provide updates on the status of background investigations upon request. 2 C.F.R. § 200.207

If the COPS Office determines that CHP funds are being used to pay the salary and fringe benefits of an officer who has not undergone a background investigation, the COPS Office may temporarily suspend grant funds in accordance with 2 C.F.R. §200.338 until the agency can demonstrate the background investigation has been completed.

32. Career Law Enforcement Officer

Officer hiring funds may only be used to pay entry-level salaries and fringe benefits for full-time "career law enforcement officers" for 36 months. The COPS Office's statute defines a "career law enforcement officer" as "a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws." 34 U.S.C. §10389(1). A recipient agency may use officer hiring funds to pay the salary and benefits of recruits while in academy training to become "career law enforcement officers" if it is the standard practice of the agency to do so with locally-funded recruits. The State of Alaska, and any Indian tribe or tribal organization in that State, may also use officer hiring funds for a "village public safety officer" defined as "an individual employed as a village public safety officer under the program established by the State pursuant to Alaska Statute 18.65.670." Tribal Law and Order Act of 2010, Pub. L. 111-211, title II, § 247 (a)(2).

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U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, NE, Washington, D.C. 20530

COPS

Financial Clearance Memorandum

COPS Office COPS Hiring Program Program (CHP)

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To: Chief Dan Templeman and Mayor Cassie Franklin

Re: Financial Clearance Memorandum

A financial analysis of budgeted costs has been completed. Costs under this award appear reasonable, allowable, and consistent with existing guidelines. Exceptions / Adjustments are noted below.

Total officer positions awarded: 16

Approved costs per entry-level officer, per year

	Year 1	Year 2	Year 3
Base salary	**$78,276.00**	**$89,148.00**	**$109,893.00**
Benefits	**$31,653.00**	**$33,460.00**	**$35,955.00**
Social Security	$0.00	$0.00	$0.00
Medicare	$1,111.00	$1,256.00	$1,571.00
Health insurance	$23,339.00	$24,273.00	$25,244.00
Life insurance	$0.00	$0.00	$0.00
Vacation	$0.00	$0.00	$0.00
Sick leave	$0.00	$0.00	$0.00
Retirement	$4,559.00	$4,734.00	$5,818.00
Worker's compensation	$79.00	$119.00	$124.00
Unemployment insurance	$0.00	$0.00	$0.00
Other costs: 401K Plan	$2,565.00	$3,078.00	$3,198.00

Approved total project costs

	Per officer	Grand total
Salaries and fringe benefits	$378,385.00	$6,054,160.00
Federal share	$378,385.00	$6,054,160.00
Applicant share	$0.00	$0.00

Local match waiver granted.

Budget Cleared Date: 06/25/2020

Overall Comments:

NA

Additional Comments:

N/A

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U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, NE, Washington, D.C. 20530

Award Document Supplement

COPS Hiring Program (CHP)

By signing the Award Document to accept this COPS Hiring Program (CHP) award, the recipient agrees to abide by the following Special Award Conditions and/or High Risk Conditions:

Special Award Conditions

Advancing Department of Justice Priority Crime Problem Awards

Your agency has been selected for a COPS Hiring Program (CHP) award to address a particular Department of Justice priority crime problem/focus area, based specifically on your CHP award application's community policing plan to improve your agency's public safety response to the critical issues of Illegal Immigration, Violent Crime, or Homeland Security.

Please be advised that, in accepting this award, your agency is agreeing to this Special Condition to its CHP award that requires your agency's COPS-funded officers (or an equivalent number of locally-funded officers) to initiate or enhance your agency's community policing plan to address one of the priority crime problems identified above. By signing the 2020 CHP award, your agency understands and agrees to the following:

- Your agency will implement the one specific community policing plan identified in your CHP award application;
- Your agency will address its specific priority crime problem throughout the entire CHP award period;
- Your agency will implement any organizational changes identified in its CHP award application in Section 6B, Questions 12 and 13;
- Your agency will cooperate with any award monitoring by the COPS Office to ensure that it is initiating or enhancing its community policing efforts to address its priority crime problem, which may include your agency having to respond to additional or modified reporting requirements.

Memorandum of Understanding Requirement

(School-based Policing through School Resource Officers Focus Area Only)

By signing the 2020 CHP award, recipients using CHP funding to hire and/or deploy School Resource

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Officers into schools understand and agree to the following:

- Your agency must submit a signed Memorandum of Understanding (MOU) between the law enforcement agency and the school partner(s) to the COPS Office before obligating or drawing down funds under this award. The MOU must be submitted to the COPS Office within 90 days of the date shown on the award congratulatory letter.
- Your agency's MOU must contain the following information;
  - The purpose of the MOU
  - Clearly defined roles and responsibilities of the school district and the law enforcement agency, focusing officers' roles on safety
  - Information sharing
  - Supervision responsibility and chain of command for the SRO
  - Signatures

Note: Please refer to the MOU Fact Sheet for a detailed explanation of the requirements under each of the bullets

- Your agency's implementation of the CHP award without submission and acceptance of the required MOU may result in expenditures not being reimbursed by the COPS Office and/or award de-obligation.

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2020 COPS Hiring Program (CHP)

Award Owner's Manual

2020 COPS Hiring Program (CHP) Award Owner's Manual

This manual was created to assist COPS Hiring Program (CHP) recipients with the administrative and financial matters associated with their award.

For more information about your CHP award, please contact your COPS Office Grant Program Specialist. If you do not know the name or telephone number of your Grant Program Specialist, please contact the COPS Office Response Center at 800-421-6770.

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530

Visit the COPS Office online: **www.cops.usdoj.gov**

Published June 2020

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Getting Started

Congratulations on receiving an award from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office). COPS Hiring Program (CHP) awards provide funding directly to law enforcement agencies to hire or rehire career law enforcement officers for the advancement of public safety through an increase in their community policing capacity and crime prevention efforts.

2020 CHP awards will cover up to 75 percent of the approved entry-level salary and fringe benefits of each newly hired or rehired full-time sworn career law enforcement officer over the three-year (36-month) award period, with a minimum 25 percent local cash match requirement and a maximum federal share of $125,000 per officer position. CHP award funding is based on your agency's entry-level salary and fringe benefits for full-time officers at the time of the award application. Any additional costs above the approved entry-level salaries and fringe benefits are the responsibility of the recipient agency. Furthermore, all award recipients must retain any CHP-funded officer positions for at least 12 months after the 36 months of federal funding has ended for each position.

Recipients are required to use CHP award funds for the specific hiring categories awarded. Funding under this program may be used to do the following:

- Hire new officers, which includes filling existing officer vacancies that are no longer funded in your agency's budget. These positions must be in addition to your current budgeted (funded) level of sworn officer positions, and the officers must be hired on or after the official award start date as it appears on your agency's award document.
- Rehire officers laid off by any jurisdiction as a result of state, local, or Bureau of Indian Affairs (BIA) budget reductions. The rehired officers must be rehired on or after the official award start date as it appears on your agency's award document. Documentation must be maintained showing the date(s) that the positions were laid off and rehired.
- Rehire officers who were, at the time of award application, *scheduled to be laid off (by your jurisdiction) on a specific future date* as a result of state, local, or BIA budget reductions. Recipients will be required to continue funding the positions with local funding until the date(s) of the scheduled layoffs. The dates of the scheduled layoffs and the number of positions affected must have been identified in the 2020 CHP application. In addition, documentation must be maintained detailing the dates and reason(s) for the layoffs. Furthermore, agencies are required to maintain documentation demonstrating that the scheduled layoffs are occurring for local economic reasons unrelated to the availability of CHP award funds. Such documentation may include local council meeting minutes, memoranda, notices, or orders discussing the layoffs, budget documents ordering jurisdiction-wide budget reductions, or notices provided to the individual officers regarding the layoffs.

The allowable uses of your agency's CHP awards are specified on the CHP Financial Clearance Memorandum (FCM). If your agency's local fiscal conditions have changed since submitting the 2020 CHP application and your agency wishes to modify its CHP award to reprogram awarded funding into a different hiring funding category, please refer to "Modification conditions" in this manual for detailed information on requesting a post-award modification.

Compliance with this Award Owner's Manual is a condition of your award and this manual is binding guidance. This manual will assist your agency with the administrative and financial matters associated with your award. It was developed by the COPS Office to ensure that all CHP recipients clearly understand and meet the requirements of their award. Please review this manual carefully because a failure to follow award requirements can have serious ramifications. Please do not hesitate to call the COPS Office Response Center at 800-421-6770 if you need assistance with the implementation of your award.

Thank you for providing us with the opportunity to work in partnership with your community.

I. Award Acceptance, Terms, and Conditions

To officially accept and begin your COPS Hiring Program award, your agency must access **www.cops.usdoj.gov** and select the "Account Access" link in the upper-right corner to log in, review, and electronically sign the award document (including the award terms and conditions), the Financial Clearance Memorandum and, if applicable, the special award conditions or high risk conditions within 45 days of the date shown on the award congratulatory letter.

Your agency will **not** be able to draw down award funds until the COPS Office receives your signed award document. For more information on drawing down award funds, please see the section "Accessing Award Funds" in this manual.

The award document

The award document is the document indicating your official award funding amount, the number of officer positions awarded, the type of positions awarded, the award number, the award conditions, and the award start and end dates.

The award document is pre-printed with your agency's law enforcement and government executives' names. If this information is incorrect or has changed, please update your "Agency Contacts" online at **www.cops.usdoj.gov** through the "Account Access" tab. If the law enforcement or government official has changed since the time of application, please have the current law enforcement executive or government executive for your agency create an account through the "Account Access" link, log in, and sign the award document once your agency contacts have been updated online. Once you have reviewed your award document, please electronically sign it and make a copy of all pages of the document for your records, along with all award condition pages, within 45 days of the date shown on the award congratulatory letter. Please see the section "Accepting the award" in this manual.

The award start date indicated on the award document means that your agency may be reimbursed for any allowable costs incurred on or after this date. The duration of your CHP award is three years (36 months) of funding for each position awarded.

Your award number is in the following format: 2020-ULWX-0000 or 2020-UMWX-0000 for awards funded in Fiscal Year (FY) 2020. The COPS Office tracks award information based upon this number. Therefore, it is important to have your agency's award number (or your agency's ORI number) readily available when corresponding with the COPS Office.

Your originating agency identifier (ORI) number begins with your state abbreviation followed by five numbers or letters (e.g., VA00000). This number is assigned by the Federal Bureau of Investigation (FBI) for use in tracking information for the Uniform Crime Report (UCR). The COPS Office tracks programmatic award information based upon this ORI number. If your agency does not have an ORI number assigned by the FBI, the COPS Office will assign a non-official ORI code to use as an agency identifier (in such cases, the last two characters will be "ZZ"). If you have any questions regarding your award, please refer to your award number or your agency's ORI number when you contact the COPS Office.

Your Office of Justice Programs (OJP) vendor number, in most circumstances, is your agency's nine- or 13-digit federal tax identification number assigned to you by the Internal Revenue Service (IRS). If your OJP vendor number differs from your tax identification number, the OJP vendor number is only to be used for administrative purposes in connection with this program, and should not be used for IRS purposes.

Award conditions

The award conditions are listed on your agency's award document. By accepting this award, you are obtaining federal funds from the COPS Office. As part of that agreement, your agency acknowledges that it will comply with these conditions (and, if applicable, additional special or high risk conditions specific to your agency). The section that follows describes, in detail, all of the award conditions, their rationales, and their implications. It also addresses many frequently asked questions. If you have additional questions concerning any of these award conditions, please contact your COPS Office Grant Program Specialist at 800-421-6770.

In limited circumstances, your award may be subject to special or high risk conditions that prevent your agency from drawing down or accessing award funds until the special conditions are satisfied, as determined by the COPS Office. Any special or high risk conditions will be included with your award, which may be accessed at **www.cops.usdoj.gov** via the "Account Access" link. However, if you have questions about the special conditions, please call your COPS Office Grant Program Specialist at 800-421-6770.

Reasons for award conditions

The requirements of your CHP award are established within

- the Public Safety Partnership and Community Policing Act of 1994, which established the COPS Office;
- applicable rules, regulations, and policies issued by the U.S. Department of Justice, Office of Management and Budget (OMB), the Government Accountability Office (GAO), and the United States Treasury;
- the specific CHP programmatic requirements established by the COPS Office.

A list of source documents for this manual is provided in the appendices. You may request copies of any source reference document from:

Office of Administration, Publication Unit
New Executive Office Building
725 17th Street NW, Room G 236
Washington, DC 20503

COPS Office–specific documents may be requested directly from the COPS Office.

Review of award conditions

By signing the award document to accept this COPS Hiring Program award, your agency agrees to abide by the following award conditions:

1. Award Owner's Manual

Condition:

Award Owner's Manual. The recipient agrees to comply with the terms and conditions in the applicable COPS Office Program Award Owner's Manual; COPS Office statute (34 U.S.C. § 10381, et seq.); the requirements of 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101; 48 C.F.R. Part 31 (FAR Part 31) as applicable (Contract Cost Principles and Procedures); the Cooperative Agreement as applicable; representations made in the application; and all other applicable program requirements, laws, orders, regulations, or circulars.

Why this condition:

This manual has been designed to inform you of the requirements, laws, regulations, and policies that apply to your award. Your agency will be responsible for the information and rules contained in this manual and for implementing your award in compliance with the applicable terms, conditions, and regulations. More detailed guidance regarding any particular award requirement or your agency's specific circumstances can be requested through your COPS Office Grant Program Specialist.

What you should do:

Please read the entire CHP Award Owner's Manual carefully prior to signing the award document. If you have any questions, please contact your COPS Office Grant Program Specialist. When accepting your award, you should ensure that the proper reporting and financial systems are in place to satisfy the award requirements.

2. Assurances and Certifications

Condition:

The recipient acknowledges its agreement to comply with the Assurances and Certifications forms that were signed as part of its application.

Why this condition:

Although the COPS Office has made every effort to simplify the process of applying for and receiving awards, several provisions of federal law require us to obtain the recipient's signed Assurances and Certifications regarding certain matters. Most of the Assurances and Certifications apply to all federal award programs.

What you should do:

Applicants to COPS Office award programs are required to sign the Assurances and Certifications forms at the time of application and application update. Signing these documents assures the COPS Office that you have read, understood, and accepted the award terms and conditions outlined in the Assurances and Certifications. Please read these documents carefully, because signatures on these documents are treated as a material representation

of fact upon which reliance was placed when the U.S. Department of Justice determined whether to fund the covered award. Additional copies of the Assurances and Certifications forms are contained in the appendices of this manual. If you have any questions about them, please contact your COPS Office Grant Program Specialist at 800-421-6770.

3. Allowable Costs

Condition:

The funding under this project is for the payment of approved full-time entry-level salaries and fringe benefits over three years (for a total of 36 months of funding) up to a maximum federal share of $125,000 per officer position for career law enforcement officer positions hired and/or rehired on or after the official award start date. Any salary and fringe benefit costs higher than entry-level that your agency pays a CHP-funded officer must be paid with local funds.

Your agency is required to use CHP award funds for the specific hiring categories awarded. Funding under this program may be used for the following categories:

- *Hiring new officers, which includes filling existing officer vacancies that are no longer funded in your agency's budget;*
- *Rehiring officers laid off by any jurisdiction as a result of state, local, or Bureau of Indian Affairs (BIA) budget reductions; and/or*
- *Rehiring officers who were, at the time of award application, scheduled to be laid off (by your jurisdiction) on a specific future date as a result of state, local, or BIA budget reductions.*

If your agency's local fiscal conditions have changed and your agency needs to change one or more of the funded hiring categories, your agency should request an award modification and receive prior approval before spending CHP funding under the new category.

The Financial Clearance Memorandum (FCM), included in your award package, specifies the amount of CHP funds awarded to your agency. You should carefully review your FCM, which contains the final officer salary and fringe benefit categories and amounts for which your agency was approved. Please note that the salary and fringe benefit costs requested in your CHP application may have been adjusted or removed. Your agency may only be reimbursed for the approved cost categories that are documented within the FCM, up to the amounts specified in the FCM. Your agency may not use CHP funds for any costs that are not identified as allowable in the Financial Clearance Memorandum.

Only actual allowable costs incurred during the award period will be eligible for reimbursement and drawdown. If your agency experiences any cost savings over the course of the award (for example, your award application overestimated the total entry-level officer salary and fringe benefits package), your agency may not use that excess funding to extend the length of the award beyond 36 months. Any funds remaining after your agency has drawn down for the costs of approved salaries and fringe benefits incurred for each awarded position during the 36-month funding period will be deobligated during the closeout process and should not be spent by your agency.

Why this condition:

CHP funds may only be used to pay for entry-level salaries and fringe benefits for 36 months for full-time career law enforcement officers hired or rehired on or after the award start date. You may use the CHP award to hire or rehire experienced officers, but award funding must be limited to paying your agency's entry-level salary and fringe benefits; any costs higher than entry-level must be paid by your agency with local funds.

What you should do:

All recipients should keep and maintain the most recent, approved version of your 2020 CHP application. To view and print this document, you can log into your account at **www.cops.usdoj.gov**. Please select "COPS Applications" from the menu of services and click on the "Print" icon to download the most recent version of your application in .pdf format.

Refer to your FCM for the list of approved allowable costs. Salaries covered by CHP must be based on your agency's standard entry-level salary and fringe benefits package under the laws or rules that govern hiring by your agency. Salary and fringe benefit payments must be based on payroll records supported by time and attendance records or their equivalent. Examples of the types of records your agency must keep to document allowable costs are described in the section "Financial Record Management" in this manual. Any additional costs above the approved entry-level salaries and fringe benefits are the responsibility of the recipient agency. Civilian positions, salaries and fringe benefits of part-time officer positions, overtime, training, weapons, communication equipment, and vehicles cannot be funded with your CHP award.

CHP award funding may be used to pay the approved entry-level salaries and fringe benefits of newly hired officer recruits while they are in basic academy training prior to swearing them in if it is your agency's standard practice to pay recruits while in training.

Please be advised that recipients may not use COPS Office funding for the same item or service also funded by another U.S. Department of Justice award. See also award condition "Duplicative Funding" for more information.

4. Supplementing, Not Supplanting

Condition:

State, local, and tribal government recipients must use CHP funds to supplement, and not supplant, state, local, or Bureau of Indian Affairs (BIA) funds that are already committed or otherwise would have been committed for award purposes (officer hiring) during the award period. In other words, recipients may not use COPS Office funds to supplant (replace) state, local, or BIA funds that would have been dedicated to the COPS Office–funded item(s) in the absence of the COPS Office award (34 U.S.C. § 10384(a)).

Why this condition:

The COPS Office statutory nonsupplanting requirement mandates that award funds will not be used to replace state or local funds (or, for tribal recipients, BIA funds) that would, in the absence of federal aid, be made available for the award purposes. Instead, CHP award funds must be used to increase the total amount of funds that would otherwise be made available for hiring or rehiring law enforcement officers.

What you should do:

Your agency may not reduce its sworn officer budget just to take advantage of the CHP award. Any budget reductions must be for fiscal or other reasons unrelated to the receipt of CHP award funds to avoid a violation of the nonsupplanting requirement.

Your agency may not reduce its locally funded number of sworn officer positions during the three-year CHP award period as a direct result of receiving CHP funding. Reductions in locally funded sworn officer positions that occur for reasons unrelated to CHP funding—such as citywide budget reductions—do not violate the nonsupplanting requirement, but your agency must maintain documentation demonstrating the date(s) and reason(s) for the budget reductions to prove that they were unrelated to the receipt of CHP funding in the event of an audit, monitoring site visit, or other form of award compliance review.

Under CHP, the nonsupplanting requirement means that a recipient receiving CHP funds to hire a new officer position, including filling an existing officer vacancy that is no longer funded in the recipient's local budget, must hire the additional position on or after the official award start date, above its current budgeted (funded) level of sworn officer positions.

The nonsupplanting requirement also means that a recipient receiving CHP funds to rehire an officer laid off as a result of state, local, or BIA budget reductions must rehire the officer on or after the official award start date. The recipient must maintain documentation in its CHP award file showing the dates that the officer was laid off and rehired.

In addition, the nonsupplanting requirement means that a recipient that receives CHP funds to rehire an officer who was, at the time of award application, scheduled to be laid off on a specific future date as a result of state, local, or BIA budget reductions, must continue to fund the officer with its own funds through the award start date until the date of the scheduled layoff. [For example, if the award start date is July 1 and the layoff is scheduled for November 1, then the COPS Office funds may not be used to fund the officer until November 1, the date of the scheduled layoff.] Your agency must have identified the date(s) of the scheduled layoffs and the number of officers to be laid off in its application. Your agency must maintain documentation showing the date(s) and reason(s) for the layoffs, the number of officers laid off, the number of officers rehired, and the dates the officers were rehired. [Please note that your agency may rehire the officers scheduled for layoff with CHP funding on or immediately after the date of the scheduled layoff. Unless required by your jurisdiction, your agency is not required to formally complete the administrative steps associated with the layoff of the individual officers you are seeking to rehire so long as your agency can document that a final, approved budget decision was made to layoff those particular individual officers on the identified layoff date.]

Documentation that may be used to prove that scheduled layoffs or budget reductions are occurring for local economic reasons that are unrelated to the availability of CHP award funds may include (but are not limited to) council or departmental meeting minutes, memoranda, notices, or orders discussing the layoffs; notices provided to the individual officers regarding the date(s) of the layoffs; or final budget documents ordering departmental or jurisdiction-wide budget reductions. These records must be maintained with your agency's CHP award records during the award period and for three years following the official closeout of the CHP award in the event of an audit, monitoring, or other evaluation of your award compliance.

For more information regarding complying with the nonsupplanting requirement, including implementing your award when you have locally funded vacancies, please see the Grant Monitoring Standards and Guidelines at **https://www.cops.usdoj.gov/pdf/e081420661_Grant%20Monitoring_Final.pdf**.

5. Extensions

Condition:

Your agency may request an extension of the award period to receive additional time to implement your award program. Such extensions do not provide additional funding. Awards may be extended a maximum of 36 months beyond the initial award expiration date. Any request for an extension beyond 36 months will be evaluated on a case-by-case basis. Only those recipients that can provide a reasonable justification for delays will be granted no-cost extensions. Reasonable justifications may include difficulties in filling COPS Office–funded positions, officer turnover, or other circumstances that interrupt the 36 month award funding period. An extension allows your agency to compensate for such delays by providing additional time to complete the full 36 months of funding for each position awarded. Extension requests must be received prior to the end date of the award.

Why this condition:

Under federal regulations, requests to extend the award period require prior written approval from the COPS Office. Without an approved extension, your agency is not permitted to draw down federal funding for costs incurred beyond the official award end date. However, if justified, the COPS Office seeks to accommodate reasonable requests for no-cost time extensions in order to fully implement the COPS Office award.

What you should do:

The COPS Office will contact your agency during the last quarter of the award period to determine whether a no-cost time extension is needed; extensions will not be processed prior to 90 days of the award end date. Requests to extend the award period must be submitted online and received by the COPS Office before the official award end date. Extension requests received after the expiration date will only be considered when the recipient provides justification of extraordinary circumstances; an example of this would be an instance where an unforeseen natural disaster prevented a recipient from requesting an extension. Failure to submit a request for a no-cost time extension by the end date may result in the immediate deobligation of any remaining award funds.

If your agency has excess funds remaining at the end of the award due to salary and fringe benefit costs that were lower than anticipated, your agency may not extend the 36-month funding period for the purpose of expending those excess funds. Recipients are entitled to a maximum of 36 months of federal funding based on the approved salary and fringe benefit costs in the FCM. The COPS Office will deobligate any remaining award funds during the closeout process. If you have any additional questions regarding a no-cost time extension, please contact your COPS Office Grant Program Specialist at 800-421-6770.

