

PREFACE

This manual provides procedures for the administration of the West Virginia Community Corrections Grant Program and is applicable to all grants approved by the Governor after July 1, 2010. When revisions and corrections are deemed necessary, appropriately changed pages will be issued.

Sample application, reporting and other forms and schedules are provided in this manual and are for demonstration and information purposes only. Actual forms may be obtained from the Division of Justice and Community Services.

The staff of the Division of Justice and Community Services will be pleased to discuss any questions which are not adequately covered in this manual and will be receptive to recommendations that might make the administration of grant funds easier and more efficient. For further information, clarification, materials or submission of ideas, please contact:

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Chapter 1

GENERAL INFORMATION AND APPLICATION PROCESS

A. Background

The West Virginia Community Corrections Act (Chapter 62, Article 11C of the West Virginia State Code) was originally passed by the West Virginia Legislature in 2001 and was then amended and signed into law during the 2002 Legislative Session. The Act provides a means for communities to develop, establish and maintain community based corrections programs to provide the judicial system with sentencing alternatives for those adult offenders who may require less than institutional custody. A copy of the amended Act can be found in **Appendix A**. Also a copy of the Legislative Rule 149-4 can be found in **Appendix B**.

B. Administration of State Special Revenue Funds

The Community Corrections Act created a special revenue account in the state treasury. The Division of Justice and Community Services has been designated by the WV Code as the state agency responsible for the administration of the Community Corrections Funds for the State of West Virginia.

C. Proposal Applications

Applications for funds by agencies are initiated by completing a WV Community Corrections proposal application for a project and submitting it to the Division of Justice and Community Services.

The standard proposal application form must be used for all grants. Copies of this form are available from DJCS. Contact with staff should be maintained during the preparation of the proposal application. A copy of the standard proposal application can be found in **Appendix C**. A copy of the standard program guidelines can be found in **Appendix D**.

D. Program Standards

All community corrections programs must include the following core elements:

a. Intake and risk and needs assessment.

Programs shall utilize a research based intake and risk/needs assessment tool that addresses **(1)** drug and alcohol screening; **(2)** criminal history; **(3)** known associates; **(4)** community support system; **(5)** education needs; **(6)** treatment needs; **(7)** mental health needs; **(8)** employment needs; and, **(9)** substance abuse history.

Please note the West Virginia Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Corrections has approved and required the use of the a Level of Service/Case Management Inventory User **(LS-CMI)** for all community corrections programs funded by the West Virginia Community Corrections grant program funds administered by the West Virginia Division of Justice and Community Services. Please refer to **Appendix E**.

b. Services.

Based on program type, necessity and availability, programs must provide the following serves: case management, individual and group treatment, education, community service and restitution, victim/offender mediation, cognitive restructuring, mental health services, drug/alcohol screening, monitoring of court ordered medications, and home placement services.

c. Re-entry and aftercare.

Programs may link with a local workforce investment board or similar entities that provide one or more of the following types of services: job and vocational training, job placement, GED testing, and treatment services.

d. Program evaluation.

A written plan shall be developed which measures the success of the program. The plan should include the following elements: goals, objectives, and data to be captured regarding each offender utilizing standardized forms. This offender data should include all of the information listed in Legislative Rule 149-4-3.2.d.3.A through T.

E. Eligibility Criteria

In order to be eligible for WV Community Corrections (WVCC) funds, a project must be designed to provide a sentencing alternative for local judicial systems and meet the following requirements:

