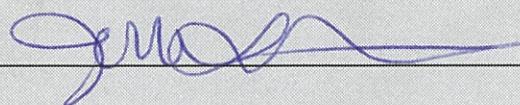
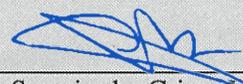


## Victims of Crime Act (VOCA)

<b>DIVISION OF CHILD AND FAMILY SERVICES STATEWIDE POLICY/PROCEDURE</b>	
<b>SUBJECT:</b>	Victims of Crime Act (VOCA) Assistance Match Waiver
<b>POLICY NUMBER:</b>	2.1009
<b>EFFECTIVE DATE:</b>	July 22, 2021
<b>APPROVED BY:</b>	Jennifer Ouellette, Deputy Administrator
<b>DATE:</b>	12/22/2021 
<b>SUPERSEDES:</b>	None
<b>APPROVED BY:</b>	Cindy Pitlock, Interim Administrator – Division of Child and Family Services
<b>DATE:</b>	12/22/2021 
<b>REFERENCES:</b>	VOCA Fix to Sustain the Crime Victims Fund Act of 2021, VOCA Victim Assistance Guidelines and Final Rule; State of Nevada Administrative Manual
<b>ATTACHMENTS:</b>	Sample National Emergency Match Waiver Template

- I. POLICY:** It is the policy of the Division of Child and Family Services (DCFS) to provide subrecipients a process to request a waiver to match requirements when for reasons beyond the control of the subrecipient the match requirement becomes an undue burden; including issuance of mandatory match waivers during National Emergencies (i.e. pandemic response or national disaster).
- II. PURPOSE:** Provide guidance for subrecipients and Victim Services Grant Management Unit (GMU) staff to ensure subrecipients may apply for waivers in compliance with the match requirements of the VOCA Assistance grant.
- III. DEFINITIONS:**  
As used in this document, the following definitions shall apply:
- A. Crime Victim or Victim of Crime: A person who has suffered physical, sexual, financial, or emotional harm, because of the commission of a crime.
  - B. Findings: An operational deficiency in internal controls, non-compliance with provisions of laws, regulations, contracts, Grant Subawards, or fraud, waste and abuse.
  - C. Match Requirements: The amount of non-federal resources used for the grant project by the subrecipient as a condition of receiving the federal funds.
  - D. National Emergency with respect to a pandemic- A nation emergency declared under the National Emergencies Act (50 U.S.C. § 1601 et seq.) with respect to a pandemic.

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- E. Notice of Subaward: Signed award documentation indicating the amount of funding awarded by DCFS to a subrecipient agency.
- F. Recommendations: Suggestions that are action oriented, well-supported, effective, and provide a course of action that will correct an issue that has been identified.
- G. Services: Must respond to the emotional, psychological, or physical needs of crime victims or assist victims to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system or restore a measure of safety and security for the victim.
- H. Subaward: An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.
- I. Subrecipient: A non-federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

#### **IV. APPLICATION PROCESS FOR STANDARD MATCH WAIVER**

- A. A subrecipient may submit a match waiver request to the Victim Services Grants Management Unit at DCFS. To request a match waiver, current grantees must send a match waiver justification request on agency letterhead to [DCFSgrants@dcfs.nv.gov](mailto:DCFSgrants@dcfs.nv.gov) containing the following:
  - 1. Legal name of the agency requesting match
  - 2. A brief description of the agency, project, and services to be provided
  - 3. A justification explaining the hardship reason for the match waiver request and the level of need requested – either partial or full match waiver
  - 4. Description of efforts the subrecipient regularly makes to increase sources of non-federal revenue
  - 5. Amounts:
    - a. Total amount of match required based on VOCA fund award
    - b. Total amount of match the agency is able to provide, broken out by in-kind and cash match.
    - c. Amount of match the agency is requesting to be waived
    - d. Amount of match provided in the prior grant year for the same project (if applicable).
  - 6. Time period for which the match waiver request is being made
  - 7. Request must be approved and signed by the agency's authorized agent.