6. Modifications

Condition:

Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its COPS Office CHP award. Award modifications under CHP are evaluated on a case-by-case basis in accordance with 2 C.F.R. § 200.308. For federal awards in excess of $250,000, any modification request involving the reallocation of funding between budget categories that exceed or are expected to exceed 10 percent (10%) of the total approved budget requires prior written approval by the COPS Office. Regardless of the federal award amount or budget modification percentage, any reallocation of funding is limited to approved budget categories. In addition, any budget

modification that changes the scope of the project requires prior written approval by the COPS Office. In addition, please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

In addition, modification requests should be submitted to the COPS Office when an agency determines that it will need to shift officer positions awarded in one hiring category into a different hiring category and/or reduce the total number of positions awarded. For example, if an agency was awarded CHP funding for two new, additional sworn officer positions, but due to fiscal distress/constraints the agency needs to change the hiring category from the new hire category to the rehire category for officers laid off or scheduled for layoff on a specific future date post-application, the agency would have to request a modification. The COPS Office will only consider a modification request after an agency makes final, approved budget and/or personnel decisions. An agency may implement the modified award following written approval from the COPS Office. Please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

Why this condition:

Under federal regulations, you are required to expend federal funds only as approved in the FCM. In addition, under CHP you are expected to expend funding only for the specific hiring categories awarded, as indicated on your Award Document. Any requests to change or alter an award should be submitted to the COPS Office for prior approval. Following written approval from the COPS Office, implementation of the modified award may begin.

What you should do:

You should notify the COPS Office if you determine that your agency will need to change hiring categories, reduce the total number of positions awarded, or make other changes to the entry-level salary and benefit amounts or categories. To modify your award from the new hire category to the rehire category, your agency must complete a hiring category change modification and submit supporting documentation by accessing **www.cops.usdoj.gov** and selecting the "Account Access" link in the upper right corner to log in and submit your request to the COPS Office through the Grants Management Portal, providing the proposed changes, details of why the change is needed, etc.

For additional information about the process for submitting your specific award modification request, please contact your COPS Office Grant Program Specialist at 800-421-6770. The COPS Office will then evaluate your request and notify your agency of our decision in writing. Implementation of the modified award may begin following written approval from the COPS Office. Please note that modification approvals for active awards will often be accompanied by a modified award document reflecting the approved changes. If applicable, your agency is required to sign and submit the modified award document via the "Account Access" link to officially accept the award modification.

7. Evaluations

Condition:

The COPS Office may conduct monitoring or sponsor national evaluations of its award programs. The recipient agrees to cooperate with the monitors and evaluators 34 U.S.C. § 10385(b).

Why this condition:

The Public Safety Partnership and Community Policing Act of 1994 states that evaluations of the program may be carried out or commissioned by the attorney general for the furtherance of the purposes of the act. The COPS Office conducts evaluations to determine which programs are working, how programs may be improved, and why certain programs are more successful than others. Specifically, the COPS Office may assess the way in which your agency implements its CHP award. In some jurisdictions, COPS Office staff members or evaluators may study the effectiveness of funded programs, projects, and activities. Evaluators may collect information about the programs' effect on crime, victims of crime, and the quality of life in communities. In addition, they may ask questions about the challenges encountered during project implementation, how residents feel about community policing, and how police feel about their work. This information will be useful to other communities and police agencies across the country.

What you should do:

When evaluations are undertaken, you may be contacted in writing with specific requests for information. In general, evaluators may need to speak with individuals in your department, observe activities, and obtain written reports about and from your department. You will be asked to facilitate any site visits and information gathering activities. In addition, you will be asked to provide accurate and timely information about your award activities. You should fully comply with any requests made regarding these evaluations.

8. Reports/Performance Goals

Condition:

To assist the COPS Office in monitoring and tracking the performance of your award, your agency will be responsible for submitting semiannual programmatic progress reports that describe project activities during the reporting period and quarterly Federal Financial Reports using Standard Form 425 (SF-425). The progress report is used to track your agency's progress toward implementing community policing strategies and to collect data to gauge the effectiveness of increasing your agency's community policing capacity through COPS Office funding.

Why this condition:

The Public Safety Partnership and Community Policing Act of 1994 and other federal regulations and policies require that financial assistance provided by the Federal Government must be monitored carefully to ensure the proper use of federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and recipients.

What you should do:

This award condition is designed to make your agency aware of reporting requirements associated with CHP awards. Semiannual programmatic progress reports and a final programmatic closeout report must be submitted directly to the COPS Office through the "Account Access" link of the COPS Office website at **www.cops.usdoj.gov**. Your agency is also required to submit l quarterly Federal Financial Reports using Standard Form 425 (SF-425) within 30 days after the end of each calendar quarter. A final SF-425 will be due within 90 days after the end of the award period. This report reflects the actual cumulative federal expenditures incurred during the funding period and the remaining unobligated balance of federal funds. Under federal regulations, your agency is not permitted to draw down federal funding for costs incurred after the official award end date; however, you will have a 90 day

grace period after the award end date during which you can draw down funds for eligible expenditures incurred before the award end date. Agencies with more than one delinquent programmatic or financial report submission per fiscal year may be subject to delays in receiving reimbursement for allowable expenses, and may be required to receive technical assistance to improve compliance with reporting. These reports are discussed in greater detail in the section "Reports" in this manual. All reports should be submitted within the deadlines given to avoid suspension or possible termination of award funds or other remedial actions; failure to submit required reports may also impact future funding opportunities.

9. Award Monitoring Activities

Condition:

Federal law requires that law enforcement agencies receiving federal funding from the COPS Office must be monitored to ensure compliance with their award conditions and other applicable statutory regulations. The COPS Office is also interested in tracking the progress of our programs and the advancement of community policing. Both aspects of award implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the U.S. Department of Justice. Award monitoring activities conducted by the COPS Office include site visits, enhanced office-based grant reviews, alleged noncompliance reviews, financial and programmatic reporting, and audit resolution. As a COPS Office award recipient, you agree to cooperate with and respond to any requests for information pertaining to your award.

Why this condition:

The Public Safety Partnership and Community Policing Act of 1994 states that each award program must contain a monitoring component. The COPS Office actively monitors how recipients are complying with COPS Office award requirements. In addition, the monitoring component provides customer service and technical assistance to help ensure recipients understand how to remain in compliance while implementing their awards.

What you should do:

Your agency may be required to accommodate routine and non-routine efforts by the COPS Office, or an entity designated by the COPS Office, to examine your agency's use of federal funds both programmatically and financially. The four primary means of ensuring recipients' compliance with the terms and conditions of their awards are as follows:

1. **Site Visits.** The COPS Office strategically selects award recipients based on a variety of risk factors to conduct site visits to ensure compliance with award terms and conditions. The purpose of site visits is three-fold:
   i. To review for compliance with the terms and conditions of the award
   ii. To review the recipient's community policing strategies
   iii. To provide customer service and technical assistance

   If selected, recipients will be notified in writing in advance with detailed instructions for how to prepare for the review of their COPS Office awards. The site visit is generally performed over a period of one day (additional days may depend on the review of numerous awards). Recipients will have an opportunity to resolve any identified noncompliance issues while on-site or, if necessary, following the site visit. In addition, recipients will have an opportunity to seek customer service and/or technical assistance on the implementation of their award.

2. **Enhanced Office-Based Grant Reviews (EOBGR).** In lieu of a site visit, awards may be selected for an EOBGR conducted at the COPS Office via teleconference or video conference. EOBGRs serve as an alternative for conducting award monitoring reviews in support of the COPS Office's overall award monitoring strategy. The purpose of the EOBGR is three-fold:
   i. To review for compliance with the terms and conditions of the award
   ii. To review the recipient's community policing strategies
   iii. To provide customer service and technical assistance

   If selected, the recipient will be notified in writing in advance of any EOBGR of its COPS Office awards. This review is generally performed over a one- to two-day period. Recipients will have an opportunity to resolve any identified noncompliance issues if necessary following the EOBGR interview. In addition, award recipients will have an opportunity to seek customer service and/or technical assistance on the implementation of their award.
3. **Alleged Noncompliance Referral (ANCR).** An ANCR is an allegation of suspected noncompliance that originates from an internal source within the COPS Office or an external referral from one of many sources. Internal ANCRs generally originate from the COPS Office Grants Administration Division, the COPS Office Finance Division, or the COPS Office Legal Division, although any COPS Office component may refer a noncompliance issue to the ANCR. External noncompliance referrals may be received from anonymous complainants, media, citizens, law enforcement agencies, other federal agencies, or other outside sources. On a case-by-case basis, COPS Office ANCR staff members determine the appropriate course of action to take to investigate complaints of alleged noncompliance. This may include phone or letter contact or a site visit by COPS Office staff or the OIG. Each ANCR referral is resolved as a violation or nonviolation based upon supporting documentation and/or other factors used to make a determination for compliance or noncompliance.
4. **Audit Liaison.** The OIG may conduct a random audit for any recipient of a COPS Office award. In the event your agency has undergone an OIG audit and there are audit recommendations (findings) resulting from noncompliance and/or poor accountability practices, the COPS Office Audit Liaison Section will work with your agency to resolve and close these recommendations. Remedies to close recommendations may include repayment of award funds and/or providing adequate documentation to demonstrate compliance and/or providing proof of policies or procedures that were created or revised to directly address the causes for the noncompliance as a proactive preventative measure to avoid future noncompliance.

Recipients are responsible for remedying any award noncompliance that is identified during site visits, EOBGRs, and/or ANCRs. In addition, recipients are responsible for remedying noncompliance stemming from audit recommendations identified in audits of COPS Office awards conducted by the OIG and the Office of the Chief Financial Officer (OCFO). Remedies for noncompliance may include but are not limited to repayment of award funds for unallowable or unsupported costs, providing adequate documentation to demonstrate compliance, suspending active award funding, voluntary withdrawal from or involuntary termination of remaining award funds, or a restriction from receiving future COPS Office awards for a period of time. Under certain conditions, additional actions may include referral and placement on the U.S. Department of Justice's High Risk List, which will include mandatory completion of the Office of Justice Programs Financial Management Training and being subject to increased monitoring of current and future awards while on the list. In the event of criminal misuse of award funds, recipients may also be subject to fines and imprisonment. To avoid findings of noncompliance, recipients are strongly encouraged to become familiar with the COPS Office Grant Monitoring Division's Grant Monitoring Standards and Guidelines and with the Award Owner's Manual for the year in which the award is funded. Recipients should also contact the COPS Office or their Grant Program Specialist at any time during the life of a

COPS Office award with questions concerning award conditions, terms, or requirements to seek guidance to avoid noncompliance. It is necessary for recipients to maintain all relevant documentation (administrative, financial, and programmatic) used to develop the application and implement the award that may be necessary or required to demonstrate award compliance. For more information, please contact the COPS Office Response Center at 800-421-6770 or at **AskCopsRC@usdoj.gov**.

10. Federal Civil Rights

Condition:

The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition—

a. *the Applicant 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 Applicant 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 Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and*
d. *on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.*

The Applicant 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 Department 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).

Why this condition:

In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. As a result, recipients are required to comply with the civil rights requirements found in the nondiscrimination provisions referenced above. A hold may be placed on your award if it is deemed that your agency is not in compliance with federal civil rights laws or is not cooperating with an ongoing federal civil rights investigation. If a hold is placed on your award, you will not be able to obligate or draw down federal funds under your agency's COPS Office award until you comply with federal civil rights laws or cooperate with any ongoing federal civil rights investigation.

What you should do:

The Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice has been delegated the responsibility for ensuring that recipients of federal financial assistance from the COPS Office are not engaged in discrimination prohibited by law. Included with your award package is a memorandum from the OCR, which addresses the federal civil rights statutes and regulations applicable to your award. You should review this memorandum to understand your agency's civil rights responsibilities. For an overview of the civil rights laws and nondiscrimination requirements in connection with your award, please see **https://www.ojp.gov/program/civil-rights/overview**.

As a recipient of federal financial assistance from the COPS Office, you are required to comply with the applicable federal civil rights laws, to collect data and information sufficient to permit effective enforcement of such laws, and to cooperate with any federal civil rights investigation, which includes providing access to records, accounts, documents, information, facilities, and staff.

11. Equal Employment Opportunity Plan (EEOP)

Condition:

All recipients of funding from the COPS Office must comply with the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan (EEOP) (28 C.F.R. Part 42 subpart E).

Why this condition:

It is the experience of the U.S. Department of Justice in implementing its responsibilities under the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the statute that funds the COPS Office, that "the full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component to the Safe Streets Act's program to reduce crime and delinquency in the United States" (28 CFR § 42.301). EEOPs do not impose quotas or hiring requirements on recipients.

What you should do:

The obligations to comply with the EEOP requirement differ depending on your organization's legal status, the number of its employees, and the amount of the award.

If your organization is a government agency or private business and has received a single award for $25,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report and submit it to the Office for Civil Rights (OCR) within 120 days from the date of the award. Although the OCR has discretion to review all submitted Utilization Reports, it will review the Utilization Reports from recipients that receive an award of $500,000 or more.

To begin developing a Utilization Report, please consult the OCR's website at **https://www.ojp.gov/program/civil-rights/equal-employment-opportunity-plans** and click EEOP Reporting Tool Login. Additional assistance can be found online at the bottom of the same webpage by clicking the EEO Reporting Tool Job Aid and Frequently Asked Questions.

If your organization has less than fifty employees or receives an award of less than $25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, however, your organization must certify that it is exempt by logging into the

EEO Reporting Tool on the OCR website at **https://www.ojp.gov/program/civil-rights/equal-employment-opportunity-plans**, providing the contact and organizational profile information, and then submitting a Certificate of Exemption.

If you have further questions regarding the EEOP requirements, you may contact an EEOP specialist at the OCR by telephone at 202-307-0690, by TTY at 202-307-2027, or by e-mail at **EEOPforms@usdoj.gov**.

12. False Statements

Condition:

False statements or claims made in connection with COPS Office awards may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Why this condition:

This condition advises recipients of the consequences of submitting false claims or statements on applications, financial and programmatic reports, or other award documents.

What you should do:

Ensure that all documentation related to your agency's receipt and use of award funding (award applications, progress reports, Federal Financial Reports, etc.) is true and accurate.

13. Duplicative Funding

Condition:

The recipient understands and agrees to notify the COPS Office if it receives, from any other source, funding for the same item or service also funded under this award.

Why this condition:

This award was provided to your agency to address its law enforcement needs that are not funded with other funds, including federal, state, local, tribal, or BIA funds. Consequently, your agency may not use this funding for items or services that you already have funding for from other sources.

What you should do:

If your agency receives funding from another source for the same item(s) or services(s) also funded under this award, please contact your COPS Office Grant Program Specialist at 800-421-6770.

14. Additional High-Risk Recipient Requirements

Condition:

The recipient agrees to comply with any additional requirements that may be imposed during the award performance period if the awarding agency determines that the recipient is a high-risk recipient (2 C.F.R. § 200.207).

Why this condition:

In accordance with 2 C.F.R. § 200.207, the DOJ may impose additional requirements specific to your award, as needed, when it determines that there is unsatisfactory performance, financial or administrative instability, noncompliance with award terms and conditions, or other lack of responsibility risk factors. In such cases, the DOJ may impose special conditions or restrictions that may include requiring the production of documentation, financial award administration training, on-site monitoring, prior approval for expenditure of funds, semiannual progress reports, separate bank accounts, or other requirements.

What you should do:

In order to obtain a COPS Office award, recipients must agree to comply with any additional requirements that may be imposed during the award performance period if the awarding agency determines that the recipient is a high-risk recipient.

15. System for Award Management (SAM) and Universal Identifier Requirements

Condition:

The recipient agrees to comply with the following requirements of 2 C.F.R. Part 25, Appendix A to Part 25 – Award Term:

I. System for Award Management and Universal Identifier Requirements

A. *Requirement for System for Award Management*
Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. *Requirement for unique entity identifier*
If you are authorized to make subawards under this award, you:
   1. *Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.*
   2. *May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.*

C. *C. Definitions*
For purposes of this award term:
   1. *System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at http://www.sam.gov).*
   2. *Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.*

3. *Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:*
    a. *A Governmental organization, which is a State, local government, or Indian Tribe;*
    b. *A foreign public entity;*
    c. *A domestic or foreign nonprofit organization;*
    d. *A domestic or foreign for-profit organization; and*
    e. *A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.*
4. *Subaward:*
    a. *This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.*
    b. *The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).*
    c. *A subaward may be provided through any legal agreement, including an agreement that you consider a contract.*
5. *Subrecipient means an entity that:*
    a. *Receives a subaward from you under this award; and*
    b. *Is accountable to you for the use of the Federal funds provided by the subaward.*

Why this condition:

The purpose of this standard award term is to ensure government-wide uniformity in establishing a unique entity identifier for federal financial assistance applicants, as well as recipients and their direct subrecipients (if applicable) and to establish the SAM as the repository for standard information about applicants and recipients.

What you should do:

At the time of award application, your agency was required to provide its unique entity identifier and be registered in the SAM database.

Your agency should continue to use the same unique entity identifier provided in your award application and update, as needed, the information associated with that unique entity identifier. If your agency is authorized to make subawards under its award, your agency may make subawards only to entities that have unique entity identifiers.Your agency must maintain active registration and current information in the SAM until you submit the final financial report or receive the final payment under your award, whichever is later. **Your agency must review and update its SAM information at least once per year to maintain an active registration status.** For more information about SAM registration, please visit **www.sam.gov**.

16. Reporting Subawards and Executive Compensation

Condition:

The recipient agrees to comply with the following requirements of 2 C.F.R. Part 170, Appendix A to Part 170 – Award Term:

I. Reporting Subawards and Executive Compensation.

A. *Reporting of first-tier subawards.*
   1. *Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).*
   2. *Where and when to report.*
      i. *You must report each obligating action described in paragraph a.1. of this award term to* ***http://www.fsrs.gov****.*
      ii. *For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)*
   3. *What to report. You must report the information about each obligating action that the submission instructions posted at* ***http://www.fsrs.gov*** *specify.*

B. *Reporting Total Compensation of Recipient Executives.*
   1. *Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—*
      i. *the total Federal funding authorized to date under this award is $25,000 or more;*
      ii. *in the preceding fiscal year, you received—*
         (A) *80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and*
         (B) *$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and*
      iii. *The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at* ***http://www.sec.gov/answers/execomp.htm****.)*
   2. *Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:*
      i. *As part of your registration profile at* ***https://www.sam.gov****.*
      ii. *By the end of the month following the month in which this award is made, and annually thereafter.*

C. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—*
    - *i. in the subrecipient's preceding fiscal year, the subrecipient received—*
        - *(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and*
        - *(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and*
    - *ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at **http://www.sec.gov/answers/execomp.htm**.)*
2. *Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:*
    - *i. To the recipient.*
    - *ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.*

D. *Exemptions*

If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:

- *i. Subawards,*

  and
- *ii. The total compensation of the five most highly compensated executives of any subrecipient.*

E. *Definitions. For purposes of this award term:*

1. *Entity means all of the following, as defined in 2 CFR part 25:*
    - *i. A Governmental organization, which is a State, local government, or Indian tribe;*
    - *ii. A foreign public entity;*
    - *iii. A domestic or foreign nonprofit organization;*
    - *iv. A domestic or foreign for-profit organization;*
    - *v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.*
2. *Executive means officers, managing partners, or any other employees in management positions.*

3. *Subaward:*
    i. *This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.*
    ii. *The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. __ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").*
    iii. *A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.*
4. *Subrecipient means an entity that:*
    i. *Receives a subaward from you (the recipient) under this award; and*
    ii. *Is accountable to you for the use of the Federal funds provided by the subaward.*
5. *Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):*
    i. *Salary and bonus.*
    ii. *Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.*
    iii. *Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.*
    iv. *Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.*
    v. *Above-market earnings on deferred compensation which is not tax-qualified.*
    vi. *Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.*

Why this condition:

To further federal spending transparency, the Federal Funding Accountability and Transparency Act of 2006 (FFATA) requires, among other things, that information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is **www.USASpending.gov**. Recipients are responsible for reporting their applicable executive compensation and subaward information and the award term provides guidance to report the related information, as required by FFATA.

What you should do:

At the time of award application, your agency was asked to ensure that it has the necessary processes and systems in place to comply with the applicable subaward and executive compensation reporting requirements should it receive funding. If your agency received awards of $25,000 or more, you are required to report award information on any first-tier subawards totaling $25,000 or more and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. The FFATA Subaward Reporting System (FSRS), accessible via the Internet at **www.fsrs.gov**, is the reporting tool

that your agency will use to capture and report subaward information and any executive compensation data required by FFATA. The subaward information entered in FSRS will then be displayed on **www.USASpending.gov** associated with your agency's award to further federal spending transparency.

For additional information regarding the executive compensation and subaward reporting requirements, please see Vol. 75, No. 177 (September 14, 2010) of the Federal Register, **www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf**.

17. Debarment and Suspension

Condition:

The recipient agrees not to award federal funds under this program to any party which is debarred or suspended from participation in Federal assistance programs. 2 C.F.R. Part 180 (Government-wide Nonprocurement Debarment and Suspension) and 2 C.F.R. Part 2867 (DOJ Nonprocurement Debarment and Suspension).

Why this condition:

Under federal regulations, recipients are required to ensure that federal funds are not given to parties that are debarred or suspended from participation in federal assistance programs. This is to protect the public interest and to ensure proper management and integrity in federal activities by conducting business only with responsible parties. For details regarding the debarment and suspension requirements, please see 2 C.F.R. Part 180 (Government-wide Debarment and Suspension), and 2 C.F.R. Part 2867 (DOJ-specific requirements.)

What you should do:

If, under a COPS Office award, you enter into a contract for goods or services for $25,000 or more or any subaward, you must verify that the vendor or subrecipient and their respective principals (e.g., owners, top managers) with whom you intend to do business are not excluded or disqualified from participation in federal assistance programs. In addition, you must include a term or condition in the contract or subaward requiring the vendor or subrecipient to comply with subpart C of the OMB guidance in 2 C.F.R. Part 180 (Government-wide Debarment and Suspension) and subpart C of 2 C.F.R. Part 2867 (DOJ-specific requirements).

18. Employment Eligibility

Condition:

The recipient agrees to complete and keep on file, as appropriate, the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States. Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603.

Why this condition:

Under federal immigration law, all employers are required to take certain steps to ensure that persons that are hired are legally permitted to work in the United States. The Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9) outlines the types of documents that an employer should review to confirm that a new hire is eligible for employment.

What you should do:

You do not need to submit any documentation to the COPS Office to satisfy this condition. Rather, you should complete and maintain the I-9 forms for all new employees under the guidelines set forth by the Bureau of Citizenship and Immigration Services. For further information about this requirement, you may contact the Bureau's Office of Business Liaison at 800-357-2099 or the National Customer Service Center at 800-375-5283.

19. Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information.

Condition:

The recipient agrees not to discharge, demote, or otherwise discriminate against an employee as reprisal for the employee disclosing information that he or she reasonably believes is evidence of gross mismanagement of a federal contract or award, a gross waste of federal funds, an abuse of authority relating to a federal contract or award, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or award. The recipient also agrees to provide to their employees in writing (in the predominant native language of the workforce) of the rights and remedies provided in 41 U.S.C. § 4712. Please see appendices in the Award Owner's Manual for a full text of the statute.

Why this condition:

Under the "Enhancement of contractor protection from reprisal for disclosure of certain information" (41 U.S.C. § 4712), recipients are prohibited from taking reprisal actions against employees for certain whistleblowing activities in connection with federal awards and contracts. The law protects the public interest and ensures the proper management and use of federal funds.

