

**OFFICE FOR VICTIMS PROGRAMS
 CVS GRANTS POLICY**

Title:	VOCA MATCHING FUNDS REQUIREMENT AND WAIVER POLICY		
Date Adopted:	APRIL 2 ND , 2019	Revised As Of:	May 13, 2020

I. Policy Background

Of the four funding sources administered by the Division of Criminal Justice (DCJ), Office for Victims Programs (OVP), only the federal Violence Against Women Act (VAWA) and the federal Victims of Crime Act (VOCA) grant programs have grantee match requirements. This policy addresses VOCA matching requirements and how to request a waiver of the requirement.

VOCA requires all funded agencies, except federally recognized tribes or projects that operate on tribal lands, to provide match (section 94.118 of the VOCA regulations). Common sources of match are cash match, such as a portion of a grant-funded position (not paid by VOCA) or non-VOCA funded victim assistance activities; volunteer services; materials and equipment; donated space and facilities (rent); and discounts provided to the grantee for goods and services. The match requirement is no less than twenty percent of the **total cost of the VOCA-funded project** through cash or in-kind match; new agencies not previously funded with Crime Victim Services (CVS) funds are required to provide 25% match. Matching funds are restricted to the same uses as federal VOCA grant funds and must be expended within the grant period.

In addition to the exceptions above, the federal Office for Victims of Crime (OVC) allows match waiver requests to be made directly to the Office for Victims Programs/Division of Criminal Justice.

II. Definitions (If Applicable)

CVS Board - Crime Victim Services Advisory Board. This board advises and makes funding recommendations to the Division of Criminal Justice and the Department of Public Safety concerning the award of VOCA grants.

DCJ - Division of Criminal Justice. This is one of five divisions within the Department of Public Safety.

Emergency Situations. Unforeseen situations that impact the normal operations of a funded agency. For example, natural disasters, epidemics, or pandemics.

Mass Violence/Terrorism Events. Intentional violent criminal acts that result in physical, emotional, or psychological injury to a large number of people.

OVC - Office for Victims of Crime. This is the office within the U.S. Department of Justice that oversees programs and grants for service providers and other professionals who assist victims of crime.

OVP - Office for Victims Programs. This is the office within the Division of Criminal Justice assigned to administer the federal VOCA grant. Also known as State Administering Agency (SAA).

VOCA - Victims of Crime Act. Refers to the federal formula grant funds awarded to the state of Colorado to be granted to programs that provide services to victims of crime.

III. The Policy

The Office for Victims Programs and the Division of Criminal Justice requires VOCA applicants to meet the matching requirements outlined in the VOCA rule (94.118). However, there may be instances when an applicant needs to request a match waiver. OVP will primarily consider partial match waiver requests; full match waiver requests will be considered in rare circumstances. It is also the expectation of DCJ/OVP that existing grantees will provide the same amount of match in new requests for grant funds that they are currently providing.

Match waiver requests are generally only considered during the application process. However, there may be times, such as Emergency Situations, when OVP will consider full or partial match waivers to some or all grantees. In the event that OVP issues match waivers to all grantees, notification will be sent providing additional guidance. OVP also reserves the right to provide a streamlined process for requesting a match waiver different from that outlined in this policy in order to expedite match waiver requests in unique or Emergency Situations.

In Mass Violence situations, agencies that receive VOCA funds to respond to these incidents will not be required to provide matching funds, as responding to these incidents naturally requires the grantee to provide additional activities that are not anticipated. In these instances, *A Request for VOCA Match Waiver Form* will not be required, though a *Match Waiver Determination* form will be provided to the agency.



REQUEST FOR VOCA MATCH WAIVER FORM: Agencies interested in requesting a match waiver will indicate in their application for funds if they intend to request a waiver of match, and will complete the *Request for VOCA Match Waiver* form **at the time of application**. Requests for match waivers in Emergency Situations or other unique situations, will be accepted at any time. Requests for match waivers should include the following information:

1. Brief description of the agency/project and the types of victims served;
2. Amount of required match (before the waiver request);
3. Amount of match the agency is able to provide (should not be less than the amount of match the agency currently provides - if a current grantee - unless there are unique circumstances or an emergency situation)
4. Amount of match the agency is requesting to be waived;
5. Brief description of any new or additional activities that require additional match (n/a for requests in emergency situations);
6. Brief explanation of why the full amount of match is a hardship for the agency and/or a brief description of any change in circumstances of the agency that make it difficult to meet the match requirement; and how the denial of a match waiver would impact the VOCA project.

All Match Waiver requests must be well justified and must be signed by the applicant agency's signature authority.

MATCH WAIVER REVIEW: Except in cases where a match waiver request is made outside of the application process, DCJ/OVP staff review requests for match waivers during the application review process and shares this information with the CVS Board, DCJ/OVP staff will determine if an applicant's match waiver request is justified and make a recommendation to the Director of the Division of Criminal Justice (or designee) as to approval or denial of a request to waive match. The Director of the Division of Criminal Justice (or designee) makes the final decision as

to the approval or denial of all match waiver requests. The following will be considered when deciding whether or not to approve a match waiver request:

1. 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 contributing funds);
2. Local resource constraints (e.g. rural community with limited local funding availability or volunteer capacity);
3. Increases to VOCA funding where local funding availability has not increased to the same degree;
4. For grantees currently funded with VOCA, the past ability to provide match (DCJ/OVP and OVC generally expects grantees to provide at least the same dollar amount of match it provided during the grant year immediately preceding the year of the waiver request unless a change in circumstances justifies a lower amount);
5. An emergency or other unique situation impacting the grantee's ability to provide match.

MATCH WAIVER DECISIONS: Once a decision on the request to waive match is made, a match waiver determination notice, or other appropriate documentation, will be uploaded to the respective grant in the DCJ's grant management system. In addition, grantees will be notified by email of the match waiver decision. The match waiver determination notice will contain the following:

1. A brief description of the project/services provided by the grantee;
2. The match waiver determination notice will specifically state if the waiver is approved or denied and will state the reasons why the request is approved or denied. The justification for the decision to either approve or deny the waiver request will be consistent with the considerations under the applicable waiver guidance from OVC;
3. The scope of the waiver, and waiver amount (unless specified otherwise by OVP, the waiver amount will indicate an equivalent match waiver percentage to be applied should the project budget change); and

4. Specific information as to the amount/percentage of match being waived outlined by each federal grant funding the project.

Waivers are applicable only during the subgrant award period (not in perpetuity). Agencies should not assume a match waiver request will be approved by DCJ/OVP and should not expend funds for which they cannot provide match. If DCJ/OVP denies a match waiver request, OVP will reduce the award to the amount the agency is able to match.

OVP RESPONSIBILITIES:

1. OVP will submit match waiver determinations to OVC (via program office approval GAN in GMS) no later than 90 days after the end of the fiscal year end. Determinations will be submitted to the appropriate federal award that is being used to fund the grant containing the match waiver.
2. OVP will submit the match waiver spreadsheet, using the OVC template, and showing all active waivers approved in a federal fiscal year, no later than 90 days after the fiscal year end.
3. Requests for match waivers submitted by grantees within 30 days before the subaward project end date, or after that date, must receive prior approval from OVC. OVP anticipates this would only occur in the event of an emergency. If a program wants to request a match waiver outside of the regular application period, contact your Grant Program Manager.
4. All match waivers must be approved and signed by the Director of the Division of Criminal Justice (or designee).