#### **V. DETERMINATION BY DCFS FOR STANDARD MATCH WAIVER**

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- A. DCFS will make a determination on match waiver requests no later than thirty (30) days after receipt.
- B. DCFS will use the following factors to determination if a match waiver request is granted and whether a full or partial match waiver is warranted:
  - 1. Who is being served by the project? (e.g. priority underserved victims as identified by DCFS in the Notice of Funding Opportunity)
  - 2. Practical and/or logistical obstacles to providing match (e.g. public agencies that do not engage in private fundraising and may have limitations on soliciting contributions).
  - 3. Local resource constraints (e.g. recent loss of local fund sources or a rural or impoverished community with limited funding availability).
  - 4. Increases to VOCA funding levels, whereas local funding availability has not increased to the same degree.
  - 5. Past ability to provide match (DCFS generally expects programs to provide a similar amount of match as provided the previous grant year unless the Program can document a significant change in circumstances).
  - 6. Past compliance with subrecipient monitoring findings and corrective actions.
  - 7. Length of time the program has been providing services (e.g. Is this a new project/service?).
- C. Determination of partial or full match waiver will be determined by the DCFS Grants Management team and the DCFS Administrator, based on need. If it is determined that an agency can adequately and sustainably provide a portion of match, then a partial match waiver will be approved.
- D. Determination of a full match waiver will be decided by the DCFS Grants Management team and the DCFS Administrator and will be based on the agencies ability to provide services to clients in the community. Based on evaluation of the submitted justification statement in the application and if the match amount required by the grant precludes an agency from providing services, then a full match waiver will be approved.
- E. Upon receipt of a request for match waiver, the DCFS Grants Management team will review the application, collect any additional needed information, and submit a recommendation for approval, approval with modification, or denial to the DCFS Administrator.
- F. The Administrator shall issue a decision on request for match waiver and provide the decision in writing to the subrecipient. The Administrator may make approval contingent upon additional special conditions to the grant. The Administrator will sign all approved match waiver requests.
- G. Upon approval of the match waiver by the DCFS Administrator, GMU will update the subrecipient's grant file to include the subrecipient's approved budget to reflect the reduced match required and amended and signed Notice of Sub Award (NOSA).
- H. Written match waiver approval notification to the subrecipient includes the amount of match waived and the period for which match is waived. The time period may be no longer than one

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year. The match waiver approval notification will also include the reasoning set out in the approval of the match waiver.

- I. Approved match waivers will be submitted to the Office of Victims of Crime (OVC) for program office approval via submittal of a Grant Adjustment Modification (GAM) using the JustGrants online web portal or other method as requested by OVC, within ninety (90) days of the end of the Federal Fiscal Year, accompanied by a DCFS match waiver spreadsheet, tracking all active match waivers approved in the federal fiscal year, and copies of all the signed approved match waivers.
- J. Prior OVC approval would be required for any match waiver requested by a subrecipient within thirty (30) days before the subaward project end date, or after that date. DCFS anticipates this would only occur in the event of an emergency.

### **VI. NATIONAL EMERGENCY PANDEMIC MANDATORY MATCH WAIVER PROCESS**

- A. The GMU staff will contact all subrecipients in writing within 30 days of a national emergency being declared under the National Emergency Act (50 U.S.C. § 1601 et seq.) with respect to a pandemic.
- B. This letter will let all subrecipients know that their match will be waived for the duration of the award period. This letter will be signed by the DCFS Administrator. See attachment-Sample Blanket Waiver
- C. Subrecipients will have the ability to accept, partially accept, or decline the waiver.
- D. Upon acceptance or partial acceptance of the match waiver by the subrecipient, GMU staff will update the subrecipient's grant file to include the subrecipient's approved budget to reflect the reduced match required and amended and signed Notice of Sub Award (NOSA).
- E. Approved Match waivers will be submitted to the Office of Victims of Crime (OVC) for program office approval via submittal of a Grant Adjustment Modification (GAM) using the JustGrants online web portal or other method as requested by OVC, within ninety (90) days of the end of the Federal Fiscal Year, accompanied by a DCFS match waiver spreadsheet, tracking all active match waivers approved in the federal fiscal year, and copies of all the signed approved match waivers.
- F. National Emergency Pandemic Mandatory Match Waivers will be issued from the date the national emergency was declared and ending on the date that is one year after the date of the end of such national emergency. Match waivers issued during this time will be honored through the end of the subaward period on the subrecipient's award. Any request after this period would go through the standard match waiver process described above.

### **VII. DOCUMENTATION**

- A. This policy must be made publicly available to all subrecipients, and posted to DCFS' website.
- B. GMU staff will maintain documentation of any pending or completed request for match waiver.
- C. GMU staff will maintain a match waiver spreadsheet tracking all active and denied match waivers in the federal fiscal year including: amounts waived over time, completion of any additional special conditions, and any other documentation to properly manage the match waiver request.