What you should do:

The recipient must not take reprisal actions against an employee for disclosing misconduct under federal contracts and awards to certain persons and entities.

The recipient is prohibited from discharging, demoting, or otherwise discriminating against an employee as reprisal for disclosing information that he or she reasonably believes is evidence of

- a gross waste of federal funds;
- a substantial and specific danger to public health or safety;
- a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or award;
- an abuse of authority relating to a federal contract or award; or
- gross mismanagement of a federal contract or award.

In addition, the disclosure must also have been made to

- a court or grand jury;
- a federal employee responsible for contract or award oversight or management at the relevant agency;
- a management official or other employee of the contractor, subcontractor, or recipient who has the responsibility to investigate, discover, or address misconduct;
- a member of Congress or a representative of a committee of Congress;

- an authorized official of the U.S. Department of Justice or other law enforcement agency;
- an inspector general; or
- the Government Accountability Office.

An employee is deemed to have made a protected disclosure if he or she initiates or provides evidence of misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a federal contract or award.

The recipient must inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights, protections, and remedies under 41 U.S.C. § 4712.

Please see the appendices in this manual addressing Whistleblower Protection for a full text of the "Enhancement of contractor protection from reprisal for disclosure of certain information" (41 U.S.C. § 4712).

20. Mandatory Disclosure

Condition:

Recipients and subrecipients must timely disclose in writing to the Federal awarding agency or pass-through entity, as applicable, all federal criminal law violations involving fraud, bribery, or gratuity that may potentially affect the awarded federal funding. Recipients that receive an award over $500,000 must also report certain civil, criminal, or administrative proceedings in SAM and are required to comply with the Term and Condition for Recipient Integrity and Performance Matters as set out in 2 C.F.R. Part 200, Appendix XII to Part 200. Failure to make required disclosures can result in any of the remedies, including suspension and debarment, described in 2 C.F.R. § 200.338.

Why this condition:

Federal regulations require recipients and subrecipients to report all federal violations involving fraud, bribery, or gratuity that may affect the awarded federal funds. In addition, recipients that receive an award of more than $500,000 must also report certain civil, criminal, or administrative proceedings in SAM and are required to comply with the Term and Condition for Recipient Integrity and Performance Matters as set out in 2 C.F.R. Part 200, Appendix XII to Part 200. This condition advises your agency of the requirement and the consequences of failing to report such violations to the COPS Office or pass-through entity.

What you should do:

Ensure that you timely report in writing to the COPS Office or pass-through entity all federal violations involving fraud, bribery, or gratuity that may affect your federal award and, if applicable, report certain civil, criminal, or administrative proceedings in SAM.

21. Conflict of Interest

Condition:

Recipients and subrecipients must disclose in writing to the COPS Office or pass-through entity, as applicable, any potential conflict of interest affecting the awarded federal funding in accordance with 2 C.F.R. § 200.112.

Why this condition:

Recipients and subrecipients are required to use federal funding in the best interest of their award program. Any decisions related to these funds must be free of hidden personal or organizational conflicts of interest, both in fact and in appearance.

This means that recipients and subrecipients should not participate in any award-related decisions or recommendations that involve any of the following people or groups:

- a partner
- an immediate family member
- an organization in which they are serving as an officer, director, partner, or employee
- any person or organization with whom they are negotiating or who has an arrangement concerning prospective employment, has a financial interest, or for other reasons can have less than an unbiased transaction with the recipient or subrecipients

This also means that recipients and subrecipients should avoid any action which might result in or create the appearance of

- giving special treatment to any person;
- losing complete independence or objectivity;
- making an official decision outside official channels;
- negatively affecting the confidence of the public in the integrity of the Federal Government or the program; or
- using your official position for private gain.

What you should do:

Ensure that you report in writing to the COPS Office or pass-through entity, as applicable, any potential conflict of interest that may affect your federal award.

22. Contract Provision

Condition:

All contracts made by the award recipients under the federal award must contain the provisions required under 2 C.F.R. Part 200, (Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards). Please see the appendices in the Award Owner's Manual for a full text of the contract provisions.

Why this condition:

Federal regulations require recipients and subrecipients to comply with the necessary contract provisions in order to standardize and strengthen oversight of all contracts made under federal awards. This provision protects the public interest and ensures the proper management and use of federal funds as it relates to contracts entered into by the recipient.

What you should do:

The recipient should review all contracts made under the federal award to ensure that they contain the provisions required under 2 C.F.R. Part 200, (Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards) in the appendices of the Award Owner's Manual.

23. Restrictions on Internal Confidentiality Agreements

Condition:

No recipient or subrecipient under this award, or entity that receives a 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 the lawful reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. Consolidated Appropriations Act, 2020, Public Law 116-93, Division C, Title VII, Section 742.

Why this condition:

Under the Appropriations Act, neither the recipient, subrecipient, nor any entity that receives a contract or subcontract with any funds under this or any other Act may require its employees or contractors to sign an internal confidentiality agreement or statement prohibiting or otherwise restricting their lawful reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency. This provision protects the public interest and ensures the proper management and use of federal funds. This limitation 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.

What you should do:

In accepting this award, the recipient

- represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above;
- represents 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 agency making this award, and will resume such obligations only if expressly authorized to do so by that agency.

If the recipient does or is authorized to make subawards or contracts under this award, in accepting, the recipient

- represents that it has or will determine that no other entity that the recipient proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above;

- represents that it has or will make appropriate inquiry, or otherwise has an adequate factual basis, to support this representation;
- represents that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award 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 to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

24. Recipient Integrity and Performance Matters

For awards over $500,000, the recipient agrees to comply with the following requirements of 2 C.F.R. Part 200, Appendix XII to Part 200 – Award Term and Condition for Recipient Integrity and Performance Matters:
Reporting of Matters Related to Recipient Integrity and Performance

1. *General Reporting Requirement*
   If the total value of your currently active awards, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2. of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.
2. *Proceedings About Which You Must Report*
   Submit the information required about each proceeding that:
   a. *Is in connection with the award or performance of an award, cooperative agreement, or procurement contract from the Federal Government;*
   b. *Reached its final disposition during the most recent five year period; and*
   c. *Is one of the following:*
      (1) *A criminal proceeding that resulted in a conviction, as defined in paragraph 5. of this award term and condition;*
      (2) *A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;*
      (3) *An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or*

(4) Any other criminal, civil, or administrative proceeding if:

i. It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

ii. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

iii. The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2. of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph 1. of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, award, and cooperative agreement awards with a cumulative total value greater than $10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions

For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or award. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active awards, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

Why this condition:

Under 2 CFR § 200.210 (b) (1) (iii), recipients of awards in excess of $500,000 are required to report certain civil, criminal, and administrative proceedings if they have active federal awards, cooperative agreements, or contracts (or any combination of these) that total more than $10,000,000 during the COPS Office award period. The purpose is to protect the public interest and to ensure proper management in federal activities by conducting business with responsible parties.

What you should do:

If the total value of your active awards, cooperative agreements, and contracts from all federal awarding agencies exceeds $10,000,000 during the COPS Office award period, then you must ensure that the proceedings described in paragraph 2 of this award term that are reported in the System for Award Management (SAM) are current. The information about the reported proceedings is made available in SAM via the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). During the award period, you must either report for the most recent five-year period new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. You must also disclose semiannually any information about criminal, civil, and administrative proceedings.

25. Citizenship and Immigration Status Communications

Condition:

Authority to obligate or expend contingent on compliance with this condition.

NOTE: This grant condition is established under the COPS Office's broad authority and discretion to award and administer grants. See, e.g., 34 U.S.C. § 10381, et seq. This condition applies only to state or local government entities or to non-state or local government entities that make subawards with these funds to a state or local government entity.

State or local government entity recipients of this award, and any subrecipient of this award at any tier that is an entity of a State or of a unit of local government, may not obligate or expend award funds if – at the time of the obligation or expenditure – the "program or activity" of the recipient funded in whole or in part with the award funds (which includes any such program or activity of any subrecipient at any tier) is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information regarding citizenship or immigration status with components of the U.S. Department of Homeland Security or any federal, state or local government entity, as generally described in 8 U.S.C. 1373(a) or (b). This includes any prohibitions or restrictions imposed or established by a state or local government entity or official.

A subrecipient of this award (at any tier) that is an entity of a State or of a unit of local government may not obligate or expend award funds if – at the time of the obligation or expenditure – the "program or activity" of the subrecipient (which includes any such program or activity of any subrecipient at any further tier) funded (in whole or in part) with award funds is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information regarding citizenship or immigration status with components of the U.S. Department of Homeland Security or any federal, state or local government entity, as generally described in 8 U.S.C. 1373(a) or (b). This includes any prohibitions or restrictions imposed by a state or local government entity or official.

Any obligations or expenditures of a recipient or subrecipient that are impermissible under this condition shall be unallowable costs for purposes of this award.

Rules of Construction. For purposes of this condition, "program or activity" means what it means under section 606 of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a).

References to the Immigration and Naturalization Service in 8 U.S.C. 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.

Should any provision of a condition of this award be held to be invalid or unenforceable by its terms, then that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law (to any person or circumstance) under this award. Should it be held, instead, that a condition (or a provision thereof) is of utter invalidity or unenforceability, such condition (or such provision) shall be deemed severable from this award.

Any questions about the meaning or scope of this condition should be directed, prior to acceptance of this award, to the Office of Community Oriented Policing Services Legal Division at 202-514-3750.

Why this condition:

At the time of application, your agency certified that it would comply with all award requirements and would require all subrecipients to comply with all applicable award requirements throughout the period of performance of the award. Therefore, State or local government recipients and subrecipients, and non-state or local government recipients that make subawards to state or local government entities, must comply with this condition throughout the active award period.

What you should do:

State and local government recipients and subrecipients (at any tier) may not obligate or expend award funds if, at any time during the active award period, any program or activity funded in whole or in part with award funds is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information regarding citizenship or immigration status with components of the U.S. Department of Homeland Security or any federal, state, or local government entity.

Any questions about the meaning or scope of this condition should be directed, prior to acceptance of this award, to the Office of Community Oriented Policing Services Legal Division at 202.514.3750.

26. Contracts and/or MOUs with Other Jurisdictions

Condition:

Sworn law enforcement officer positions awarded must be used for law enforcement activities or services that benefit your agency and the population that it serves. The items funded under the CHP award cannot be utilized by other agencies unless the items benefit the population that your agency serves. Your agency may use items funded under the CHP award to assist other law enforcement agencies under a resource sharing, mutual aid, or other agreement to address multi-jurisdictional issues as described in the agreement.

Why this condition:

The CHP award is intended to benefit the communities within the recipient's primary law enforcement jurisdiction. Therefore, the recipient must use the CHP award funding to benefit its own population, rather than contracting out the COPS Office–funded officer(s) to other jurisdictions.

What you should do:

Officers funded under the CHP award may not provide contract law enforcement services to other agencies unless they will directly benefit the recipient's jurisdiction. For example, a sheriff's department cannot use a CHP-funded officer to provide contract law enforcement services to a neighboring county but can use the CHP-funded officer to provide direct law enforcement services to towns within its own county.

27. Retention

Condition:

At the time of award application, your agency committed to retaining all sworn officer positions awarded under the CHP award with state and/or local funds for a minimum of 12 months following the conclusion of 36 months of federal funding for each position, over and above the number of locally funded sworn officer positions that would have existed in the absence of the award. Your agency cannot satisfy the retention requirement by using CHP-funded positions to fill locally funded vacancies resulting from attrition. 34 U.S.C. § 10382 (c)(8).

Why this condition:

The retention requirement ensures that the increased officer staffing level under the CHP award continues with state or local funds for a minimum of 12 months after federal funding ends.

What you should do:

At the time of award application, your agency was required to affirm that it plans to retain all sworn officer positions funded under the CHP award and identify the planned source(s) of retention funding. Your agency committed to retaining each awarded position for at least 12 months following the conclusion of 36 months of federal funding for that position. The retention period begins for an awarded officer position once that position has completed the 36-month implementation period. If an agency is awarded several officer positions, the retention period for each individual officer position begins upon completion of 36 months of funding for that position (not based on the cumulative award end date).

The retained CHP-funded position(s) must be added to your agency's law enforcement budget with state or local funds at the conclusion of award funding, over and above the number of locally funded sworn officer positions that would have existed in the absence of the award. Absorbing CHP-funded positions through attrition (rather than adding the extra positions to your budget with additional funding) does not meet the retention requirement. In addition, COPS Office award funding may not be used to retain positions awarded under a previous COPS Office hiring award.

Your agency should maintain documentation demonstrating when the 36-month award funding period expired for each awarded position and that each retained position was above and beyond the number of officer positions that your agency would have otherwise funded with state or local funds. We understand that your agency's identified source(s) of retention funding may change during the life of the award, so your agency should maintain documentation of any changes in the event of an audit, monitoring, or other evaluation of your award compliance.

Please note that your agency is required to retain the officer position(s) awarded under the CHP award and not the specific officer(s) hired to fill the award position(s). If a position funded by the CHP award becomes vacant during the retention period, your agency is required to take active and timely steps consistent with your agency's hiring policies and procedures to fill the position with a new officer to complete the remainder of the 12-month retention period. Your agency should maintain documentation demonstrating that you did not delay filling the position and that the steps your agency took to fill the position were consistent with your hiring policies and procedures.

At the conclusion of federal funding, agencies that fail to retain the sworn officer positions awarded under the CHP award may be ineligible to receive future COPS Office hiring awards for a period of one to three years. If your agency is unable to retain any of the awarded officer positions, you should contact your COPS Office Grant Program Specialist for further review.

28. Community Policing

Condition:

Community policing activities to be initiated or enhanced by your agency and the officers funded by this award program were identified and described in your CHP award application. In sections VI(A) and (B), your agency developed a community policing plan for the CHP award with specific reference to a crime or disorder problem and the following elements of community policing: (a) problem solving—your agency's plan to assess and respond to the problem identified; (b) community partnerships and support, including related governmental and community initiatives that complement your agency's proposed use of CHP funding; and (c) organizational transformation—how your agency will use the funds to reorient its mission to community policing or enhance its involvement in and commitment to community policing. Throughout the CHP award period, your agency is required to implement the community policing plan it set forth in the CHP award application.

The COPS Office defines community policing as a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. CHP awards through the specific officers funded (or an equal number of redeployed veteran officers) must be used to initiate or enhance community policing activities. All newly hired additional or rehired officers (or an equal number of redeployed veteran officers) funded under CHP must implement your agency's approved community policing plan, which you described in your award application.

Why this condition:

CHP is designed to assist agencies advance public safety through the hiring and rehiring of sworn officer positions to increase their community policing capacity and crime prevention efforts. This is achieved through problem solving, community policing partnerships, and organizational transformation. It enhances police professionalism by providing officers with the skills and motivation to act in innovative ways to solve community crime-related problems. Your organization may be monitored or audited to ensure that it is initiating or enhancing community policing in accordance with your proposed plan as outlined in section VI (B) of your CHP application and that the

officers hired (or an equal number of redeployed veteran officers) are used to implement this plan and advance your agency's community policing activities over the life of the award. The COPS Office may also use this information to understand the needs of the field and potentially provide for training, technical assistance, problem solving, and community policing implementation tools.

What you should do:

Community policing activities to be implemented or enhanced by your agency were identified in your CHP application in section VI (B). While the COPS Office recognizes that your COPS Office–funded officer(s) (or an equal number of redeployed veteran officers) will participate in some or all aspects of your identified community policing strategy and advance your agency's community policing activities over the life of the award, we also encourage your agency to move toward an organization-wide philosophy and commitment to community policing.

Your CHP semiannual progress reports will collect information related to the implementation of and progress toward those community policing activities. Your community policing strategy may be influenced and impacted by others within and outside your organization; this is considered beneficial to your community policing efforts. Your community policing needs may change during the life of your CHP award, and minor changes to this strategy may be made without prior approval of the COPS Office. Any changes to the community policing scope or strategies originally identified in your CHP application should be documented within your semiannual progress report. If your agency's community policing strategy changes significantly, however, you must submit those changes to the COPS Office through the semiannual progress report for approval. Changes are significant if they deviate from the specific crime problem(s) originally identified and approved in the original community policing strategy submitted with your application. Recipients who chose "School Based Policing", "Violent Crime", or "Homeland and Border Security""as their community policing problem/focus area will not be able to change the problem/focus area of their community policing strategies post-award. Additional information about community policing may be found in the appendices of this manual.

The COPS Office requires all recipients who chose "School Based Policing through School Resource Officers" as their community policing problem/focus area on their 2020 CHP applications to provide contact information for each school partner where they intend to deploy School Resource Officers (SRO). These recipients are also required to submit to the COPS Office a Memorandum of Understanding (MOU) between the law enforcement agency and their school partner(s) before drawing down funds. Additional information about this requirement may be found in the appendices of this manual.

29. Local Match

Condition:

Recipients are required to contribute a local match of at least 25 percent toward the total cost of the approved award project, unless waived in writing by the COPS Office. The local match must be a cash match from funds not previously budgeted for law enforcement purposes and must be paid during the award period. The local match contribution must be made on an increasing basis during each year of the three-year award period, with the federal share decreasing accordingly. 34 U.S.C. § 10381(g).

Why this condition:

The 2020 CHP provides up to 75 percent of the allowable costs of this award project (up to a maximum federal share of $125,000 per officer position). Recipients are responsible for providing at least 25 percent of the total project costs in local matching funds. The local match must be a cash match made from local, state, or other non–COPS Office funds. Federal funds (other than COPS Office funds) may be used to meet your local match only if the federal funds are authorized by statute for that purpose and approved in writing by both the federal agency providing those funds and the COPS Office.

What you should do:

Matching contributions must be made on an increasing basis during each year of the three-year program with the federal share decreasing accordingly. The local match must be paid in full during the active award period; payments made prior to the CHP award start date or after the award end date do not qualify as a local match. *Recipients are strongly encouraged to pay local match during each semiannual financial reporting period to avoid potential noncompliance.* If your agency must withdraw from the award period prior to the end of award funding, your agency is responsible for ensuring that the federal share of funds expended is limited to a maximum of 75 percent of the total program costs expended. If you have questions about the timing of your local match payments, please contact your COPS Office Staff Accountant at 800-421-6770.

Your agency must maintain records that clearly demonstrate the source of the local match, the amount of the local match, and when the local match was contributed. The local match must be *in addition* to funds previously budgeted for specific law enforcement purposes as indicated on your agency's fiscal year budget. You do not need to provide these supporting documents to the COPS Office, but such records must be produced in the event of an audit, monitoring site visit, or office-based grant review. In addition, recipients are required to report the amount of local match contributed on the semiannual Federal Financial Report (SF-425), line j.

Sources for local match requirements may include the following:

- Funds contributed by private sources;
- Funds from federal programs whose statutes specifically authorize their use as matching funds;
- Funds from state or local governments that are committed to matching funds for your program; and/or
- Nonfederal asset forfeiture funds (subject to approval from the state or local oversight agency).

To maximize the number of communities that would be able to take advantage of CHP award funding, only a limited number of local match waiver requests were granted to applicants who were able to demonstrate severe fiscal distress. The COPS Office relied on the fiscal health data provided in section 7 of the CHP application and a comparison of the applicant's fiscal health data with that of the overall 2020 CHP applicant pool to make waiver decisions.

30. School Resource Officer (SRO) Training Requirement

Condition:

COPS Office–funded SRO(s) are required to complete a National Association of School Resource Officers (NASRO) 40 hour basic training course. Course substitutions are not permitted. Training must be completed no later than nine months after the date shown on the award congratulatory letter or six months from the SRO hire date; whichever comes first. If a COPS Office–funded SRO leaves the recipient agency after completing the NASRO training, the recipient agrees to pay for the new SRO, who is assigned to backfill this position, to attend a NASRO 40 hour basic

training course. The new SRO must complete the training no later than nine months after being placed in the school. If the officer has completed NASRO 40 hour basic training within the last 12 months prior to the award date, the condition has been fulfilled. Any longer than 12 months will require the officers to retake the course. The agency must contact the NASRO Grant Coordinator if they want funds to cover registration and travel costs.

Why this condition:

This NASRO basic training course is intended not only to provide information on various important school safety topics, but is also designed to promote effective collaboration and partnerships among the school, law enforcement agency and other entities.

The COPS Office will pay the training fee directly to NASRO and pay allowable travel costs (airfare, hotel, and per diem) up to $1,000 per COPS Office–funded SRO. Any travel costs over this amount must be paid for by the recipient. The COPS Office will provide the recipient with contact information that must be used to arrange for class registration and travel reimbursement.

What you should do:

The recipient must ensure all COPS Office–funded SROs complete the NASRO 40 hour basic training no later than nine months after the date shown on the award congratulatory letter or six months from the SRO hire date; whichever comes first. If possible, SROs should complete training prior to beginning work in a partner school or school district.

If a COPS Office–funded SRO leaves his or her position after completing the NASRO training, the recipient is required to pay for the new SRO who is assigned to backfill the position to attend a NASRO basic training course. The new officer backfilling the SRO position must complete the NASRO training no later than nine months after being placed in the schools. If there are less than nine months left in the award, then the officer needs to receive training prior to the end of the award..

If the COPS Office–funded SRO already completed the NASRO basic training within the last 12 months prior to the award date, the condition has been fulfilled. Any longer than 12 months will require the officers to retake the course.

For additional information regarding this mandatory training, view the SRO Mandatory Training Fact Sheet at **www.cops.usdoj.gov/pdf/2020AwardDocs/chp/SRO_Mandatory_Training_Fact_Sheet.pdf**.

31. Background Investigations.

Recipients agree to ensure that each officer(s) hired with CHP funding will be subject to a background investigation, notify the COPS Office upon completion of the background investigation for each officer hired under the CHP award, and cooperate with the COPS Office and provide updates on the status of background investigations upon request. 2 C.F.R. § 200.207

If the COPS Office determines that CHP funds are being used to pay the salary and fringe benefits of an officer who has not undergone a background investigation, the COPS Office may temporarily suspend grant funds in accordance with 2 C.F.R. §200.338 until the agency can demonstrate the background investigation has been completed.

Why this condition:

The officer background investigation requirement reduces the risk of hiring officers with past convictions of domestic violence, sexual assault, and other serious crimes.

What you should do:

You must complete a background investigation for each officer before hiring the officer to fill a COPS-funded officer position. Background investigations can include, but are not limited to, criminal history checks, credit checks, resume validation, work history verification, and personal and professional references. Background investigations may be conducted by the provider of your choosing.

In addition, you should notify the COPS Office via your grant program specialist upon completion of the background investigation for each officer hired under a COPS Office award, cooperate with the COPS Office and provide updates on the status of background investigations upon request.

32. Career Law Enforcement Officer.

Officer hiring funds may only be used to pay entry-level salaries and fringe benefits for full-time "career law enforcement officers" for 36 months. The COPS Office's statute defines a "career law enforcement officer" as "a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws." 34 U.S.C. §10389(1). A recipient agency may use officer hiring funds to pay the salary and benefits of recruits while in academy training to become "career law enforcement officers" if it is the standard practice of the agency to do so with locally-funded recruits. The State of Alaska, and any Indian tribe or tribal organization in that State, may also use officer hiring funds for a "village public safety officer" defined as "an individual employed as a village public safety officer under the program established by the State pursuant to Alaska Statute 18.65.670." Tribal Law and Order Act of 2010, Pub. L. 111-211, title II, § 247 (a)(2).