1. Record of Effective Services. Demonstrate a record of providing effective services. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.
2. New Programs. Those programs that have not yet demonstrated a record of providing services may be eligible to receive WVCC funding, if they can demonstrate a minimum of 10% percent of their financial support comes from local community sources. It is important that organizations have a variety of funding sources in order to ensure their financial stability.
3. Promote Community Efforts. Promote, within the community, coordinated public and private efforts to assist and support the project. Coordination may include, but is not limited to, serving on state, federal, or local, task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts also include developing written agreements that contribute to better and more comprehensive services. Coordination efforts qualify an organization to receive WVCC funds and are activities that can be supported with WVCC funds. It is strongly recommended that each project develop a local community corrections board that includes all key community leaders.
4. Resolution. Have obtained a resolution passed by the governing board that authorizes the president of the county commission (local governments) or the administrative director (WV Supreme Court of Appeals) to act on its behalf to make an application for WVCC funding.
5. Programs shall comply with State of West Virginia Rules Regulating Grants. This includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of WVCC funds received. This includes: financial documentation for disbursements; daily time and attendance records specifying time devoted to WVCC allowable services; client files; the portion of the project supplied by other sources of revenue; job descriptions; contracts for services; and other records which facilitate an effective audit.
6. Comply with any additional State Criteria. Programs must abide by any additional eligibility or service criteria as established by the state including submitting upon request statistical and programmatic information of the use and impact of WVCC funds.

The most current additional State Criteria include:

- a. **Criteria for Client Eligibility** – a written, formal agreement between the local courts and the local community criminal justice board which details requirements for client eligibility into the local community corrections program. These criteria must be signed by both parties and kept on file with the local program.
- b. **Eligibility Criteria for Individual Service Components** - a written, formal guideline/policy that describes client eligibility requirements for individual service component offered by the local community corrections program. These criteria must be kept on file with the local program.
- c. **Victim Safety Planning Component** - a written, formal guideline or policy that describes the steps taken by the local program to provide victim safety planning to victims of clients being served by local community corrections programs. This victim safety planning component and incorporate the collaboration of the local victim services provider and the local licensed domestic violence program. These criteria must be signed by the local program administrator, the local victim service provider and the local domestic violence program representative and should be kept on file with the local program.
- d. **Maintain Statistical Information** - programs shall maintain statutory required statistics on offenders serviced and services offered by the community corrections project, within the timetable established by DJCS; and permit reasonable access to its books, documents, papers, and records regarding these statistics.

Please note the West Virginia Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Corrections and the West Virginia Division of Justice and Community Services has approved and required the utilization of the Community Corrections Information System (**CCIS**) for all community corrections programs funded by the West Virginia Community Corrections grant program funds administered by the West Virginia Division of Justice and Community Services. Please refer to **Appendix F**.

- e. **Promote increased participation on a local level** - participation and support is a vital component to the operation of a successful community corrections program. In order to promote increased local participation, programs should strive to become self-sustaining, which includes increased county support through matching funds requirements.

- f. **Criteria for removal of an offender** – programs must follow general principles of accountability, structure, and supervision. Lack of offender participation and/or performance must result in a progressive form of discipline. Such progressive consequences for non-compliance must be predictable and consistently implemented by supervising agents and program staff.

F. Eligible Organizations

WVCC specifies that an organization must provide sentencing alternatives to local judicial systems and provide direct services to offenders ordered to the program and must be a county commission applying on behalf of a county or a combination of counties or a combination of a county and a municipality, or the State Supreme Court of Appeals, in order to be eligible to receive WVCC funding.

The projects may include, but are not limited to: probation supervision, day fines, community service restitution, home incarceration, substance abuse treatment, sex offender containment, licensed domestic violence offender treatment, day reporting centers, educational or counseling services, and drug courts.

G. Ineligible Applicants for WVCC Funds

Some public and private organizations that offer services to offenders are not eligible to receive WVCC funding.

1. Federal Agencies. Receipt of WVCC funds would constitute an augmentation of the federal budget with money intended for state agencies.
2. Private, For-Profit and Non-Profit Agencies. The intent of the WVCC funds is for local units of government in cooperation with community organizations to provide sentencing alternatives to the judicial system. Private agencies are encouraged to be a part of the grant project and can receive a portion of funds, but they are not intended to serve as the fiscal or applicant agency.