Why this condition:

Pursuant to the related statutory authorities, COPS Office funding is for the hiring and rehiring of "career law enforcement officers" (34 U.S.C. § 10381(b)(1) – (2)) and "village public safety officers" (Tribal Law and Order Act of 2010, Pub. L. 111-211, title II, § 247(b)).

What you should do:

You must use COPS Office funding awarded for officer hiring to pay for the salary and benefits of "career law enforcement officers" and/or "village public safety officers." A recipient may use COPS Office funding to pay the salary and benefits of recruits while in academy training to become "career law enforcement officers" if it is the standard practice of your agency to pay those same costs for locally-funded recruits.

What are the specific rules regarding termination of award funding?

The COPS Office has the right to sanction or terminate your agency's project when there is reason to believe that your agency is

- failing to make satisfactory progress toward the goals or strategies outlined in its application;
- filing false statements or certifications in connection with an application, periodic report, or other award-related documents;
- not adhering to award requirements or conditions;
- not submitting financial or programmatic reports in a timely manner;
- not substantially complying with the award requirements or other applicable provisions of federal law;
- proposing substantial plan changes to the extent that, if originally submitted, would have resulted in the application being denied funding;
- providing other good cause for sanctions or termination as determined by the COPS Office.

In these instances, the COPS Office may

- condition a future award or elect not to provide future award funds to your agency until appropriate actions are taken to ensure compliance;
- disallow all or part of the cost of the activity or action not in compliance;
- recommend civil or criminal enforcement by other agencies;
- require that some or all of the award funds be remitted to the U.S. Department of Justice;
- temporarily withhold payments pending correction of the situation by your agency;
- wholly or partly suspend or terminate your award;
- withhold or restrict your agency from obtaining future awards;
- take other remedies that may be legally available.

In the event that sanctions are imposed or your award is terminated, your agency will be notified in writing of our decision and the reason(s) for that decision.

Awards terminated due to noncompliance with the federal statutes, regulations, or award terms and conditions will be reported to the integrity and performance system accessible through SAM (currently FAPIIS).

Accepting the award

After you have reviewed the conditions of your CHP award and your agency agrees with these conditions, you are ready to accept the award. The Director of the COPS Office has signed the award document indicating approval of your award, an obligation of federal funds to your organization, and our commitment to the award. As stated at the beginning of this section, to officially begin your award and draw down your funds, the authorized officials (see the Glossary of Terms following the appendices) of your agency must access **www.cops.usdoj.gov** and select the "Account Access" link in the upper-right corner to log in, review, and electronically sign the award document with the award terms and conditions; the Financial Clearance Memorandum and, if applicable, the special award conditions and high risk conditions in the award document supplement within 45 days of the date shown on the award congratulatory letter.

Who should sign the award document for our agency?

The authorized officials are the law enforcement and government executives who have ultimate and final responsibility for all programmatic and financial decisions regarding this award as representatives of the legal recipient. COPS Office awards require that both the top law enforcement executive (e.g., chief of police, sheriff, or equivalent) and the top government executive (e.g., mayor, board chairman, or equivalent) sign the award document. For non-law enforcement agencies (universities, etc.), the authorized officials are the programmatic and financial officials who have the ultimate signatory authority to sign contracts on behalf of your organization. Typically, these are the same executives named on your agency's 2020 CHP application. If one or both of these individuals have changed, please update your "Agency Contacts" online at **www.cops.usdoj.gov** through the "Account Access" link and create accounts for them so that they may electronically sign the award. If you have any questions as to who should sign the award, please contact your jurisdiction's local legal advisor.

By when must the award document be signed?

Please electronically sign the award document and all award condition pages within 45 days of the date on the award congratulatory letter. Award funds will not be released until we have received your agency's signed award document, your budget has received final clearance, and any other relevant award conditions particular to your agency have been satisfied. Failure to submit your signed award document within the 45 -day award acceptance period may result in your CHP award being withdrawn and the funds deobligated without additional notification. If your agency requires an extension for accepting the award beyond the 45-day acceptance timeframe, you will be able to request an extension through the online system. Be sure to explain the circumstances that prevent your agency from signing the award document within the 45 -day period, and identify the date by which the award document will be electronically signed. The COPS Office will review such requests on a case-by-case basis. The COPS Office reserves the right to deny requests to extend the 45 -day award acceptance period. If you have any questions, please contact your COPS Office Grant Program Specialist at 800-421-6770.

II. Accessing Award Funds

This section provides answers to payment-related questions, including all the information needed to set up your payments. For assistance with financial management and award administration, please contact the COPS Office Response Center at 800-421-6770 or visit our website at **www.cops.usdoj.gov**.

Payment method

What method of payment is used?

There is currently one payment system available for accessing federal award funds—the Grant Payment Request System (GPRS). GPRS is a web-based system that enables recipients to use a secure Internet connection to request funds. Approved payment requests will automatically be scheduled for payment by the United States Department of the Treasury through electronic funds transfer (EFT). The Automated Clearing House (ACH) is the primary system that agencies use for EFT. A recipient will be able to review previous payment requests made since July 2009. For more information regarding GPRS, please go to **https://www.ojp.gov/about/offices/ocfo/gprs** to view the User Guide.

Setting up your account

How do we set up a new GPRS account?

If you are a new recipient to the COPS Office, your agency should determine which authorized employee(s) will be responsible for requesting federal funds for your COPS Office awards through the GPRS system. The individual(s) selected must click on the following link and register with the GPRS system to become a drawdown specialist for your agency: **https://grants.ojp.usdoj.gov/gprs/welcome**.

Once you have been approved, you will receive an e-mail containing a temporary password and information on how to use GPRS. Please note that part of the verification process may involve outreach to your law enforcement executive and/or government executive or other financial points of contact to validate the information that was provided during the registration process. All individuals who need access to GPRS must register separately and create their own unique GPRS username account, as these accounts are not meant to be shared.

How do we add an award to an existing GPRS account?

If you are currently registered for an active COPS Office award username in GPRS and would like to add a recently funded COPS Office award number to your existing COPS Office award username, contact the COPS Office GPRS registration team via e-mail at **COPSGPRSRegistration@usdoj.gov** and provide the following information:

- User name (for COPS Office awards)
- First/last name
- Vendor number (as listed on your award document)
- Award number(s) to be added

How do we fill out the payment enrollment forms?

If you are a new recipient to the COPS Office, your agency will need to complete an Automated Clearinghouse (ACH) Vendor/Miscellaneous Payment (SF-3881) enrollment form. This form can be found on the COPS Office website at the following address: **www.cops.usdoj.gov/pdf/ach_form_new.pdf**.

Prior to accessing your award funds, your agency must mail the original signed form to:

Office of Justice Programs
810 Seventh Street, N.W.
Attn: Office of the Chief Financial Officer
Washington, DC 20531

Your agency must complete the "Payee/Company Information" section following the directions on the back of the form and also provide the award number (printed on the award document). Next, your financial institution must complete the "Financial Institution Information" section and have the appropriate financial official sign the form.

There are three sections on the ACH form:

1. Agency Information section – Preprinted on form.
2. Payee Information Section – Payee (also known as grantee) enters the following: identifying information (i.e., name of grantee organization and street address), e-mail address and telephone number.

   The Depositor Account Title and the name of the organization that received the award should be exactly the same (e.g., award recipient "ABC Police Department" would be considered a different entity from the depositor title "City of ABC"). If the award recipient differs from the Depositor Account Title, a letter of explanation is required. This letter must be sent with the ACH form and submitted on the recipient's letterhead, signed by an authorized official, and must explain why the funds are to be deposited into an account belonging to an entity other than the direct recipient of the award.

3. Financial Institution Information Section – This section should be filled out by the financial institution/bank official ONLY. The type of account should be checked, and the signature, title, and telephone number of the appropriate financial institution official should be included as well. **Only the authorized financial institution/bank official should sign (electronically or physical ink "wet" signature) the last line in the "Financial Institution Information" section of the ACH form.**

OCFO will confirm the banking information with the financial institution prior to entry into OJP records.
When the form is completed and signed by a bank official, please send the form via:

- **Email** to Control.DeskOJP@ojp.usdoj.gov

or

- **Mail, UPS, FedEx, DHL, or other carrier** to
  Office of Justice Programs
  810 Seventh Street, NW.
  Attn: Office of the Chief Financial Officer
  Washington, DC 20531

The ACH form must be received before payments are processed.

If you are a recipient of a previous COPS Office award, you should already have filled out an ACH enrollment form. You will not be required to submit a new ACH enrollment form for the new award as long as your bank account information and/or your OJP vendor number has not changed. If you have any questions, or wish to verify your ACH enrollment form information, please call the COPS Office Response Center at 800-421-6770 and ask to speak with your state assigned Financial Analyst.

Electronic deposits/refunds

In the normal course of award operations, there are situations in which recipients must make refunds to the Office of Justice Programs (OJP), Office of Community Oriented Policing Services (COPS Office), or Office on Violence Against Women (OVW), all of which are processed by OJP's OCFO. Because of workplace disruptions caused by COVID-19, OJP recognizes that some entities and individuals may have difficulty providing refunds through hard copy mail using paper negotiable instruments such as money orders, paper checks, bank drafts, and cashier checks.

To avoid disruptions and delays in the refund process, OJP is strongly encouraging grantees to submit deposits electronically (using Automated Clearing House (ACH) or Fed wire). This will eliminate a delay in reflecting the refund on grant or vendor account balances.

To that end, if situations arise that require a grantee to return funds, please submit your refund electronically using ACH or Fed wire. Templates with instructions are attached in the appendices of this manual.

Upon notification to the grantee to return funds, please email OCFO/FAAD/ACRB at **ACRBelectronictransfer@ojp.usdoj.gov**. ACRB will assign an accountant to assist the grantee with the process.

When should Federal Financial Reports be filed?

Current regulations state that all COPS Office award recipients are required to submit their initial Federal Financial Report (FFR) using Standard Form 425 (SF-425) at the end of the period that includes the award start date, regardless of when the award was accepted, and thereafter, at the end of every calendar quarter, regardless of award activity. This report should reflect actual expenditures and unliquidated obligations incurred by your agency on a cumulative basis. You will not be able to make drawdowns from your GPRS account if the SF-425 report for the most recent reporting quarter is not on file with the COPS Office by the deadline date. Recipients are encouraged to submit their SF-425 reports via the Internet at **https://portal.cops.usdoj.gov**.

For more information on how to complete and where to submit your quarterly SF-425, see the section of this manual, titled "Reports".

Filing the Federal Financial Report (SF-425) identifies your federal and local expenditures made during that calendar quarter. However, to receive actual payment, you must request it through GPRS.

Additional payment questions

Can we receive advances?

Yes. If you receive funds through electronic transfer, the period allowed is 10 days in advance. In general, the concept of "minimum cash on hand" applies to COPS Office awards. This concept requires that your agency request funds based upon immediate cash disbursement needs. You should time your request for payment to ensure that federal cash on hand is the minimum that you need.

There should be no excess federal award funds on hand, except for advances not exceeding 10 days, as noted earlier.

The Federal Government has four basic rules regarding advances. Advances can be terminated if the recipient

1. is unwilling or unable to attain project goals;
2. maintains excess cash on hand;
3. does not adhere to the terms and conditions of the grant; and/or
4. fails to submit reliable or timely reports.

How often can we request reimbursement of costs?

There are no limitations on how often your agency may request reimbursements; however, your reimbursement requests should cover a specific time frame and include only costs that were approved in the Financial Clearance Memorandum (FCM). As a general guideline, most agencies request reimbursement on a monthly or quarterly basis. Also, please note that a date range for a reimbursement request can only be used once.

Can we earn interest on our award funds?

For states, payments are governed by Treasury-State CMIA agreements and default procedures codified at 31 C.F.R. Part 205 ''Rules and Procedures for Efficient Federal-State Funds Transfers'' and TFM 4A–2000 Overall Disbursing Rules for All Federal Agencies.

For nonfederal entities other than states, payment methods must minimize the time between your drawdown of federal funds and your payment of award costs to avoid earning excess interest on your award funds. You must account for interest earned on advances of federal funds as follows:

- The Office of Management and Budget (OMB) uniform guidance at 2 C.F.R. § 200.305(b)(9) states that interest earned on federal advance payments deposited in interest-bearing accounts **up to $500 per year** may be retained by the nonfederal entity for administrative expenses.
- Any interest earned on federal advance payments deposited in interest-bearing accounts that is **in excess of $500 per year** must be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. For detailed information on remittance please see the appendices of the Award Owner's Manual for a full text of the electronic medium remittance options.
- If you do not have access to an electronic medium option, then please make a check payable to "The Department of Health and Human Services" and mail the check to Treasury-approved lockbox: HHS Program Support Center, P.O. Box 530231, Atlanta, GA 30353-0231. (Please allow 4–6 weeks for processing of a payment by check to be applied to the appropriate Payment Management System (PMS) account).
- Please notify your COPS Office Staff Accountant in the COPS Office Finance Business Unit when any interest that is earned is remitted to the Department of Health and Human Services, Payment Management System.

III. Financial Record Maintenance

Under the COPS Office CHP, your agency is required to establish and maintain accounting systems and financial records to accurately account for funds awarded and disbursed. These records must include both federal funds and any local funds contributed to this project.

Accounting systems and records

What accounting systems are required?

Your agency needs to establish and maintain accounting systems and financial records to accurately account for the funds awarded.

As required by 2 C.F.R. § 200.62 (Internal control over compliance requirements for federal awards), your accounting system should be designed to provide reasonable assurance regarding the achievement of the following objectives for federal awards:

- Transactions are properly recorded and accounted for in order to prepare reliable financial statements and federal reports and to maintain accountability over assets.
- Transactions are executed in compliance with all applicable federal statutes, regulations, and the award terms and conditions.
- Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

What records must be kept?

Your agency's fiscal control and accounting systems should enable you to make accurate, current, and complete disclosure of the financial activity under your CHP award. Your accounting records should contain information showing expenditures under the award and must be supported by items such as payroll records, time and attendance records, cancelled checks, or similar documents.

Your agency must adequately safeguard award funds and make sure that they are used for authorized purposes only. Your agency will be responsible for refunding any unallowable expenses.

How long must records be kept?

All financial records and supporting documents associated with each COPS Office award (including payroll, time and attendance records, canceled checks, and purchase orders) must be retained for a period of three years from the date of submission of the final expenditure report as stated in 2 CFR §200.333 (Retention requirements for records).

Your agency should maintain records so that you can identify them by award year or by fiscal year, whichever you find more convenient. If any litigation, claim, negotiation, audit, or other action involving these records has been started before the end of the three-year period, the records should be kept until completion of the action. These records should be easily located and should be properly protected against fire or other damage. *Failure to maintain adequate records to document award expenditures may result in a requirement to repay all federal funds that cannot be supported with appropriate records.*

What if we have more than one award?

If your agency has more than one COPS Office award or an award from another federal agency, funds received under one project may not be used to support another project without specific written authorization from the COPS Office, or in the case of an award from another agency, from both awarding agencies. Your accounting systems and financial records must reflect expenditures for each project separately.

Who may access our records?

Authorized federal representatives, including representatives from the U.S. Department of Justice, the Comptroller General of the United States, the COPS Office, and any entity designated by the COPS Office may access these records for the purposes of conducting audits, site visits, or other examinations.

IV. Federal Audit Requirements

In addition to oversight by the COPS Office, your award may be subject to an audit by independent examiners. The two primary types of audit are Single Audit Act (SAA) audits and U.S. Department of Justice, Office of the Inspector General (OIG) audits.

Single Audit Act (SAA) requirements

What are the regulations governing SAA requirements?

The Single Audit Act (SAA) of 1984 established uniform guidelines and standardized audit requirements for States, local governments, and Indian tribal governments receiving federal financial assistance.The 1984 Act was amended in July 1996, by extending these requirements to all non profit recipients of federal financial assistance. On December 26, 2013, the Office of Management and Budget (OMB)6614 issued final guidance for 2 CFR Part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). This guidance applies to all federal awards or funding increments awarded on or after December 26, 2014 and provides additional guidelines regarding the implementation of SAA requirements. 2 C.F.R. Part 200, Subpart F – Audit Requirements, available at **www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl**, establishes the requirements for organizational audits that apply to COPS Office award recipients. Recipients must arrange for the required organization-wide (not award-by-award) audit in accordance with the requirements of Subpart F.

Who must have an SAA audit?

A recipient that expends $750,000 or more during the recipient's fiscal year in federal awards must have a single audit conducted in accordance with 2 CFR §200.514 (Scope of audit) except when it elects to have a program-specific audit conducted in accordance with 2 CFR §200.501(c). An auditee may be a recipient, a subrecipient, or a vendor.

SAA audits are conducted annually unless a state or local government is required by constitution or statute in effect on January 1, 1987 to undergo audits less frequently than annually. The primary objective of an SAA audit is to express opinions on the recipient's financial statements, internal controls, major and non-major award programs, and compliance with government laws and regulations. Single Audits may also address specific compliance issues with respect to COPS Office award requirements.

In cases of continued inability or unwillingness to have an audit conducted in accordance with this part, federal agencies and pass-through entities must take appropriate action as provided in 2 C.F.R. §200.338 (Remedies for noncompliance). See 2 C.F.R. §200.505.

These sanctions under §200.338 could include the following:

- Temporarily withhold cash payments pending correction of the deficiency by the nonfederal entity or more severe enforcement action by the federal awarding agency or pass-through entity.
- Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
- Wholly or partly suspend or terminate the federal award.

- Initiate suspension or debarment proceedings as authorized under 2 C.F.R. part 180 and federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a federal awarding agency).
- Withhold further federal awards for the project or program.
- Take other remedies that may be legally available.

Your SAA reports should not be sent to the COPS Office.

If the U.S. Department of Justice is your cognizant federal agency (see the Glossary of Terms following the appendices), they should be sent to the Federal Audit Clearinghouse at:

Federal Audit Clearinghouse
Bureau of Census
1201 East 10th Street
Jeffersonville, IN 47132

The U.S. Department of Justice, Office of Justice Programs (OJP) serves as the liaison between recipients and auditors in the conduct of resolving and closing SAA audits. Questions and comments regarding SAA audits may be directed to the COPS Office Response Center at 800-421-6770.

Office of Inspector General (OIG) recipient audits

What is the role of the OIG for award audits?

The OIG is a separate component of the U.S. Department of Justice and is independent of the COPS Office. The primary objective of OIG recipient audits is to assess compliance with award terms and conditions. OIG audits are designed to prevent fraud, waste, and abuse of federal funds. The OIG audit process promotes efficiency and effectiveness in the administration and implementation of awards by evaluating compliance with the terms and conditions of awards.

How are COPS Office awards selected for an OIG audit?

The OIG randomly selects awards to be audited or may conduct a COPS Office recipient audit in response to a referral that the OIG believes warrants further evaluation. The OIG also surveys DOJ award-making agencies on an annual basis to solicit input on suggested audit areas for the upcoming fiscal year. In most instances, however, the OIG generally selects awards to be audited based on a number of factors, including the geographical distribution of awards funded, award amount, population served, award status (active and expired), and type of award (hiring and non-hiring). As such, the fact that a recipient has been selected for an OIG audit is not necessarily indicative of a suspected concern or problem area.

What are the steps in an OIG audit?

The COPS Office Grant Monitoring Division's Audit Liaison Section serves as the liaison between recipients and the OIG's Audit Division, which conducts the audit. The OIG steps in the audit process will determine the interactions between the OIG, the recipient, and the COPS Audit Liaison Section.

- **Call for award data.** The OIG requests award documentation from the COPS Office.
- **Entrance conference.** The OIG schedules to meet with the recipient to gather documentation and conduct audit.
- **Draft audit report.** The OIG reviews documentation and presents initial findings to the recipient and copies the COPS Office. The COPS Office interacts with the recipient to coordinate any repayments and/or policy or procedure documents to be submitted to the OIG before release of Final Audit Report.
- **Final audit report.** The OIG has completed its direct interaction with the recipient. The COPS Office directs the recipient to formulate a Corrective Action Plan to address recommendations (findings). As each recommendation is successfully addressed by the recipient, the COPS Office requests closure on the recommendation.
- **Closing the audit.** When all recommendations have been closed, the COPS Office requests closure on the audit from the OIG and notifies the recipient that the audit is closed.

If you have any questions regarding an OIG audit, please contact the COPS Office Grant Monitoring Division's Audit Liaison Section, via the COPS Office Response Center at 800-421-6770. Questions and comments regarding the administration of your COPS Office CHP award, not specifically related to an audit, should be referred to your COPS Office Grant Program Specialist.

Typical audit findings

The OIG has typically reported the following audit findings pertaining to awards as a result of lack of proper documentation, poor business practices, or inadequate accounting and record keeping systems:

- **Unallowable costs.** Recipient incurred costs that were not approved in the original budget or a budget modification, were in excess of the approved budget, or were charged to the award after the expiration date and an award extension was not obtained.
- **Unsupported costs.** Specific award expenditures and reimbursements could not be supported by adequate documentation (including but not limited to receipts or purchase orders), that may have been allowable under the program, but for which no prior written approval was obtained from the COPS Office, or award expenditures were in excess of actual approved award costs.
- **Lack of complete/timely programmatic and financial reporting.** Recipient failed to submit required programmatic and financial reports in a timely manner and/or had inadequate record keeping systems.
- **Failure to retain.** Recipient lacked documentation to support retention planning efforts during the award period and/or failed to demonstrate an increase in the baseline of locally funded sworn officer positions at the conclusion of the 36 months of federal funding, over and above what the recipient would have funded in absence of the award.
- **Supplanting.** Recipient could not document efforts to backfill vacant local sworn officer positions, or recipient could not explain reductions in local law enforcement budget or in sworn officer positions during the award period.
- **Lack of adequate community policing.** Recipient had difficulty demonstrating community policing activities.

- **Funds to better use.** Funds could be used more efficiently based on management actions such as reductions in outlays; deobligation of funds; withdrawal; costs not incurred by implementing recommended improvements; and other identified savings.
- **Questioned costs.** Costs that are questioned by the auditor because of an audit finding which resulted from a violation or possible violation of a provision of law, regulation, award terms and conditions, or other document governing the use of federal funds; or because costs incurred appear unreasonable and do not reflect the actions a prudent person would take under the same circumstances; or because costs at the time of the audit are not supported by adequate documentation.
- **Policy and procedure**. Weaknesses are identified in a recipient's accounting practices, fiscal stewardship, accuracy of data used in the development of the award applications, and/or inventory controls that led to the recommendation cited in the audit. The recipient is required to develop or revise policies and/or procedures consistent with their existing practices and submit to the COPS Office to forward to the OIG to close the recommendation.

After the final OIG audit report has been issued, the COPS Office Grant Monitoring Division will continue working as the liaison between your agency and the OIG to obtain closure on any audit findings. The COPS Office will issue a closure letter once all audit recommendations have been closed by the OIG. You must keep all documentation related to the audit for a period of three years following the audit's closure.

V. Reports

As part of CHP, your agency will be required to submit quarterlyFederal Financial Reports as well as semiannual Programmatic Progress Reports. Awarded agencies should be prepared to track and report CHP funding separately from other funding sources (including other COPS Office and federal awards) to ensure accurate financial and programmatic reporting on a timely basis. Your agency should ensure that you have financial internal controls in place to monitor the use of CHP funding and ensure that its use is consistent with the award terms and conditions. Good stewardship in this area includes written accounting practices and use of an accounting system that tracks all award drawdowns and expenditures and has the ability to track when CHP award-funded positions are filled or vacant (including if the position was for a new hire or a rehire). *Failure to submit complete reports, or submit them in a timely manner, may result in the suspension and possible termination of your agency's COPS Office award funding or other remedial actions.*

Federal Financial Reports

Your agency is required to submit quarterly Federal Financial Reports using Standard Form 425 (SF-425) within 30 days after the end of each calendar quarter. A final SF-425 will be due within 90 days after the end of the award period. This report reflects the actual cumulative federal expenditures incurred during the funding period and the remaining unobligated balance of federal funds. Under federal regulations, your agency is not permitted to draw down federal funding for costs incurred after the official award end date; however, you will have a 90-day grace period after the award end date during which you can drawdown funds for eligible expenditures incurred before the award end date.

How do we file Federal Financial Reports?

All COPS Office award recipients are strongly encouraged to submit the required quarterly SF-425 online. Visit the COPS Office Agency Portal website at **https://portal.cops.usdoj.gov** to log in; once you are logged in, select "Applications" from the agency portal menu, click on the "SF-425" icon, and follow the instructions to complete and submit your reports. The online SF-425 requires the same reporting information as the paper version. The use of this online application enables authorized users to view past reports and allows users to file or amend the SF-425 for the current quarter.

If you do not have login access, you should contact your agency's "COPS Office Agency Portal" Administrator to set up an account for you. If you have a registered account but do not remember your password, you may reset your password by going to the "COPS Office Agency Portal" homepage using the "Account Access" tab, then entering your email address and clicking on the "Forgot Password" link. If you do not have your user name or password, please contact the COPS Office Response Center by phone at 800-421-6770 (from Monday through Friday between 9:00 AM and 5:00 PM Eastern time) or by email at AskCopsRC@usdoj.gov.

Please visit the following website to download a copy of the COPS Office "Agency Portal" User Manual: **https://cops.usdoj.gov/chp#programdocuments.**

When are Federal Financial Reports due?

SF-425s for COPS Office awards must be submitted every quarter and no later than 30 days after the last day of each reporting quarter, as detailed in table 1 on page 50.

Table 1. Due dates of SF-425 by quarter

Reporting quarter	SF-425 due date
January 1–March 31	April 30
April 1–June 30	July 30
July 1–September 30	October 30
October 1–December 31	January 30

For your initial SF-425 submission, determine when the most recent SF-425 reporting quarter ended and complete an SF-425 to cover the period from the award start date to the end of that period. **You are required to submit an SF-425 even if you have not spent any money or incurred any costs during a reporting period.** The due dates for online filing of SF-425s are the same as for the submission of paper copies.

Example:

If your award start date is 09-01-18 and the current date is 11-15-18, then your first SF-425 would be due no later than 10-30-18 and would cover the period 09-01-18 (award start date) through 09-30-18 (end of the initial reporting quarter for this award). This SF-425 must be on file with the COPS Office before the submission deadline so that you can avoid being delinquent and successfully complete a drawdown of funds through GPRS.

Award recipients who do not submit an SF-425 report by the due date each quarter will be unable to draw down funds. The payment system contains a function which checks for SF-425 delinquency and will reject a drawdown attempt if the SF-425 is not current. Subsequent outreach through e-mail, fax, or hard copy reminders may be sent to the recipient if the SF-425 is delinquent.

For general information concerning online filing of SF-425 reports, go to **www.cops.usdoj.gov** or contact the COPS Office Response Center by phone at 800-421-6770 or by e-mail at **AskCopsRC@usdoj.gov**.

For assistance in completing the SF-425, contact the COPS Office Response Center at 800-421-6770 or by e-mail at **AskCopsRC@usdoj.gov** or review the Helpful Hints Guide for Completing the Federal Financial Report (SF-425) at **https://cops.usdoj.gov/pdf/2019AwardDocs/SF_425_Helpful_Hints.pdf**.

How will awards be monitored?

The COPS Office and designated representatives from the Office of the Chief Financial Officer, Office of Justice Programs monitor the financial aspects of your agency's award through financial reports, on-site visits, office-based grant reviews, meetings, telephone contacts, reports, audits, reviews of grant change requests, and special request submissions.

Program Progress Reports

Semiannual Program Progress Reports and a Final Program Progress (Closeout) Report are required to be submitted directly to the COPS Office through the "Account Access" link of the COPS Office website at **www.cops.usdoj.gov**.

How do we file a Program Progress Report?

Please access the COPS Office website at **www.cops.usdoj.gov** and click on "Account Access" and Agency Portal Login will appear. Once you are logged in, select "Applications" from the Agency Portal Menu. Click on the "Progress Report" icon and follow the instructions to complete your report(s). Please see the Agency Portal User Manual at **https://cops.usdoj.gov/chp#programdocuments** for detailed instructions on federal financial reports.

How do we obtain online access to complete the Program Progress Report?

If you do not have your user name and/or password, please go to the COPS Office website at **www.cops.usdoj.gov** and select the "Reset Your Password" link. If your agency has not registered with the COPS Office and you are the administrative contact for your agency, please select the "Register Your Agency" link. If you have changes in executives or officials and cannot make updates in Agency Portal, please complete the "Change of Information Form". For all other related problems, please email the COPS Office Response Center at **AskCopsRC@usdoj.gov** or contact the COPS Office Response Center by phone at 800-421-6770 (Monday through Friday between 9:00 a.m. and 5:00 p.m. Eastern time).

Semiannual Program Progress Reports and a Final Program Progress (Closeout) Report are required to be submitted directly to the COPS Office through the "Account Access" tab of the COPS Office website at **https://portal.cops.usdoj.gov**.

Do we need to request a Program Progress Report?

No. Notification of Semiannual Progress Report collection will be sent to grantees in the months of March and August. The information provided in the progress report will cover all your COPS Office award activities for the preceding calendar six months; the report is due 30 days after the notification is sent.When are Program Progress Reports due?

Effective January 1, 2020, the COPS Office is changing the existing, quarterly programmatic progress report cycle to a new semiannual submission, which will be due March 31 and August 31 (as shown in table 2).

Table 2. Due dates of Program Progress Reportsby semiannual dates.

Reporting Period	Program Progress Report due date
August 1 – February 28	March 31
March 1 – July 31	August 31

What kind of information will these reports require?

These reports will request information about the status of your award in terms of purchasing equipment, hiring personnel, delivering services, and progress in meeting milestones identified in the cooperative agreement, as well as general information about your agency.

What if we make a mistake or need to modify the report after it is submitted?

You may call a Progress Report Information Specialist at 800-659-7379 for any assistance including if you need to correct a mistake or make any other changes.

Will the data that we submit be publicly available?

Program Progress Reports submitted to the COPS Office may be reported publicly in response to a Freedom of Information Act (FOIA) request.

If your agency has any questions regarding the submission of these required reports, please call the COPS Office Progress Report Team at 800-659-7379.

In addition, please open link **https://cops.usdoj.gov/complianceandreporting** to review progress report FAQ's and new questions that have been added to the report.

Contact points to obtain technical assistance and report violations

Any alleged violations, serious irregularities, or acts that may result in the use of public funds in a manner inconsistent with the Public Safety Partnership and Community Policing Act of 1994 or the purposes of this award, may be reported to the U.S. Department of Justice. Furthermore, the COPS Office welcomes the opportunity to provide assistance regarding the implementation of award provisions to help ensure that federal award funds are spent responsibly. As such, the following contacts are provided to address noncompliance and technical assistance issues:

- If you suspect violations of a criminal nature, please contact the U.S. Department of Justice, Office of the Inspector General (OIG) at **https://oig.justice.gov/hotline**, **OIG.hotline@usdoj.gov**, or 800-869-4499.
- If you suspect award violations (not criminal in nature) related to the award conditions listed in this manual, please contact the COPS Office Grant Monitoring Division at 800-421-6770.
- If you have any questions or need assistance regarding your award, please contact your COPS Office Grant Program Specialist via the COPS Office Response Center at 800-421-6770.

VI. Community Policing Activities

The COPS Office defines community policing as a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, fear of crime, and social disorder. CHP awards must be used to initiate or enhance community policing activities. All newly hired, additional, or rehired officers funded under CHP (or an equal number of redeployed veteran officers) must implement your agency's approved community policing strategy, which you described in your award application, and advance your agency's community policing activities over the life of the award.

In your application, you specified a community policing implementation strategy for the CHP award with specific reference to a specific crime or disorder problem and the following elements of community policing:

- **Problem solving**—your agency's strategy to assess and respond to the problem identified
- **Community partnerships** and support, including related governmental and community initiatives that complement your agency's proposed use of CHP funding
- **Organizational transformation**—how your agency will use these funds to reorient its mission to community policing or enhance its involvement in and commitment to community policing

Your organization may be audited or monitored to ensure that it is initiating or enhancing community policing in accordance with the community policing strategy or strategies you indicated in your application and that the officers hired (or an equal number of redeployed veteran officers) are used to implement this strategy. We understand that your community policing needs may change during the life of your award. We also recognize that this strategy may incorporate a broad range of possible community policing strategies and activities and that your agency may implement particular community policing strategies from the plan on an as-needed basis throughout the life of the award. Minor changes to this plan may be made without prior approval of the COPS Office; however, recipients will be required to report on progress or changes to the community policing strategy (if any) through required semiannual progress reports. Any changes to the community policing scope or strategies originally identified in your CHP application should be documented within your semiannual progress report. If your agency's community policing strategy changes significantly, you must submit those changes to the COPS Office for approval through the semiannual progress report. Changes are significant if they deviate from the specific crime problem(s) originally identified and approved in the community policing strategy submitted with the application. Additional information about community policing may be found in the appendices of this manual.

VII. When the Award Period Has Ended

At the end of your agency's award period, the COPS Office is responsible for the closeout of your award. As part of this process, the COPS Office requires documentation demonstrating that your agency has met all of the financial and programmatic requirements of the award.After the end of the award period, your agency will be asked to submit a final Federal Financial Report (SF-425) and any applicable final programmatic progress reports.

Final Federal Financial Report (SF-425)

The final Federal Financial Report FFR (SF-425) for your award is due to the COPS Office no later than 90 days after the end date of the award period. To avoid being delinquent and having your funds frozen, you must submit an SF-425 report within the 30 day grace period, even if your final SF-425 is not due yet. You can revise that report to reflect your final actual costs and revise the status as final no later than 90 days after the end date of the award period. The final report should reflect the total amount of allowable federal expenditures that were incurred during the life of the award, as well as the amount of unobligated funds remaining, if any. The federal funds expended should reflect only the actual allowable costs incurred relative to the specific CHP program requirements for that award. In addition, once you have completed your final drawdown, this report should reconcile with the total amount of federal funds drawn down by your agency. The final SF-425 should also include the total amount of the local cash match contributed, if applicable.

When should all of the award monies be spent?

Award funds reflecting allowable project costs must be obligated before the end of the award period. Obligated funds cover monies spent, and expenses incurred but not yet paid, for any approved items listed on the FCM. Your agency has up to 90 days after the end date of the award period to pay for eligible expenses previously incurred, and to request reimbursement for any remaining eligible balance. You cannot list an accrual on your final SF-425. Request an extension if you will not be able to pay for any obligations within the time frames listed above.

Please be advised that 2 CFR Part 200.343(a) requires recipients to submit final SF-425s and 2 CFR Part 200.343(b) requires recipients to draw down the final reimbursement for expended funds within 90 days after the expiration of the award. In addition, be advised that failure to complete the drawdown of funds within the 90-day period following award expiration will result in the forfeiture of the remaining eligible balance.

It is possible that your agency may have excess award funds remaining in your account following the award period due to an overestimate of item costs during the award period. Your agency should review its records carefully to ensure that it draws down and expends only the amount required for actual costs incurred during the award period. Any remaining unobligated or unspent funds should remain in your account and will be deobligated during the closeout process.

Final Program Progress (Closeout) Report

After your award period has ended, your agency's final progress report can also be accessed through the COPS Office website at **http://www.cops.usdoj.gov**. This report will serve as your agency's final programmatic report on the award, and the information your agency provides in this report will be used to make a final assessment of your award progress. The recipient will be sent a closeout report from the COPS Office and asked to complete it, as well.

Retention

At the conclusion of 36 months of federal funding for each awarded officer position, your agency must implement its plan, submitted at the time of award application, to retain the additional COPS Office–funded officer position(s) with state or local funds for a minimum of 12 months as required by the award conditions in this manual. If an agency is awarded several officer positions, the retention period for each individual officer position begins upon completion of 36 months of federal funding for each position (not based on the cumulative award end date). The additional officer positions should be added to your agency's law enforcement budget with state or local funds for at least 12 months over and above the number of locally funded officer positions that would have existed in the absence of the award. If a position becomes vacant during the retention period, your agency must take active and timely steps consistent with its hiring policies and procedures to fill the position with a new, additional officer to complete the remainder of the 12-month retention period.

Absorbing CHP-funded officers through attrition (rather than adding the extra positions to your budget with additional funding) does not meet the retention requirement. In addition, your agency may not use federal funding from other COPS Office awards to retain positions awarded under a previous COPS Office hiring award.

If you have any questions regarding the retention requirement, please contact your COPS Office Grant Program Specialist at 800-421-6770 or via e-mail at **AskCopsRC@usdoj.gov**.

VIII. Conclusion

We hope that this manual has assisted you and your agency with your award questions. We welcome and encourage any comments you have regarding the COPS Office, CHP and the materials we have developed for its administration. If you have specific comments regarding this manual, please send them to:

U.S. Department of Justice
Office of Community Oriented Policing Services
Attn: CHP Control Desk
145 N Street NE
Washington, DC 20530

If you have any questions about your award, please call your COPS Office Grant Program Specialist or the COPS Office Response Center at 800-421-6770.

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," the COPS Office encourages recipients of U.S. Department of Justice funds to adopt and enforce policies that ban text messaging while driving and to establish workplace safety policies to decrease crashes caused by distracted drivers.

In addition, pursuant to Executive Order 13043, "Increasing Seat Belt Use in the United States," the COPS Office encourages recipients of U.S. Department of Justice funds to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

Appendices

Appendix A. List of source documents

A. Primary sources

Public Safety Partnership and Community Policing Act of 1994, 42 U.S.C. § 3796dd et seq.

B. Secondary sources

Code of Federal Regulations (CFR)/Office of Management and Budget (OMB):

2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101

4 C.F.R. Parts 101-105, U.S. Department of Justice/Government Accountability Office, "Joint Federal Claims Collections Standards"

5 C.F.R. Part 1320, "Controlling Paperwork Burdens on the Public"

5 C.F.R. Part 151, "Political Activity of State and Local Officers or Employees"

28 C.F.R. Part 23, "Criminal Intelligence Systems Operating Policies"

28 C.F.R. Part 61, "Procedures for Implementing the National Environmental Policy Act"

28 C.F.R. Part83, "Government-Wide Requirements for Drug-Free Workplaces (Grants)"

28 C.F.R. Part 69, "New Restrictions on Lobbying"

31 C.F.R. Part 205, "Rules and Procedures for Efficient Federal-State Funds Transfers"

OMB Circular A-129, "Policies for Federal Credit Programs and Non-Tax Receivables"

48 C.F.R. Part 31 (Federal Acquisition Regulation), "Contract Cost Principles and Procedures"

Executive orders:

Executive Order 12291, "Regulations"

Executive Order 12372, 28 C.FR. Part 30 "Intergovernmental Review of Federal Programs"

Executive Order 12547, "Non-Procurement Debarments and Suspension"

Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving,"

Executive Order 13043, "Increasing Seat Belt Use in the United States"

Appendix B. Assurances and Certifications

U.S. Department of Justice Certified Standard Assurances

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

(1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any Department decision to make an award to the Applicant based on its application.

(2) I certify that the Applicant 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) I assure that, throughout the period of performance for the award (if any) made by the Department based on the application--

   a. the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;

   b. the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and

   c. the Applicant 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 Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition--

   A. the Applicant 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 Applicant 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 Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and

   d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.

(5) The Applicant 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 Department 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) I assure that the Applicant will assist the Department as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance 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) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the Department based on the application.

(8) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by the Department based on the application--

   E. 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

   F. 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 Applicant applies for and receives an award from the Office of Community Oriented Policing Services (COPS Office), I 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 Applicant applies for and receives a DOJ award under the STOP School Violence Act program, I 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 DOJ may reasonably require.

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.

Signature of Law Enforcement Executive/Agency Executive (For your electronic signature, please type in your name)	Date
Signature of Government Executive/Financial Official (For your electronic signature, please type in your name)	Date

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:
   - (i) 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;
   - (ii) 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
   - (iii) 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—
      - (i) 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;
      - (ii) 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;

(iii) 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

(iv) 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 Ojpcompliancereporting@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 Ojpcompliancereporting@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—

(i) 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;

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

a. The dangers of drug abuse in the workplace;

b. The Applicant's policy of maintaining a drug-free workplace;

c. Any available drug counseling, rehabilitation, and employee assistance programs; and

d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(iii) 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);

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

a. Abide by the terms of the statement; and

b. 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;

(v) 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 h Street, N.W., Washington, D.C. 20531.
Notice shall include the identification number(s) of each affected award;

(vi) 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:

a. 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
b. 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

(vii) 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.

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Appendix C. Community policing defined

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as violent crime, nonviolent crime, and fear of crime.

Community policing is composed of three key components:

1. Community partnerships
2. Organizational transformation
3. Problem solving

Community partnerships

Community partnerships are collaborative partnerships between law enforcement agencies and the individuals and organizations they serve to develop solutions to problems and increase trust in police.

Community policing, recognizing that police rarely can solve public safety problems alone, encourages interactive partnerships with relevant stakeholders. The range of potential partners is large, and these partnerships can be used to accomplish the two interrelated goals of developing solutions to problems through collaborative problem solving and improving public trust. The public should play a role in prioritizing and addressing public safety problems.

Other government agencies

Law enforcement organizations can partner with a number of other government agencies to identify community concerns and offer alternative solutions. Examples of agencies include legislative bodies, prosecutors, probation and parole departments, public works departments, neighboring law enforcement agencies, health and human services departments, child support services, ordinance enforcement, and schools.

Community members or groups

Individuals who live, work, or otherwise have an interest in the community—volunteers, activists, formal and informal community leaders, residents, visitors and tourists, and commuters—are a valuable resource for identifying community concerns. These factions of the community can be engaged in achieving specific goals at town hall meetings, neighborhood association meetings, decentralized offices or storefronts in the community, and team beat assignments.

Nonprofits or service providers

Advocacy and community-based organizations that provide services to the community and advocate on its behalf can be powerful partners. These groups often work with or are composed of individuals who share common interests and can include such entities as victims groups, service clubs, support groups, issue groups, advocacy groups, community development corporations, and the faith community.

Institutions of Higher Education

Institutions of higher education create communities of students, professors, and personnel that are important stakeholders. The institutions can also provide resources to law enforcement agencies by assisting with communication strategies, facilitation of community meetings, data analysis, and research.

Private businesses

For-profit businesses also have a great stake in the health of the community and can be key partners because they often bring considerable resources to bear in addressing problems of mutual concern. Businesses can help identify problems and provide resources for responses, often including their own security technology and community outreach. The local chamber of commerce and visitor centers can also assist in disseminating information about police and business partnerships and initiatives, and crime prevention practices.

Media

The media represent a powerful mechanism by which to communicate with the community. They can assist with publicizing community concerns and available solutions, such as services from government or community agencies or new laws or codes that will be enforced. In addition, the media can have a significant impact on public perceptions of the police, crime problems, and fear of crime.

Organizational transformation

Organizational transformation is the alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem-solving.

The community policing philosophy focuses on the way that departments are organized and managed and how the infrastructure can be changed to support the philosophical shift behind community policing. It encourages the application of modern management practices to increase efficiency and effectiveness. Community policing emphasizes changes in organizational structures to institutionalize its adoption and infuse it throughout the entire department, including the way it is managed and organized, its personnel, and its technology.

Agency management

Under the community policing model, police management infuses community policing ideals throughout the agency by making a number of critical changes in climate and culture, leadership, formal labor relations, decentralized decision making and accountability, strategic planning, policing and procedures, organizational evaluations, and increased transparency.

Climate and culture

Changing the climate and culture means supporting a proactive orientation that values systematic problem solving and partnerships. Formal organizational changes should support the informal networks and communication that take place within agencies to support this orientation.

Leadership

Leaders serve as role models for taking risks and building collaborative relationships to implement community policing, and they use their position to influence and educate others about it. Leaders, therefore, must constantly emphasize and reinforce community policing's vision, values, and mission within their organization and support and articulate a commitment to community policing as the predominant way of doing business.

Labor relations

If community policing is going to be effective, police unions and similar forms of organized labor must be a part of the process and function as partners in the adoption of the community policing philosophy. Including labor groups in agency changes can ensure support for the changes that are imperative to community policing implementation.

Decision making

Community policing calls for decentralization both in command structure and decision making. Decentralized decision making allows front-line officers to take responsibility for their role in community policing. When an officer is able to create solutions to problems and take risks, he or she ultimately feels accountable for those solutions and assumes a greater responsibility for the well-being of the community. Decentralized decision making involves flattening the hierarchy of the agency, increasing tolerance for risk taking in problem-solving efforts, and allowing officers discretion in handling calls. In addition, providing sufficient authority to coordinate various resources to attack a problem and allowing officers the autonomy to establish relationships with the community will help define problems and develop possible solutions.

Strategic planning

The department should have a written statement reflecting a department-wide commitment to community policing and a plan that matches operational needs to available resources and expertise. If a strategic plan is to have value, the members of the organization should be well-versed in it and be able to give examples of their efforts that support the plan. Components such as the organization's mission and values statement should be simple and communicated widely.

Policies

Community policing affects the nature and development of department policies and procedures to ensure that community policing principles and practices have an effect on activities on the street. Problem solving and partnerships, therefore, should become institutionalized in policies, along with corresponding sets of procedures, where appropriate.

Organizational evaluations

In addition to the typical measures of police performance (arrests, response times, tickets issued, and crime rates) community policing calls for a broadening of police outcome measures to include such things as greater community satisfaction, less fear of crime, the alleviation of problems, and improvement in quality of life. Community policing calls for a more sophisticated approach to evaluation—one that looks at not only how outcomes are measured, but also at how feedback information is used.

Transparency

Community policing involves decision-making processes that are more open than traditional policing. If the community is to be a full partner, the department needs mechanisms for readily sharing relevant information on crime and social disorder problems and police operations with the community.

Organizational structure

It is important that the organizational structure of the agency ensure that local patrol officers have decision-making authority and are accountable for their actions. This can be achieved through long-term assignments, the development of officers who are generalists, and using special units appropriately.

Geographic assignment of officers

With community policing, there is a shift to the long-term assignment of officers to specific neighborhoods or areas. Geographic deployment plans can help enhance customer service and facilitate more contact between police and the community, thus establishing a strong relationships and mutual accountability. Patrol beat boundaries should be aligned to neighborhood boundaries to enhance officers' understanding of communities within their patrol areas and to build trust within the community. Other community policing partners should become familiar with both the patrol officers and community policing officers assigned within each patrol beat to coordinate government and nongovernment community policing activities.

Despecialization

To achieve community policing goals, officers have to be able to handle multiple responsibilities and take a team approach to collaborative problem solving and partnering with the community. Community policing encourages its adoption agency-wide, not just by special units, although there may be a need for specialist units that are tasked with identifying and solving particularly complex problems or managing complex partnerships.

Resources (time, finances, and people)

Agencies have to devote the necessary human and financial resources and the investment of time to support community policing to ensure that problem-solving efforts are robust and that partnerships are sustained and effective.

Personnel

The principles of community policing need to be infused throughout the entire personnel system of an agency including recruitment, hiring, selection, and retention of all law enforcement agency staff, from sworn officers to civilians and volunteers. Personnel evaluations, supervision, and training must also be aligned with the agencies' community policing views.

Recruitment, hiring, and selection

Agencies need a systematic means of incorporating community policing elements into their recruitment, selection, and hiring processes. Job descriptions should recognize community policing and problem-solving responsibilities and encourage the recruitment of officers who have a spirit of service instead of only a spirit of adventure. A

community policing agency must also thoughtfully examine where it looks for recruits, whom it is recruiting and hiring, and what is being tested. Agencies are also encouraged to seek community involvement in this process through the identification of competencies and participation in review boards.

Personnel supervision/evaluations

Supervisors must tie performance evaluations to community policing principles and activities that are incorporated into job descriptions. Performance, reward, and promotional procedures should support sound problem-solving activities, proactive policing, community collaboration, and community satisfaction with police services.

Training

Training at all levels—academy, field, and in-service—must support community policing principles and tactics. It also needs to encourage creative thinking, a proactive orientation, communication and analytical skills, and techniques for dealing with quality-of-life concerns and maintaining order. Officers can be trained to identify and correct conditions that could lead to crime, raise public awareness, and engage the community in finding solutions to problems. Field training officers and supervisors need to learn how to encourage problem solving and help officers learn from other problem-solving initiatives. Until community policing is institutionalized within the organization, training in its fundamental principles will need to take place regularly.

Information technology systems

Community policing is highly information-intensive, and technology plays a central role in providing ready access to quality information. Accurate and timely information makes problem-solving efforts more effective and ensures that officers are informed about the crime and community conditions of their patrol beat. In addition, technological enhancements can greatly assist with accessing information to provide vital resources, improving two-way communication with community members, and developing agency accountability systems and performance outcome measures.

Communication / access to data

Technology provides agencies with an important forum by which to communicate externally with the public and internally within their organization. To communicate with the public, community policing encourages agencies to develop two-way communication systems through the Internet that allow for online reports; reverse 911; email alerts; Internet social media discussion forums; and feedback on interactive applications (such as surveys and geographical information), thereby creating open, ongoing dialogues and increasing transparency.

Technology encourages effective internal communication through memoranda, reports, newsletters, email and enhanced incident reporting, dispatch functions, and communications interoperability with other entities for more efficient operations. Community policing also encourages the use of technology to develop accountability and performance measurement systems that are timely and contain accurate metrics and a broad array of measures and information.

Community policing encourages the use of technology to provide officers with ready access to timely information on crime and community characteristics within their beats, either through laptop computers in their patrol cars or through personal data devices. In addition, technology can support crime/problem analysis functions by enabling agencies to gather more detailed information about offenders, victims, crime locations, and quality-of-life concerns, and to further enhance analysis.

Quality and accuracy of data

Information is only as good as its source; therefore, it is not useful if it is of questionable quality and accuracy. Community policing encourages agencies to put safeguards in place to ensure that information from various sources is collected in a systematic fashion and entered into central systems that are linked to one another and checked for accuracy so that it can be used effectively for strategic planning, problem solving, and performance measurement.

Problem solving

The process of engaging in the proactive and systematic examination of identified problems to develop and evaluate effective responses.

Community policing emphasizes proactive problem solving in a systematic and routine fashion. Rather than responding to crime only after it occurs, community policing encourages agencies to proactively develop solutions to the immediate underlying conditions contributing to public safety problems. Problem solving must be infused into all police operations and guide decision-making efforts. Agencies are encouraged to think innovatively about their responses and view making arrests as only one of a wide array of potential responses. A major conceptual vehicle for helping officers to think about problem solving in a structured and disciplined way is the SARA (scanning, analysis, response, and assessment) problem-solving model.

Scanning: Identifying and prioritizing problems

The objectives of scanning are to identify a basic problem, determine the nature of that problem, determine the scope of seriousness of the problem, and establish baseline measures. An inclusive list of stakeholders for the selected problem is typically identified in this phase. A problem can be thought of as two or more incidents similar in one or more ways and that is of concern to the police and the community. Problems can be a type of behavior, a place, a person or persons, a special event or time, or a combination of any of these. The police, with input from the community, should identify and prioritize concerns.

Analysis: Researching what is known about the problem

Analysis is the heart of the problem-solving process. The objectives of analysis are to develop an understanding of the dynamics of the problem, develop an understanding of the limits of current responses, establish correlation, and develop an understanding of cause and effect. As part of the analysis phase, it is important to find out as much as possible about each aspect of the crime triangle by asking who?, what?, when?, where?, how?, why?, and why not? about the victim, offender, and crime location.

Response: Developing solutions to bring about lasting reductions in the number and extent of problems

The response phase of the SARA model involves developing and implementing strategies to address an identified problem by searching for strategic responses that are both broad and uninhibited. The response should follow logically from the knowledge learned during the analysis and should be tailored to the specific problem. The goals of the response can range from totally eliminating the problem through substantially reducing the problem or reducing the amount of harm caused by the problem to improving the quality of community cohesion.

Assessment: Evaluating the success of the responses

Assessment attempts to determine if the response strategies were successful by understanding if the problem declined and if the response contributed to the decline. This information not only assists the current effort but also gathers data that build knowledge for the future. Strategies and programs can be assessed for process, outcomes, or both. If the responses implemented are not effective, the information gathered during analysis should be reviewed. New information may have to be collected before new solutions can be developed and tested. The entire process should be viewed as circular rather than linear, meaning that additional scanning, analysis, or responses may be required.

Using the crime triangle to focus on immediate conditions (victim/offender/ location)

To understand a problem, many problem solvers have found it useful to visualize links among the victim, offender, and location (the crime triangle) and those factors that could have an impact on them, for example, capable guardians for victims (e.g., security guards, teachers, and neighbors), handlers for offenders (e.g., parents, friends, and probation), and managers for locations (e.g., business merchants, park employees, and motel clerks). Rather than focusing primarily on addressing the root causes of a problem, the police focus on the factors that are within their reach, such as limiting criminal opportunities and access to victims, increasing guardianship, and associating risk with unwanted behavior.

This information is adapted from *Community Policing Defined*, which can be found at **https://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-P157**.

COPS Office Resources

The COPS Office information resources, covering a wide range of community policing topics – from school and campus safety to gang violence – can be downloaded at **https://cops.usdoj.gov/RIC/ric.php**.

Appendix D. COPS Hiring Program (CHP) file management: Documents to maintain in CHP award file

Records must be maintained throughout the three-year CHP award period and for at least three years following the official closeout of the CHP award.

AWARD PROGRAM____CHP_____AWARD # _____

AWARD START DATE_____ORIGINAL AWARD END DATE_____

EXTENDED AWARD END DATE (if applicable)_____

COPY OF AWARD APPLICATION (You can access the final copy of your CHP application through the COPS Office website at **www.cops.usdoj.gov**. Using the "Account Access" link, print a copy of the application and keep it with your agency's CHP award records.)

_____ COPY OF AWARD DOCUMENT

_____ FINANCIAL CLEARANCE MEMO

AWARD MODIFICATION APPROVAL LETTERS (with revised budget information) OR AWARD EXTENSION APPROVAL LETTERS (if applicable)

_____ QUARTERLY FEDERAL FINANCIAL REPORT – SF-425 (for each quarter of the award period)

_____ PROGRAMMATIC PROGRESS REPORTS

- CHP semiannual progress report(s) (for each quarter of the award period)
- Closeout report

_____ SUPPORTING DOCUMENTATION FOR DRAWDOWNS

- W2 employee forms (copy)
- Records of salary / approved fringe benefits rates for each person hired under the award
- Records of hire dates for each person hired under the award
- Payroll records / time & attendance records
- Postal receipts / fax transmission reports (to prove submission dates)
- Log of reimbursement requests made via GPRS
- Copies of checks or wire transfer documents (if applicable)
- Copies of financial office journal entries (if applicable)

_____ ADDITIONAL SUPPORTING DOCUMENTATION FOR MILITARY VETERAN HIRES

- Copy of Certificate of Release or Discharge from Active Duty (DD-214)

_____ ADDITIONAL SUPPORTING DOCUMENTATION FOR REHIRES

- Records of the date of layoff(s)
- Records demonstrating the reason(s) for the layoff(s), specifically showing fiscal reasons that are unrelated to the availability or receipt of CHP funds. [Records that may be used to prove that scheduled layoffs are occurring for local economic reasons that are unrelated to the availability of CHP award funds may include

(but are not limited to) council or departmental meeting minutes, memoranda, notices, or orders discussing the layoffs; notices provided to the individual officers regarding the date(s) of the layoffs; or budget documents ordering departmental and/or jurisdiction-wide budget reductions.]

- Records demonstrating that your agency continued funding the officers with local funds until the date of the scheduled layoffs and did not draw down on CHP funding for the positions until the layoffs otherwise would have occurred.
- Records demonstrating that your agency paid any higher-than-entry-level salary and benefits costs to rehired officers with local funds and used CHP funds only for the approved entry-level salary and benefits package.

_____ SUPPORTING DOCUMENTATION FOR RETENTION

- Records (e.g., council meeting minutes) demonstrating that your agency plans to retain.
- Personnel records (e.g., employee action forms) with the employment dates of each officer. [If a position becomes vacant during the award or retention period, your agency must maintain records of the employment dates of any new officer(s) hired to fill the position.]
- Records demonstrating that your agency took timely and active steps to fill all vacancies occurring during the retention period in accordance with the agency's standard hiring practices and procedures.
- Records demonstrating the date each officer position was retained with local funds and that each position was retained with local funds for at least 12 months following the 36-month award period.

_____ AWARD CORRESPONDENCE (all other general correspondence between COPS Office and recipient)

_____ MEDIA REPORTS

- [Newspaper clippings, magazine articles, certificates, or other noteworthy items should be included to illustrate achievements and successes of the award, such as community policing highlights and other award-related accomplishments. In addition, any CDs, DVDs, electronic newsletters, brochures, website addresses, or other similar information published in connection with the award should be referenced.]

In the event of a COPS Office award monitoring review, the following information should be retained:

Reduction-in-force review

- Identification of the number of sworn officer positions (both full-time and part-time) funded in the agency's budget with local or other non–COPS Office funding during each fiscal year as of the threshold review date (please note that this may include vacant but funded positions).
- Identification of the current number of vacancies among the agency's locally funded sworn personnel, the dates on which the positions were vacated, whether the agency intends to fill the vacancies, and the steps, if any, that were taken to fill the vacancies.
- Provision of supporting documentation from the time the reduction in force occurred indicating the reason(s) for the reduction in force (examples of supporting documentation may include minutes from council meetings, budget directives, contemporaneous memoranda, etc.).
- Identification of the number of COPS Office–funded officers the agency currently employs.

- Documentation regarding whether other local departments in the city/township have experienced similar manpower or budget reductions for the same reasons as the PD.
- Letters from the agency's government executive and law enforcement executive explaining the reduction in force and addressing whether the reduction in force was unrelated to the receipt of the COPS Office CHP funding and therefore would have occurred even in the absence of the CHP award.
- Provision of a request to continue implementing all applicable COPS Office awards (identifying which awards are in place) despite the reduction in force.

Failure to retain review

- Evidence to show that attempts have failed to add the COPS Office–funded positions to a request for local funding during local budget negotiations; attempts have failed to obtain other nonfederal funding sources (such as state awards) to support the additional positions at the termination of the COPS Office award; and attempts have failed to seek additional law enforcement funding from private sources, including corporate, nonprofit, and foundation donations or awards.
- Documentation of any of the following mitigating circumstances that may have hindered agency attempts to implement the retention plan: evidence to show that the jurisdiction has been declared bankrupt by a court of law; jurisdiction has been placed in receivership, or its functional equivalent, by the state or Federal Government; jurisdiction has been declared a financially distressed area by its state; budgetary imbalance or expenditure cutbacks resulting in significant reductions in other services provided by the agency or significant layoffs of the agency's personnel; extraordinary and unanticipated nonrecurring expenses or loss of revenue (including closure or relocation of major employers) resulting in a material effect on the jurisdiction's fiscal condition; significant downgrading of the jurisdiction's bond rating for fiscal-related reasons; filing for bankruptcy, receivership, or similar measures, with the request for relief pending; location within an area in which a declaration of major disaster has been made pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act; or other events or conditions demonstrating *severe fiscal distress*.

Excess cash review

- Identification of the total amount of award funding drawn down from the award.
- Summary and supporting documentation of how the agency expended award funding.
- Revised Federal Financial Reports.

Local match review

- Documentation that specifically identifies the sources of the local match such as written memoranda, local government council minutes, or other documentation to support the appropriation or designation of local funds for the sole purpose of paying local match for the specific award.
- Written requests for waiver of local match and written approval from the COPS Office waiving local match.
- Federal Quarterly Financial Reports (SF-425) that identify the amount of local match paid each quarter.

Unallowable/unsupported costs review

- Payroll ledgers for all expenses charged to the award.

Community policing review

- Brochures, newsletters, or any documents detailing the agency's community policing efforts as specified in your award application, particularly in the following key areas:
- Organizational Commitment
  - Community policing principles found in mission and values statements, policy and procedures manuals, etc.
  - Promoting community policing as part of the law enforcement culture.
  - Community policing training disseminated during recruit training in the academy and/or during in-service training.
  - Strategic planning that incorporates community policing initiatives as part of the overall law enforcement approach to provide public safety.
- Problem Solving Activities
  - Building on information systems to enhance crime analysis capabilities.
  - Identifying crime problems by looking at crime trends.
  - Identifying crime problems with members of the community or other government agencies.
  - Preventing crime by focusing on conditions that lead to crime.
- Community Partnerships
  - Meetings with community members to learn about specific problems.
  - Locating offices or stations within neighborhoods.
  - Use of volunteers and/or reserve officers.
  - Providing community policing training to citizens.
  - Police participation in community organization working groups and/or special programs for schools and other interest groups which enhance crime prevention.

Appendix E. Memorandum of Understanding guidance

Developing your school-based partnership

School and law enforcement partnerships are built on a foundation of shared goals and objectives, which are approached in a constructive and positive manner and achieved through open communication. When schools, communities, and law enforcement agencies work together to creatively tackle problems, they may be able to achieve a number of positive outcomes, including the following:

- An increased ability of law enforcement agencies, schools, and community groups to gather and analyze useful and timely information about crime and fear of crime in schools in accordance with applicable privacy laws
- An increased ability of law enforcement agencies, schools, and community groups to work together in developing innovative, systemic, long-term approaches to reducing and preventing different kinds of crime in and around their schools and preventing unnecessary law enforcement involvement in non-criminal student misbehavior. Measurable outcomes may be determined by implementing strategies focused on targeted crimes, thereby improving the quality of life for those affected (students, teachers, school personnel, and parents), promoting a safer environment conducive to learning, and decreasing the fear of crime and violence among students, school employees, and the surrounding community
- An increased understanding of how to effectively interact with youth through coordinated training on topics such as basic childhood and adolescent development and age-appropriate responses, disability and special education issues, conflict resolution and de-escalation techniques, bias-free policing including implicit bias and cultural competence, restorative justice techniques, and working with specific student groups such as students with disabilities or limited English proficiency and students who are lesbian, gay, bisexual, and transgender (LGBT)
- An increased understanding of an SRO's roles and responsibilities, including an understanding that school code of conduct violations and routine discipline of students remains the responsibility of school administrators and that law enforcement actions (such as arrest, citations, ticketing, or court referrals) are only to be used as a last resort for incidents that involve criminal behavior or when it becomes necessary to protect the safety of students, faculty, and staff from the threat of immediate harm;
- An increased ability through coordinated training for schools and law enforcement agencies to properly train and respond to school safety threats;
- An increased ability to plan for and respond appropriately to emergencies.

Developing a Memorandum of Understanding

An MOU, also referred to as an interagency agreement or Memorandum of Agreement (MOA), is an instrument used to build mutual respect and trust between partners while delineating specific roles and responsibilities of the partnering agencies. Every jurisdiction with a school and law enforcement partnership should have an MOU that clearly defines the roles and responsibilities of the individual partners involved, including school districts, boards or departments of education, school administration officials, law enforcement agencies (including SROs), and students and parents. As a policy instrument, all parties should sign and abide by the MOU, and it should be considered a living document that operates within the context created by applicable federal and state laws—including, but not limited to, federal civil rights laws and privacy laws.

Memorandum of Understanding guidelines

The COPS Office strongly encourages law enforcement agencies to work collaboratively with school partners to formulate additional information that will help successfully implement their overall school safety plans. The MOU must be submitted to the COPS Office within 90 days of the date shown on the award congratulatory letter. The implementation of the CHP award without submission and acceptance of the required MOU may result in expenditures not being reimbursed by the COPS Office and/or award de-obligation. The following information should be included within an MOU.

Purpose of the MOU

This statement may already exist within your ongoing partnership or may need to be developed jointly to assist in defining the primary purpose of your partnership. The statement of purpose should describe the agencies that are entering into the partnership and the effective date of the agreement.

Description of partner roles and responsibilities

This description must include the roles and responsibilities of the school, the school district, and the law enforcement agency, and each partner should be specifically listed within the document. It must clearly indicate that SROs will not be responsible for requests to resolve routine discipline problems involving students. The administration of student discipline, including student code of conduct violations and student misbehavior, is the responsibility of school administrators unless the violation or misbehavior involves criminal conduct.

The MOU must include the roles and responsibilities of the school partner. These roles may include providing a secure work space for the SRO to conduct interviews and maintain confidential records; establishing standing meetings; and working with school administrators in identifying problems and evaluating progress under the MOU, including data collection and evaluation. The school administrator should ensure that staff cooperates with police investigations and any subsequent actions related to crime or criminal activity on campus.

The law enforcement partner is responsible for the selection of officer(s) assigned to the school, and these officer(s) should adhere to the principles of community policing. This section of the MOU must define the roles and responsibilities of the SRO and the assigned hours of SRO duty, including arrival and departure times and specifying if after-hour duties may be performed and if time spent in court, attending interagency meetings, and investigating school-related crimes are within the scope of SRO duties.

The MOU should include examples of the activities that the SRO will engage in, such as

- handling requests for calls for service in and around schools;
- conducting comprehensive safety and security assessments;
- developing emergency management and incident response systems based on the National Incident Management System (NIMS) and the four phases of emergency management: mitigation/prevention, preparedness, response, and recovery;
- developing and implementing safety plans or strategies;
- integrating appropriate security equipment/technology solutions, including incorporating Crime Prevention Through Environmental Design (CPTED) as appropriate to enhance school safety;
- responding to unauthorized persons on school property;
- serving as liaisons between the school and other police agencies, investigative units, or juvenile justice authorities when necessary and consistent with applicable civil rights laws and privacy laws;

- serving as a member of a multidisciplinary school team to refer students to professional services within both the school (guidance counselors or social workers) and the community (youth and family service organizations);
- building relationships with juvenile justice counselors to help connect youth with needed services;
- developing and expanding crime prevention efforts for students;
- developing and expanding community justice initiatives for students.

Information sharing

This section must address the type of and the extent to which information will be shared between the law enforcement agency and school or school district partners. For example, it should define the type of information that the school is permitted or willing to share with law enforcement, as well as information flow from law enforcement to school partner(s). When entering into an MOU, agencies should consider all federal or state laws that govern the collection, use, and dissemination of student records.

Federal privacy laws, including the Family Educational Rights and Privacy Act of 1974 (FERPA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and civil rights and other laws must be considered when developing plans for information sharing that involves personally identifiable information from student education records. For more information on FERPA, see the U.S. Department of Education's FERPA home page at **www.ed.gov/policy/gen/guid/fpco/ferpa/index.html**; for more information on HIPAA, see the U.S. Department of Health and Human Service's Health information privacy site at **www.hhs.gov/ocr/privacy/index.html**; and for an overview of FERPA issues relevant to emergency planning and SRO programs, please see the "Closer Look" section of the Guide for Developing High-Quality School Emergency Operations Plans at **http://rems.ed.gov/docs/rems_k-12_guide_508.pdf**.

Supervision responsibility and chain of command for the SRO

This section should clearly establish a definitive chain of command for the SRO, including the individual(s) responsible for the supervision of the SRO. With rare exception, this responsibility lies with the law enforcement executive or his or her law enforcement designee.

Signatures

The MOU must be signed and dated by both the highest ranking law enforcement executive (i.e., police chief or sheriff) and the school official(s) who will have general educational oversight and decision-making authority (i.e., board of education chairperson, superintendent, or school principal). The MOU should be developed with participation from school administrators and officers assigned to the school(s) so that staff members who are impacted by the agreement clearly understand their roles and responsibilities. Successful MOUs are often developed by teams that include students, parents, and other community members committed to keeping schools safe, in addition to school and law enforcement members. The MOU should be publicly available to members of the school community.

Appendix F. Enhancement of contractor protection from reprisal for disclosure of certain information (41 U.S.C. § 4712)

(a) Prohibition of reprisals.--

(1) In general.--An employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in paragraph (2) information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

(2) Persons and bodies covered.--The persons and bodies described in this paragraph are the persons and bodies as follows:

(A) A Member of Congress or a representative of a committee of Congress.

(B) An Inspector General.

(C) The Government Accountability Office.

(D) A Federal employee responsible for contract or grant oversight or management at the relevant agency.

(E) An authorized official of the Department of Justice or other law enforcement agency.

(F) A court or grand jury.

(G) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

(3) Rules of construction.--For the purposes of paragraph (1)--

(A) an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure covered by such paragraph; and

(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of an executive branch official, unless the request takes the form of a non-discretionary directive and is within the authority of the executive branch official making the request.

(b) Investigation of complaints.--

(1) Submission of complaint.--A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint to the Inspector General of the executive agency involved. Unless the Inspector General determines that the complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant, the Inspector General shall investigate the complaint and, upon completion of such investigation, submit a report of the findings of the investigation to the person, the contractor or grantee concerned, and the head of the agency.

(2) Inspector General action.--

(A) Determination or submission of report on findings.--Except as provided under subparagraph (B), the Inspector General shall make a determination that a complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant or submit a report under paragraph (1) within 180 days after receiving the complaint.

(B) Extension of time.--If the Inspector General is unable to complete an investigation in time to submit a report within the 180-day period specified in subparagraph (A) and the person submitting the complaint agrees to an extension of time, the Inspector General shall submit a report under paragraph (1) within such additional period of time, up to 180 days, as shall be agreed upon between the Inspector General and the person submitting the complaint.

(3) Prohibition on disclosure.--The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is--

(A) made with the consent of the person alleging the reprisal;

(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

(C) necessary to conduct an investigation of the alleged reprisal.

(4) Time limitation.--A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.

(c) Remedy and enforcement authority.--

(1) In general.--Not later than 30 days after receiving an Inspector General report pursuant to subsection (b), the head of the executive agency concerned shall determine whether there is sufficient basis to conclude that the contractor or grantee concerned has subjected the complainant to a reprisal prohibited by subsection (a) and shall either issue an order denying relief or shall take one or more of the following actions:

(A) Order the contractor or grantee to take affirmative action to abate the reprisal.

(B) Order the contractor or grantee to reinstate the person to the position that the person held before the reprisal, together with compensatory damages (including back pay), employment benefits, and other terms and conditions of employment that would apply to the person in that position if the reprisal had not been taken.

(C) Order the contractor or grantee to pay the complainant an amount equal to the aggregate amount of all costs and expenses (including attorneys' fees and expert witnesses' fees) that were reasonably incurred by the complainant for, or in connection with, bringing the complaint regarding the reprisal, as determined by the head of the executive agency.

(2) Exhaustion of remedies.--If the head of an executive agency issues an order denying relief under paragraph (1) or has not issued an order within 210 days after the submission of a complaint under subsection (b), or in the case of an extension of time under paragraph (b)(2)(B), not later than 30 days after the expiration of the extension of time, and there is no showing that such delay is due to the bad faith of the complainant, the complainant shall be deemed to have exhausted all administrative remedies with respect to the complaint, and the complainant may bring a de novo action at law or equity against the contractor or grantee to seek compensatory damages and other relief available under this section in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy. Such an action shall, at the request of either party to the action, be tried by the court with a jury. An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.

(3) Admissibility of evidence.--An Inspector General determination and an agency head order denying relief under paragraph (2) shall be admissible in evidence in any de novo action at law or equity brought pursuant to this subsection.

(4) Enforcement of orders.--Whenever a person fails to comply with an order issued under paragraph (1), the head of the executive agency concerned shall file an action for enforcement of such order in the United States district court for a district in which the reprisal was found to have occurred. In any action brought under this paragraph, the court may grant appropriate relief, including injunctive relief, compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the executive agency.

(5) Judicial review.--Any person adversely affected or aggrieved by an order issued under paragraph (1) may obtain review of the order's conformance with this subsection, and any regulations issued to carry out this section, in the United States court of appeals for a circuit in which the reprisal is alleged in the order to have occurred. No petition seeking such review may be filed more than 60 days after issuance of the order by the head of the executive agency. Review shall conform to chapter 7 of title 5. Filing such an appeal shall not act to stay the enforcement of the order of the head of an executive agency, unless a stay is specifically entered by the court.

(6) Burdens of proof.--The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an executive agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

(7) Rights and remedies not waivable.--The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment.

(d) Notification of employees.--The head of each executive agency shall ensure that contractors, subcontractors, and grantees of the agency inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

(e) Construction.--Nothing in this section may be construed to authorize the discharge of, demotion of, or discrimination against an employee for a disclosure other than a disclosure protected by subsection (a) or to modify or derogate from a right or remedy otherwise available to the employee.

(f) Exceptions.

(1) This section shall not apply to any element of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) This section shall not apply to any disclosure made by an employee of a contractor, subcontractor, or grantee of an element of the intelligence community if such disclosure--

(A) relates to an activity of an element of the intelligence community; or

(B) was discovered during contract, subcontract, or grantee services provided to an element of the intelligence community.

(g) Definitions.--In this section:

(1) The term "abuse of authority" means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the executive agency concerned or the successful performance of a contract or grant of such agency.

(2) The term "Inspector General" means an Inspector General appointed under the Inspector General Act of 1978 and any Inspector General that receives funding from, or has oversight over contracts or grants awarded for or on behalf of, the executive agency concerned.

(h) Construction.--Nothing in this section, or the amendments made by this section, shall be construed to provide any rights to disclose classified information not otherwise provided by law.

Appendix G. 2 C.F.R. Appendix II to Part 200: Contract provisions for nonfederal entity contracts under federal awards

NOTE: The National Defense Authorization Act for fiscal year 2018 (NDAA), Public Law 115–91, Division A, Title VIII, Section 805, raised the simplified acquisition threshold to $250,000 for all recipients. The OMB Memorandum M-18-18 entitled Implementing Statutory Changes to the Micro-purchase and the Simplified Acquisition Threshold for Financial Assistance *granted an exception for recipients to use the higher simplified acquisition threshold of $250,000 effective as of June 20, 2018, in advance of revisions to the Uniform Guidance.*

In addition to other provisions required by the federal agency or nonfederal entity, all contracts made by the nonfederal entity under the federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

Appendix H. Remittance of Interest Earned Amounts

2 CFR § 200.305 (b)(9) – Payment (remittance of interest earned)

1. *Interest earned amounts up to $500 per year may be retained by the non-federal entity for administrative expense. Any additional interest earned on federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. Remittances must include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on federal funds. Pertinent details include the Payee Account Number (PAN) if the payment originated from PMS, or Agency information if the payment originated from ASAP, NSF or another federal agency payment system. The remittance must be submitted as follows:*

   i. For ACH Returns:
   Routing Number: 051036706
   Account number: 303000
   Bank Name and Location: Credit Gateway - ACH Receiver St. Paul, MN

   ii. For Fedwire Returns*:
   Routing Number: 021030004
   Account number: 75010501
   Bank Name and Location: Federal Reserve Bank Treas NYC/Funds Transfer Division New York, NY
   (* Please note organization initiating payment is likely to incur a charge from your Financial Institution for this type of payment)

   iii. For International ACH Returns:
   Beneficiary Account: Federal Reserve Bank of New York/ITS (FRBNY/ITS)
   Bank: Citibank N.A. (New York)
   Swift Code: CITIUS33
   Account Number: 36838868
   Bank Address: 388 Greenwich Street, New York, NY 10013
   Payment Details (Line 70): Agency
   Name (abbreviated when possible) and ALC Agency POC: Michelle Haney, 301-492-5065

   For recipients that do not have electronic remittance capability, please make check** payable to: "The Department of Health and Human Services."

   Mail Check to Treasury approved lockbox:
   HS Program Support Center, P.O. Box 530231, Atlanta, GA 30353-0231
   (** Please allow 4-6 weeks for processing of a payment by check to be applied to the appropriate PMS account)

Any additional information/instructions may be found on the PMS Web site at **http://www.dpm.psc.gov/**.

Appendix I. Other COPS Office Resources and References

Websites

COPS Office *Dispatch* newsletter: **http://cops.usdoj.gov/html/dispatch/index.asp**

COPS Office *The Beat* podcast: **https://cops.usdoj.gov/thebeat**

COPS Office What's New in Blue video series: **https://cops.usdoj.gov/whatsnewinblue**

Grants information: **http://www.cops.usdoj.gov/grants**

SRO Resources: **http://www.cops.usdoj.gov/supportingsafeschools**

Updated Publication list: **https://cops.usdoj.gov/RIC/ric.php**

Publications

Beyond the Badge: Profile of a School Resource Officer: **http://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-CD050**

Intelligence-Led Community Policing, Community Prosecution, and Community Partnerships: **https://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-P322**

Officer-Involved Shootings: A Guide for Law Enforcement Leaders: **https://cops.usdoj.gov/RIC//ric.php?page=detail&id=COPS-P350**

Police Perspectives: Building Trust in a Diverse Nation - No. 1. How to Increase Cultural Understanding: **https://cops.usdoj.gov/RIC//ric.php?page=detail&id=COPS-P344**

Police Perspectives: Building Trust in a Diverse Nation - No. 2. How to Serve Diverse Communities: **https://cops.usdoj.gov/RIC//ric.php?page=detail&id=COPS-P345**

Police Perspectives: Building Trust in a Diverse Nation - No. 3. How to Support Trust Building in Your Agency: **https://cops.usdoj.gov/RIC//ric.php?page=detail&id=COPS-P346**

Rank and File: Leaders in Building Trust and Community Policing: **https://cops.usdoj.gov/RIC//ric.php?page=detail&id=COPS-P351**

References

Atkinson, Anne J. 2002. *Fostering School-Law Enforcement Partnerships.* Safe and Secure: Guides to Creating Safer Schools, Guide 5. Washington, DC: Office of Justice and Juvenile Delinquency Prevention. **https://www.ncjrs.gov/pdffiles1/ojjdp/book5.pdf**.

National Association of School Resource Officers (NASRO). 2012. *To Protect & Educate: The School Resource Officer and the Prevention of Violence in Schools.* Hoover, AL: National Association of School Resource Officers. **https://www.nasro.org/clientuploads/resources/NASRO-Protect-and-Educate.pdf**.

Appendix J. Program fact sheets

The following pages include fact sheets on Consultant/Contractor Rates, Sole Source Justification, and SRO MOUs.

U.S. Department of Justice
Office of Community Oriented Policing Services

Fact Sheet

www.cops.usdoj.gov

Consultant/Contractor Rate Information for FY 2020 Awards

Recipient guidelines on consultant rate approval requests

Compensation for individual consultant services procured under a COPS Office award must be reasonable and allocable in accordance with 2 C.F.R. Part 200, Subpart E—Cost Principles and consistent with that paid for similar services in the marketplace.

Unless otherwise approved by the COPS Office, approved consultant rates will be based on the salary a consultant receives from his or her primary employer, as applicable, up to $650 per day. If individuals receive fringe benefits from their primary employer, such fringe benefit costs should not be included in the calculation of consultant rates. For consultant or contractor rates that exceed $650 per day, the COPS Office requires written justification. **The recipient must provide justification for any consultant rate in excess of $650 per day and receive COPS Office approval of that rate before drawing down award funds**. An organization may not expend award funds or drawdown reimbursements for consultant rate increase requests until after the request has been approved by the COPS Office in writing. Any organization that does not provide sufficient written justification as outlined in the following section will be limited to $650 per day for each consultant or contractor. Please note that this does not mean that the rate can or should be $650 for all consultants.

NOTE: Consultant and contractor daily rates do not include travel or subsistence costs but may include preparation, evaluation, and travel time.

Compensation for individual consultant services procured under a COPS Office award must be reasonable, allocable, and consistent with that paid for similar services in the marketplace. The recipient must provide justification for any consultant rate in excess of $650 per day and receive COPS Office approval of that rate before drawing down funds.

Guidance for requesting a consultant rate based on employment

- **Consultants associated with institutions of higher education (including state-run educational institutions).** If representing the academic institution, the maximum rate of compensation that will be allowed is the consultant's academic salary projected for 12 months, divided by 260. These individuals normally receive fringe benefits that include sick leave for a full 12-month period, even though they may only work 9 months per year in their academic positions. This does not apply to individuals performing consultant work outside of their academic commitments. In such cases, the rate of compensation will be based on reasonable cost principles and requires documentation supporting the requested rate.
- **Consultants employed by state and local government.** Compensation for these consultants will be allowed only when the unit of government will not provide these services without cost. If a state or local government employee is providing services under a federal award and is representing his or her agency without pay from the respective unit of government, the rate of compensation

is not to exceed the daily salary rate for the employee paid by the unit of government. If the state or local government employee is providing services under a federal award and is not representing his or her agency, the rate of compensation is based on the necessary and reasonable cost principles. Please note that under the nonsupplanting requirement of the COPS Office statute, COPS Office funds may not be used to supplant (replace) local funding that otherwise would have been spent on consultants employed by state or local government. The statute bars federal funding of existing consultants and of newly hired consultants that a community is committed to fund in the absence of a COPS Office award.

- **Consultants employed by commercial and nonprofit organizations.** These organizations are normally subject to competitive bidding procedures. Thus, if consultants have been selected through competitive bidding, they are not subject to the per-day maximum compensation threshold. Otherwise, the rate of compensation will be approved based on the salary a consultant receives from his or her primary employer, as applicable, up to $650 per day.

To request approval of a consultant rate in excess of $650 per day, please submit the signed request on recipient department letterhead and include the agency ORI number and the award number for which the approval is being sought.

Please include the following:

- Description of the services to be provided by the consultant or contractor, including the following:
  - The number of days and hours to be worked by each consultant and contractor
  - The daily rate of each consultant and contractor that exceeds $650 per day (indicate fringe benefits if applicable)
- A resume or curriculum vitae for each consultant or contractor whose rate exceeds $650 per day
- Documented prior instances when a similar rate has been charged by or paid to the consultant or contractor
- If the consultant is not self-employed and has a primary employer, documentation showing that the requested daily rate is proportionate to the consultant's regular salary (e.g., pay stubs, letter from employer)

You may optionally submit other important information about the consultant or contractor at this time, such as letters of reference; lists of any relevant publications, papers, or honors; advanced experience as a practitioner or academic in the subject area; advanced training relating to the focus of your project; or any unique circumstances that you feel should be considered as the COPS Office reviews your proposed consultant/contractor rates.

To request approval of a consultant/contractor rate in excess of $650 per day, please return this information to your Grant Program Specialist or Program Manager as soon as possible to expedite the consultant/contractor rate review process.

Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office website at www.cops.usdoj.gov.

U.S. Department of Justice
Office of Community Oriented Policing Services

Fact Sheet

www.cops.usdoj.gov

Sole Source Justification

What is "sole source" justification?

Sole source procurement or procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source. Sole source procurements must adhere to the standards set forth in 2 C.F.R. § 200.320(f) in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101.

When is sole source approval required by the COPS Office?

A recipient must request written approval from the COPS Office for sole source procurements in excess of $250,000 prior to purchasing equipment, technology, or services; obligating funding for a contract; or entering into a contract with award funds. For the purchase of equipment, technology, or services under a COPS Office award, recipients must use their own documented procurement procedures that reflect applicable state and local laws and regulations, as long as those requirements conform to the federal procurement standards set forth in 2 C.F.R. § 200.318. A sole source justification should be submitted to the COPS Office if a recipient determines that the award of a contract through a competitive process is infeasible. Recipients may conduct noncompetitive proposals (or "sole source" procurement) by procurement through solicitation from only one source when one or more of the following circumstances apply:

> An award recipient must request written approval from the COPS Office for sole source procurements in excess of $250,000 prior to purchasing equipment, technology, or services; obligating funding for a contract; or entering into a contract with award funds.

- The item or service is available from only one source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- The COPS Office authorizes noncompetitive proposals in response to a written request from the recipient.
- Competition is determined inadequate after solicitation of a number of sources.

Sole source procurement should be used only when competitive solicitation procedures like sealed bids or competitive proposals are not applicable to the requirements or are impractical.

What documentation must be submitted to the COPS Office for approval of a sole source procurement?

Requests for sole source procurements of equipment, technology, or services in excess of $250,000 must be submitted to the COPS Office in writing certifying that the award of the contract through full and open competition is infeasible. An organization may not expend award funds or drawdown reimbursements for sole source justification requests until after the sole source request has been approved by the COPS Office in writing.

The outline that follows may be helpful in preparing your agency's sole source procurement request (which should include your sole source justification) and ensuring that all of the necessary information is included.

The sole source procurement request must be signed and submitted on the recipient's organization letterhead and must include the organization's ORI number and the award number for which approval is being sought.

The request should also include the following information.

- **Section I.** A brief description of the project, the amount to be designated for the sole source procurement, and the purpose of the contract
- **Section II.** (a) An explanation as to why it is necessary to contract in a noncompetitive manner and (b) which one (or more) of the four circumstances identified here applies to the procurement transaction (include supporting information as identified under the applicable section(s)).

  1. The item or service is available from only one source.

     Please include the following:

     - Uniqueness of items or services to be procured from the proposed contractor or vendor (compatibility, patent issues, etc.)
     - How the organization determined that the item or service is available from only one source (market survey results, independent agency research, patented or proprietary system, etc.)
     - Explanation of need for contractor's expertise linked to the current project (knowledge of project management, responsiveness, experience of contractor personnel, prior work on earlier phases of project, etc.)
     - Any additional information that would support the case

  2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.

     Please include the following:

     - When the contractual coverage is required by your department and why
     - Impact on project if deadlines or dates are not met
     - How long it would take an alternate contractor to reach the same required level of competence (equate to dollar amounts if desired)
     - Any additional information that would support the case

  3. The COPS Office authorizes noncompetitive proposals in response to a written request from the recipient.

  4. Competition is determined to be inadequate after solicitation of a number of sources.

     Please include the following:

     - Results of a market survey to determine competition availability; if no survey is conducted, please explain why not
     - Any additional information that would support the case

- **Section III.** A budget breakdown for the subcontract (see the Award Owner's Manual for budget requirements)
- **Section IV.** A declaration that this action or choice is in the best interest of the organization

Failure to provide all of the necessary information will delay the processing of your request. Your organization will be contacted if any of the identified information is missing or if additional supporting information is required. If the COPS Office determines that the request does not meet the standards set forth here, the request will be denied.

Please be advised that conflicts of interest are prohibited under the federal procurement standards set forth in 2 C.F.R. § 200.318(c). In addition, program funds should not be awarded to any party that is debarred or suspended from participation in federal assistance programs.

If you have any questions regarding the federal requirements that guide procurement procedures, please contact your Grant Program Specialist or Program Manager at 800-421-6770.

Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office website at www.cops.usdoj.gov.

U.S. Department of Justice
Office of Community Oriented Policing Services

Fact Sheet

www.cops.usdoj.gov

School Resource Officer Memorandum of Understanding

School Resource Officer (SRO) programs can play an important role in maintaining and increasing safety in schools and neighboring communities. In order to effectively implement such programs, law enforcement agencies and schools should develop a Memorandum of Understanding (MOU) to clearly document the roles, responsibilities, and expectations of the individuals and partners involved including SROs, school officials, law enforcement, education departments, students, and parents. At a minimum, a successful MOU documents the program's purpose, partner roles and responsibilities, requirements for information sharing, and supervision of the SRO.

Developing a memorandum of understanding

An MOU, also referred to as an interagency agreement or Memorandum of Agreement (MOA), is an instrument used to build mutual respect and trust between partners while delineating specific roles and responsibilities of the partnering agencies. Every jurisdiction with a school and law enforcement partnership should have an MOU that clearly defines the roles and responsibilities of the individual partners involved, including school districts, boards or departments of education, school administration officials, law enforcement agencies (including SROs), students, and parents. As a policy instrument, all parties should sign and abide by the MOU, and it should be considered a living document that operates within the context created by applicable federal and state laws—including, but not limited to, federal civil rights laws and privacy laws.

Every jurisdiction with a school and law enforcement partnership should have an MOU that clearly defines the roles and responsibilities of the individual partners involved.

The MOU must be submitted to the COPS Office within 90 days of the date shown on the award congratulatory letter. Implementation of the COPS Hiring Program (CHP) award without submission and acceptance of the required MOU may result in expenditures not being reimbursed by the COPS Office and/or award deobligation.

Developing your school-based partnership

School and law enforcement partnerships are also built on a foundation of shared goals and objectives, which are approached in a constructive and positive manner and achieved through open communication. When schools, communities, and law enforcement agencies work together to creatively tackle problems, they may be able to achieve a number of positive outcomes, including

- an increased ability of law enforcement agencies, schools, and community groups to gather and analyze useful and timely information about crime and fear of crime in schools in accordance with applicable privacy laws;
- an increased ability of law enforcement agencies, schools, and community groups to work together in developing innovative, systemic, long-term approaches to reducing and preventing different kinds of crime in and around their schools and preventing unnecessary law enforcement

- involvement in non-criminal student misbehavior. Measurable outcomes may be determined by implementing strategies focused on targeted crimes, thereby improving the quality of life for those affected (students, teachers, school personnel, and parents), promoting a safer environment conducive to learning, and decreasing the fear of crime and violence among students, school employees, and the surrounding community;
- an increased understanding of how to effectively interact with youth through coordinated training on topics such as basic childhood and adolescent development and age appropriate responses, disability and special education issues, conflict resolution and de-escalation techniques, bias-free policing including implicit bias and cultural competence, restorative justice techniques, and working with specific student groups such as students with disabilities, limited English proficiency, and students that identify as lesbian, gay, bisexual, or transgender (LGBT);
- an increased understanding of an SRO's roles and responsibilities, including an understanding that school code of conduct violations and routine discipline of students remains the responsibility of school administrators and that law enforcement actions (such as arrest, citations, ticketing, or court referrals) are only to be used as a last resort for incidents that involve criminal behavior or when it becomes necessary to protect the safety of students, faculty, and staff from the threat of immediate harm;
- an increased ability through coordinated training for schools and law enforcement agencies to properly train and respond to school safety threats;
- an increased ability to plan for and respond appropriately to emergencies.

NOTE: The U.S. Departments of Education, Health and Human Services, Homeland Security, and Justice released guidance for schools on emergency planning. See *Guide for Developing High-Quality School Emergency Operations Plans* (Washington, DC: U.S. Department of Education, 2013), https://rems.ed.gov/docs/REMS_K-12_Guide_508.pdf.

MOU guidance

The following information must be included within an MOU. The COPS Office strongly encourages law enforcement agencies to work collaboratively with school partners to formulate additional information that will help successfully implement the overall school safety plans.

Under the CHP, SROs must spend a minimum of 75 percent of their time during the calendar year or 100 percent of their time during the school year—depending on the law enforcement agency's SRO deployment strategy developed with the school partnership—in and around primary or secondary schools working on youth-related activities. The time commitment of the SROs must be above and beyond the amount of time that the agency devoted to the schools before receiving the award. There must be an increase in the level of community policing activities performed in and around primary or secondary schools in the agency's jurisdiction as a result of the award.

A. Purpose of the MOU

The statement of purpose should describe the agencies that are entering into the partnership, the purpose of the partnership, and the effective date of the agreement. This statement may already exist within your ongoing partnership, or it may need to be developed jointly to assist in defining the primary purpose of your agreement. The effective date of the agreement must cover the term of the award or contain language regarding the annual renewal of the agreement through the term of the award.

B. Description of partner roles and responsibilities

This description must include the roles and responsibilities of the school, the school district, and the law enforcement agency, and each partner should be specifically listed within the document. It must clearly indicate that SROs will not be responsible for requests to resolve routine discipline problems involving students. The administration of student discipline, including student code of conduct violations and student misbehavior, is the responsibility of school administrators unless the violation or misbehavior involves criminal conduct.

The MOU must include the roles and responsibilities of the school partner. These roles may include providing a secure work space for SROs to conduct interviews and maintain confidential records; establishing standing meetings; and working with school administrators in identifying problems and evaluating progress under the MOU, including data collection and evaluation. The school administrator should ensure that staff cooperates with police investigations and any subsequent actions related to crime or criminal activity on campus.

The law enforcement partner is responsible for the selection of officer(s) assigned to the school, and these officer(s) should adhere to the principles of community policing. This section of the MOU must define the roles and responsibilities of the SRO and the assigned hours of SRO duty, including arrival and departure times and specifying if after-hour duties may be performed and if time spent in court, attending interagency meetings, and investigating school-related crimes are within the scope of SRO duties.

The MOU should include examples of the activities that the SRO will engage in, such as

- handling requests for calls for service in and around schools;
- conducting comprehensive safety and security assessments;
- developing emergency management and incident response systems based on the National Incident Management System (NIMS) and the four phases of emergency management: mitigation/prevention, preparedness, response, and recovery;
- developing and implementing safety plans or strategies;
- integrating appropriate security equipment/technology solutions, including incorporating crime prevention through environmental design (CPTED) as appropriate to enhance school safety;
- responding to unauthorized persons on school property;
- serving as liaisons between the school and other police agencies, investigative units, or juvenile justice authorities when necessary and consistent with applicable civil rights laws and privacy laws;
- serving as a member of a multidisciplinary school team to refer students to professional services within both the school (guidance counselors or social workers) and the community (youth and family service organizations);
- building relationships with juvenile justice counselors to help connect youth with needed services;
- developing and expanding crime prevention efforts for students;
- developing and expanding community justice initiatives for students.

C. Information sharing

This section must address the type of and the extent to which information will be shared between the law enforcement agency and school or school district partners. For example, it should define the type of information the school is permitted or willing to share with law enforcement, as well as information flow from law enforcement to school partner(s). When entering into an MOU, agencies should consider all federal or state laws that govern the collection, use, and dissemination of student records.

Federal privacy laws, including the Family Educational Rights and Privacy Act of 1974 (FERPA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and civil rights and other laws must be considered when developing plans for information sharing that involves personally identifiable information from student education records. For more information on FERPA, see the U.S. Department of Education's FERPA home page at https://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html; for more information on HIPAA, see the U.S. Department of Health and Human Service's Health information privacy site at https://www.hhs.gov/ocr/privacy/index.html; and for an overview of FERPA issues relevant to emergency planning and SRO programs, please see the "Closer Look" section of the Guide for Developing High-Quality School Emergency Operations Plans at https://rems.ed.gov/docs/REMS_K-12_Guide_508.pdf.

D. Supervision responsibility and chain of command for the SRO

This section must clearly establish a definitive chain of command for the SRO, including the individual(s) with the responsibility for the supervision of the SRO. With rare exceptions, this responsibility lies with the law enforcement executive or his or her law enforcement designee.

E. Signatures

The MOU must be signed and dated by both the highest ranking law enforcement executive (i.e., police chief or sheriff) and the school official(s) who will have general educational oversight and decision-making authority (i.e., board of education chairperson, superintendent, or school principal). The MOU should be developed with participation from school administrators and officers assigned to the school(s) so that staff members who are impacted by the agreement clearly understand their roles and responsibilities. Successful MOUs are often developed by teams that include students, parents, and other community members committed to keeping schools safe, in addition to school and law enforcement members. The MOU should be publicly available to members of the school community.

Supplemental Information

In addition to the required information set forth in the MOU guidance, training requirements and performance monitoring should be addressed in the MOU. The COPS Office recommends including a section that describes training requirements prior to placing SROs in educational settings, as well as specific in-service training requirements throughout their deployment in the schools. The COPS Office also recommends a section that establishes a process to closely monitor the SRO program, including comprehensive disaggregated data collection on school-based arrests, citations, searches, and referrals to court or juvenile justice programs consistent with applicable federal, state, and local privacy laws.

References

Atkinson, Anne J. 2002. "Fostering School-Law Enforcement Partnerships." In Safe and Secure: Guides to Creating Safer Schools, no. 5. https://www.ncjrs.gov/pdffiles1/ojjdp/book5.pdf.

Canady, M., B. James, and J. Nease. *To Protect & Educate: The School Resource Officer and the Prevention of Violence in Schools.* Hoover, AL: National Association of School Resource Officers. https://nasro.org/cms/wp-content/uploads/2013/11/NASRO-To-Protect-and-Educate-nosecurity.pdf.

Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office website at www.cops.usdoj.gov.

Resources

Police in Schools

COPS Office. 2013a. Narrated by Mo Canady and Vonda Matthews. The Beat, February 2013.

https://cops.usdoj.gov/ html/podcasts/the_beat/02-2013/TheBeat-022013_Mo_ Canady.mp3

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COPS Office. 2019. Accessed March 4, 2019.

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cont'd on page 5

Resources *cont'd from page 4*

Executive Summary: Secure Our Schools Program Assessment

Crowley, Kathleen. 2012. Washington, DC: U.S. Department of Justice.

https://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-W0696

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Raymond, Barbara. 2010. Washington, DC: Office of Community Oriented Policing Services.

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Using School COP: A Guide for School Administrators and Safety Personnel

Rich, Tom, Peter Finn, and Shawn Ward. 2013. Washington, DC: Office of Community Oriented Policing Services.

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A Day in the Life of a School Resource Officer

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https://cops.usdoj.gov/html/dispatch/04-2013/a_day_in_the_life.asp

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Sampson, Rana. 2002. Washington, DC: Office of Community Oriented Policing Services.

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Appendix K. ACH templates with instructions

The following pages contain ACH templates and instructions for completing these financial documents.

U.S. Department of Justice

Office of Justice Programs

Office of the Chief Financial Officer

Washington, D.C. 20531

April 28, 2020

In the normal course of grant operations, there are situations in which grantees must make refunds to the Office of Justice Programs (OJP), Community Oriented Policing Services (COPS), or Office on Violence Against Women (OVW), all of which are processed by OJP's OCFO. Due to workplace disruptions caused by COVID-19, OJP recognizes that some entities and individuals may have difficulty providing refunds through hard copy mail using paper negotiable instruments such as money orders, paper checks, bank drafts, and cashier checks.

In order to avoid disruptions and delays in the refund process, OJP is strongly encouraging grantees to submit deposits electronically (using Automated Clearing House (ACH) or Fed wire). This will eliminate a delay in reflecting the refund on grant or vendor account balances.

To that end, if situations arise that require a grantee to return funds, please advise the grantee to submit their refund electronically using ACH or Fed wire. Templates with instructions are attached. Upon notification to the grantee to return funds, please email OCFO/FAAD/ACRB at ACRBelectronictransfer@ojp.usdoj.gov. ACRB will assign an accountant to assist the grantee with the process.

We aim to continue providing the best customer service in the midst of many changes.

ACH TEMPLATE INSTRUCTIONS

UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF JUSTICE PROGRAMS

ACH Credit Instructions

Please provide the following instructions to your Financial Institution for the remittance of Automated Clearing House (ACH) credits to the US Department of Justice, Office of Justice Programs. The grantee (remitter) is responsible for completing the highlighted lines. Instructions to help populate each line are on page 2. **The information for all other lines have been pre-populated and cannot be changed. All National Automated Clearing House Association (NACHA) Data Element Lines are required.**

	NACHA Record Type Code	NACHA Field	NACHA Data Element Name	Required Information
1	5	3	Grantee Name	*(Grantee)*
	5	6	Standard Entry Class Code	**CCD**
2	5	9	Date of Payment	*(Date of Payment; similar to check date)*
	6	2	Transaction Code	**22**
	6	3 & 4	Receiving DFI Identification (ABA routing #)	**051036706**
	6	5	DFI Account Number	**815040001003**
3	6	6	Amount	*(Refund Amount)*
4	6	8	Office of Justice Programs	*(enter grant number – up to 22 characters)*

***ACH <u>debits</u> are not permitted to this ABA routing number. All debits received will be automatically returned.**

Questions regarding these instructions should be directed to ACRBelectronictransfer@ojp.usdoj.gov *or (800) 458-0786.*

ACH Credit Instructions

1. Grantee Name – Enter the grantee name exactly as it is assigned on your grant award document.
2. Effective Date - Enter the payment date (similar to the check date).
3. Amount - Enter the refund dollar amount.
4. Receiving Company Name – Office of Justice Programs – Enter the grant number.

FEDWIRE TEMPLATE INSTRUCTIONS

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Please provide the following instructions to your Financial Institution for the remittance of Fedwire payments to the US Department of Justice, Office of Justice Programs. The grantee (remitter) is responsible for completing the highlighted lines. Instructions to help populate each line are on page 2. **The information for all other lines have been pre-populated and cannot be changed. All Fedwire Field Lines are required.**

	Fedwire Field Tag	Fedwire Field Name	Required Information
	{1510}	Type/Subtype	**1000**
1	{2000}	Refund Amount	
	{3400}	Receiver ABA routing number *	**021030004**
	{3400}	Receiver ABA short name	**TREAS NYC**
	{3600}	Business Function Code	**CTR**
	{4200}	Beneficiary Identifier (account number)	**815040001003**
	{4200}	Beneficiary Name	**Office of Justice Programs**
2	{5000}	Grantee Name	
3	{6000}	Grant Number	
3	{6000}	Grant Number/Grant Information	
3	{6000}	Grant Number/Grant Information	
3	{6000}	Grant Number/Grant Information	

***The financial institution address for Treasury's routing number is 33 Liberty Street, New York, NY 10045**

Questions regarding these instructions should be directed to ACRBelectronictransfer@ojp.usdoj.gov *or (800) 458-0786.*

United States Department Of Justice
Office Of Justice Programs

FEDWIRE TEMPLATE INSTRUCTIONS

1. For Fedwire Field Tag {2000} Amount - Enter the refund dollar amount
2. For Fedwire Field Tag {5000} Grantee name - Enter the grantee name assigned to the grant
3. For Fedwire Field Tag {6000} Originator to Beneficiary Information – Lines 1 through 4 –
    - Line 1- Includes the grant number associated with refund. **This line is mandatory.**
    - Lines 2-4- Include any other identifying or pertinent information for the refund. i.e. reason, split between grant refund or interest income. **There is a 22 character limit per line.**

[Type here]

FEDWIRE TEMPLATE INSTRUCTIONS

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Please provide the following instructions to your Financial Institution for the remittance of Fedwire payments to the US Department of Justice, Office of Justice Programs. The grantee (remitter) is responsible for completing the highlighted lines. Instructions to help populate each line are on page 2. **The information for all other lines have been pre-populated and cannot be changed. All Fedwire Field Lines are required.**

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	{1510}	Type/Subtype	**1000**
1	{2000}	Refund Amount	
	{3400}	Receiver ABA routing number *	**021030004**
	{3400}	Receiver ABA short name	**TREAS NYC**
	{3600}	Business Function Code	**CTR**
	{4200}	Beneficiary Identifier (account number)	**815040001003**
	{4200}	Beneficiary Name	**Office of Justice Programs**
2	{5000}	Grantee Name	
3	{6000}	Grant Number	
3	{6000}	Grant Number/Grant Information	
3	{6000}	Grant Number/Grant Information	
3	{6000}	Grant Number/Grant Information	

***The financial institution address for Treasury's routing number is 33 Liberty Street, New York, NY 10045**

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United States Department Of Justice
Office Of Justice Programs

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UNITED STATES DEPARTMENT OF JUSTICE

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	NACHA Record Type Code	NACHA Field	NACHA Data Element Name	Required Information
1	5	3	Grantee Name	*(Grantee)*
	5	6	Standard Entry Class Code	**CCD**
2	5	9	Date of Payment	*(Date of Payment; similar to check date)*
	6	2	Transaction Code	**22**
	6	3 & 4	Receiving DFI Identification (ABA routing #)	**051036706**
	6	5	DFI Account Number	**815040001003**
3	6	6	Amount	*(Refund Amount)*
4	6	8	Office of Justice Programs	*(enter grant number – up to 22 characters)*

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ACH Credit Instructions

1. Grantee Name – Enter the grantee name exactly as it is assigned on your grant award document.
2. Effective Date - Enter the payment date (similar to the check date).
3. Amount - Enter the refund dollar amount.
4. Receiving Company Name – Office of Justice Programs – Enter the grant number.

Appendix L. Civil rights memorandum

MEMORANDUM

TO: COPS Office Award Recipients

FROM: Michael L. Alston
Director, Office for Civil Rights, Office of Justice Programs

DATE: June 1, 2020

RE: Federal Civil Rights Statutes and Regulations

Congratulations on your recent award! The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see **https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm**

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Glossary of Terms

allowable costs. Allowable costs are costs that will be paid for by this award program. The only allowable costs under CHP are the approved full-time entry-level salaries and fringe benefits of sworn career law enforcement officers hired or rehired on or after the award start date. CHP award funds may be used to hire or rehire experienced officers, but any costs higher than entry-level must be paid by your agency with local funds. Award funding must be limited to your agency's entry-level sworn officer salary and benefits. Upon review of your submitted budget, any unallowable costs were removed. The Financial Clearance Memorandum (FCM), included in your award package, specifies the final amount of CHP funds awarded to your agency for officer salaries and approved fringe benefits. *Approved entry-level salaries and benefits paid during basic academy training are allowable when it is the agency's policy to pay all newly hired officers during this training.*

audit. Work done by auditors, including both the Office of the Inspector General (OIG) and state or local auditors, to examine financial statements and to review

- compliance with laws and regulations;
- economy and efficiency of operations;
- effectiveness in achieving program results; and
- allowability of costs claimed against the award.

authorized officials. The authorized officials are the individuals in your organization who have final authority and responsibility for all programmatic and financial decisions regarding this award. At the time of award application, your agency listed the law enforcement executive (usually the chief of police, Sheriff, etc.) and the government executive (usually the mayor, board president, etc.) for your agency. These executives are listed on your award document and are understood to be your authorized officials. If any of the executive information is incorrect, please make any updates online through the "Account Access" link on the COPS Office website.

award number. The award number identifies your agency's specific CHP award and can be found on your award document. This number should be used as a reference when corresponding with the COPS Office. Your award number is in the following format: 2020-ULWX-0000 or 2020-UMWX-0000. The COPS Office tracks award information based upon this number.

award package. The award package includes your CHP award document, Financial Clearance Memorandum (FCM), and award congratulatory letter; it may be accessed through the "Account Access" tab on the COPS Office website (**www.cops.usdoj.gov**). Your agency's CHP award document will list your award number, law enforcement executive, government executive, award amount, number and hiring category of positions awarded, award start and end dates, and all terms and conditions (including any special conditions placed on your agency's CHP award). Your law enforcement and government executives have 90 days from the date on your award congratulatory letter to log on to their accounts at **https://portal.cops.usdoj.gov** and electronically sign the award document and submit it to the COPS Office. Your agency's FCM will specify the final amount of CHP funds awarded to your agency for officer salaries and approved fringe benefits.

award start date. This is the date on or after which your agency is authorized to hire or rehire positions that were approved by the COPS Office. The award start date is found on your award document. *Recipients may not expend funds or hire or rehire award-funded officers prior to this date without written approval from the COPS Office.*

career law enforcement officer. The COPS Office statute defines a "career law enforcement officer" as "a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws." 34 U.S.C. § 10389(1).

Catalogue of Federal Domestic Assistance (CFDA). The CFDA is an annual government-wide publication that contains a description and index of all forms of federal assistance. Each program is assigned a CFDA number, which is used by auditors to track award revenues under the Single Audit Act. It is also used in participating states by State Single Points of Contact in conducting the required intergovernmental reviews under Executive Order 12372. The CFDA number for the COPS Office CHP award is 16.710.

closeout. The process in which the awarding agency, the COPS Office, determines that all applicable administrative actions and all required work and conditions of the award have been completed and met by the recipient and awarding agency.

cognizant federal agency. Your cognizant federal agency is generally the federal agency that provides your agency with the most federal money. The Office of Management and Budget (OMB) may have already assigned your cognizant federal agency to you. If this is the first federal award that your organization has received, the U.S. Department of Justice is your cognizant federal agency.

community policing. Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. All newly hired, additional, or rehired officers (or an equal number of redeployed veteran officers) funded under COPS Office programs must engage in community policing activities, and in the implementation of your community policing strategy.

COPS Office. Created under the 1994 Crime Bill, the Office of Community Oriented Policing Services (COPS Office) is an independent office within the U.S. Department of Justice that is the grantor or awarding agency for your award or cooperative agreement. The COPS Office is responsible for assisting your agency with the administration and maintenance of your award for the entire award period. If you have any questions regarding the COPS office, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office website at **www.cops.usdoj.gov**.

COPS Office Finance Staff Accountants. The COPS Office finance staff accountants are responsible for your agency's financial and budgetary needs related to this award. A staff accountant is assigned to each state and is available to answer any questions that you may have concerning the Quarterly Financial Status Report (SF-425) and other financial aspects of your award. To identify your staff accountant, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office website at **www.cops.usdoj.gov**.

criminal intelligence officer. A criminal intelligence officer, whether working directly with a law enforcement agency or assigned to the appropriate state or regional fusion center, works in the field of criminal intelligence and may conduct data collection, research, and analysis to produce finished intelligence reports or other products designed to assist in the prevention, detection, or investigation of violations of criminal laws.

Data Universal Numbering System (DUNS) Number. Since FY 2004, the Office of Management and Budget (OMB) has required all agencies applying for federal funding to obtain this number prior to application. The DUNS number is a unique nine- or thirteen-digit identification number that is assigned upon request to agencies by Dun &

Bradstreet (D&B). This number will be used by the Federal Government to better track award recipient information throughout the award cycle and to provide consistent name and address data for electronic award application systems. To obtain a DUNS number, visit the Dun & Bradstreet website at **www.dnb.com** or call 866-705-5711.

Employer Identification Number (EIN) / OJP vendor number. This number is usually your agency's nine-digit federal tax identification number as assigned to you by the Internal Revenue Service (IRS). Your accounting/bookkeeping department should have this number. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In this instance, a new vendor number will be assigned to you by the Office of the Chief Financial Officer. The newly assigned number is to be used for COPS Office administrative purposes only and should not be used for IRS purposes.

federally recognized tribe. Federally recognized tribes are Native American Indian tribal entities that are recognized by the Bureau of Indian Affairs (BIA) and are eligible for funding and services by virtue of their status as sovereign Native American Indian tribes. They are acknowledged to have the immunities and privileges available to federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States, as well as the responsibilities, power, limitation, and obligations of such tribes. For further information, contact: BIA, Division of Tribal Government Services, MS-4631-MIB, 1849 C Street NW, Washington, DC 20240, 202-208-2475.

Grant Monitoring Specialist. COPS Office Grant Monitoring Specialists are trained and available to assist you in addressing any compliance-related questions regarding your award. Grant monitoring specialists plan and conduct site visits and office-based grant reviews. During the life of your award, you may be selected for a monitoring site visit to assess your compliance with the terms and agreements of the award program, to review your community policing initiatives, and to provide technical and administrative support for your award. Please contact the COPS Office Response Center at 800-421-6770 if you have any compliance-related questions.

Grant Program Specialist. COPS Office Grant Program Specialists are trained to assist you with implementing and maintaining your award. A Grant Program Specialist is assigned to your state and is available to answer any questions that you may have concerning the administrative aspects of your award. Your Grant Program Specialist can assist you with requesting an extension on your award or modifying the award. To obtain the name and phone number of your Grant Program Specialist, please contact the COPS Office Response Center at 800-421-6770.

local budget cycle. Your agency's fiscal year. Some common examples include January 1 to December 31, October 1 to September 30, and July 1 to June 30. Some local budget cycles may extend up to 24 months.

matching funds. What a locality must contribute as a cash match toward total allowable project costs over the life of the program. Under the 2020 CHP, the matching funds must be paid with state, local, or other non–COPS Office funds and may not be from any funds previously budgeted for law enforcement purposes. There is a minimum 25 percent matching fund requirement for 2020 CHP, unless waived in writing by the COPS Office.

military veteran. Under the 2020 CHP, a military veteran is any individual who has served on active duty at any time in the armed forces for a period of more than 180 consecutive days, any part of which occurred on or after September 11, 2001, and who has been discharged or released from active duty in the armed forces under honorable conditions.

National Incident-Based Reporting System (NIBRS). A comprehensive reporting database where agencies provide individual records for eight index crimes and 38 other offenses.

obligation of funds. The COPS Office obligates federal funds when the award document is signed by the COPS Office Director or his or her designated official. For the recipient, award funds are obligated when monies are spent hiring approved personnel under the award. The term encumbrance is often used at the local and state levels to describe this type of transaction. Liquidated obligations are considered cash outlays or monies actually spent. Unliquidated obligations are obligations incurred and recorded but not yet paid (accrual basis of accounting) or not yet recorded and not yet paid (cash basis of accounting).

Originating Agency Identifier (ORI) number. This number is assigned by the Federal Bureau of Investigation (FBI), and it is your agency's unique identifier. The first two letters are your state abbreviation, the next three numbers are your county's code, and the final two numbers identify your jurisdiction within your county. If your agency does not have an ORI number assigned by the FBI, the COPS Office assigns a non-official ORI code to use as an agency identifier (in such cases, the last two characters will be "ZZ"). It can be found on your award document. When you contact the COPS Office with a question, please reference your ORI number (and/or your award number).

primary law enforcement authority. An agency with primary law enforcement authority is the agency that is the first responder to calls for service, and has ultimate and final responsibility for the prevention, detection, or investigation of violations of criminal laws within its jurisdiction.

The Public Safety Partnership and Community Policing Act of 1994. The COPS Office is charged with fulfilling the mandates of this law. The purposes of the law are to

- increase the number of community policing officers on the beat;
- provide additional and more effective training to law enforcement officers to enhance their problem-solving, service, and other skills needed in interacting with members of the community;
- encourage the development and implementation of innovative programs to permit members of the community to assist law enforcement agencies in the prevention of crime; and
- encourage the development of new technologies to assist law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

rehire. CHP provides funding to rehire full-time officers who were laid off (from any jurisdiction) or who were scheduled to be laid off on a specific future date at the time of award application as a result of state, local, or BIA budget reductions. A recipient may use CHP funding to rehire an experienced full-time officer, but any additional costs higher than entry-level that your agency pays the rehired officer must be paid with local agency funds, not CHP funds.

retention period. After 36 months of COPS Office funding, CHP recipients are required to retain each additional COPS Office–funded position awarded using local, state, or other sources of non–COPS Office funds. Each awarded position must be retained for at least 12 months following the conclusion of the 36 months of federal funding for that position. This time span is referred to as the retention period.

School Resource Officer (SRO). A career law enforcement officer with sworn authority, deployed in community-oriented policing and assigned by the employing police department or agency to work in collaboration with schools and community-based organizations to

- address crime problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school;
- deploy or expand crime prevention efforts for students;
- educate likely school-age victims in crime prevention and safety;
- develop or expand community justice initiatives for students;
- train students in conflict resolution, restorative justice, and crime awareness;
- assist in the identification of physical changes in the environment that may reduce crime in or around the school; and
- assist in developing school policy that addresses crime and to recommend procedural changes.

supplanting. COPS Office award funds may not be used to supplant (replace) state, local, or Bureau of Indian Affairs (BIA) funds that would be made available in the absence of federal COPS Office award funding. CHP funds must be used to increase the amount of state, local, or BIA funds otherwise budgeted for sworn officer positions, plus any additional state, local, or BIA funds budgeted for these purposes.

System for Award Management (SAM). The SAM database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via **www.grants.gov** are already registered with SAM, as it is a requirement for **www.grants.gov** registration. Please note, however, that applicants must update or renew their SAM at least once per year to maintain an active status. Information about registration procedures can be accessed at **www.sam.gov**.

village public safety officer. A "village public safety officer" is defined as "an individual employed as a village public safety officer under the program established by the State pursuant to Alaska Statute 18.65.670." Tribal Law and Order Act of 2010, Pub. L. 111-211, title II, § 247 (a)(2).

2020 COPS Hiring Program (CHP) Award Owner's Manual

This manual was created to assist COPS Hiring Program (CHP) program recipients with the administrative and financial matters associated with their award.

For more information about your CHP award, please contact your COPS Office Grant Program Specialist. If you do not know the name or telephone number of your Grant Program Specialist, please contact the COPS Office Response Center at 800-421-6770.

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530
To obtain details about COPS Office programs, call the COPS Office Response Center at 800-421-6770.

Visit the COPS Office online at **www.cops.usdoj.gov**.

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ABOUT NEWS GRANTS RESOURCES TRAINING & TECHNICAL ASSISTANCE LOGOUT

Version 1.0.2.38

Award Document

Please Scroll down to review all Award Terms and Conditions established for the 2020 COPS Hiring Program

To view documents related to this grant click here. Extend Signature Request New Document

☐ I have read and understand the above terms and conditions.

Signature of Law Enforcement Executive/Agency Executive

☐ By signing this Award Document, the grantee agrees to abide by all FY 2020 COPS Hiring Program grant terms and conditions and, if applicable, the Special Award Conditions and/or High Risk Conditions in the Award Document Supplement:

Signature of Law Enforcement Executive/Agency Executive

Date: 06/25/2020 Submit Cancel

For your electronic signature, please type in your name.

☐ By checking this box you understand that the use of your typed name above constitutes your electronic signature and that electronic signatures are the legal equivalent of handwritten signatures.

Signature of Government Executive/Financial Officer

☐ By signing this Award Document, the grantee agrees to abide by all FY 2020 COPS Hiring Program grant terms and conditions and, if applicable, the Special Award Conditions and/or High Risk Conditions in the Award Document Supplement:

Signature of Government Executive/Financial Officer

Date: 06/25/2020 Submit Cancel

For your electronic signature, please type in your name

☐ By checking this box you understand that the use of your typed name above constitutes your electronic signature and that electronic signatures are the legal equivalent of handwritten signatures.

False statements or claims made in connection with COPS grants may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any remedy available by law to the Federal Government.

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- Community Policing Topics

TRAINING & TECHNICAL ASSISTANCE

ACCOUNT ACCESS

FOIA | Language Access Plan | Legal Policies and Disclaimers | No Fear Act | Open Government | Plain Writing | Privacy Policy | USA.gov | Whistleblower Protection | Social Media