H. Ineligible Projects

Projects not eligible for WV Community Corrections funding include, but are not limited to the following:

- Juvenile Programs
- Pre-trial Diversion Domestic Violence Programs

I. Application Process

The application process consists of the following steps:

1. Requests for Proposals (RFP's) will be mailed to all county commissions, circuit judges, probation offices, class I and class II municipalities, and prosecuting attorneys in the state. If an agency is interested in an application kit, a section of the RFP will be returned to DJCS with appropriate mailing and contact information.
2. An application kit will be mailed to all current WVCC project directors during the same period the RFP's are distributed. Application kits will also be mailed to anyone completing and submitting an RFP request form. The application kits will include the new fiscal year proposal application and program guidelines, as well as DJCS contact information and the proposal application deadline date.
3. Applications will be promptly acknowledged upon receipt and reviewed for completeness by DJCS staff. Applicant will be immediately contacted if omissions appear.
4. Staff will assess the merit and overall need of the project as well as evaluate how the specific project will satisfy state goals and objectives. Comments and recommendations will be attached and the application will be forwarded to the West Virginia Community Corrections Subcommittee for consideration after staff has evaluated the merits of the application, which might include, but will not necessarily be limited to:
 - a. Compliance of the proposed project application with the priority programs described in the state plan.
 - b. Organization of the project, including eventual assumption of costs by the applicant agency.
 - c. Probability that the grant will achieve its objective(s).
 - d. Adequate fiscal responsibility.
 - e. Coordination of efforts with other local jurisdictions, particularly local criminal justice systems, to include resources and financial support.

- g. Need for the project.
 - h. Geographic area(s) to be served.
 - i. Legislative support/intent
5. At least one representative, of the applying agency, who is familiar with the proposed project is requested to be available to attend the West Virginia Community Corrections Subcommittee Meeting to make a brief presentation and/or answer any questions regarding the proposal.
6. Based primarily upon the West Virginia Community Corrections Subcommittee, staff will make one of the following recommendations to the Governor:
- a. Approve the application.
 - b. Approve with conditions, budget adjustments, or amendments to the application.
 - c. Return for revision. The required revision will be appended to the application.
 - d. Denial.

Applicants should note that authority to make grant awards is vested only by the Governor. Staff and Subcommittee recommendations are advisory only and should not be considered as indicative of the final action by the Governor.

J. Award

After the Governor issues award letters, DJCS will send contract agreements to all programs receiving a grant award for the current Fiscal Year. The contract agreement document must be signed by the Authorized Official of the grant and returned to DJCS for review and final approval. Grants officially begin on July 1 each year; however, reimbursement requests will not be processed until all required documentation is signed and returned to DJCS.

Each approved project not operational within 60 days of the approved starting date of the grant period must report by letter to DJCS the steps taken to initiate the project, the reasons for delay, and the expected starting date.

If a project is not operational within 90 days of the original starting date of the grant period, the grantee must submit a second statement to DJCS explaining the implementation delay. Upon receipt of the 90-day letter, DJCS may cancel the project

and redistribute the funds to other project areas or under extenuating circumstances, extend the project period.

Chapter 2

MATCHING FUNDS REQUIREMENTS

A. General

Graduated matching funds.

Beginning in Fiscal Year 2008, the requirement for matching funds will increase by 5% each year for the first three (3) years and 10% the fourth (4) year in order to encourage programs to become more self-sufficient as well as to increase each county's commitment and financial participation. The year of funding refers to the number of years the applicant county has received funding from the community corrections grant program, whether the applying agency received those funds as a direct award or through a different fiscal agency (i.e. applying agency received funds in previous years through a multi-county project). The following formula will be used when calculating required cash matching funds:

One county	Two or more counties *
1 st year- 10%	1 st year- 10%
2 nd year- 15%	2 nd year- 15%
3 rd year- 20%	3 rd year- 20%
4 th year- 30%	4 th year- 30%

*Each individual county that is recommended for funding by the Community Corrections Subcommittee, whether the county is part of a multi-county project or is establishing its own project, will be required to contribute a minimum 10% cash match funding in order to qualify for state funding. Counties must demonstrate a fiscal commitment to supplement the project.

The match requirement may be calculated by the following:

Example
Amount of WVCC grant: \$10,000
 $\$10,000 \div .90^* = 11,111$

Total Project: \$11,111
WVCC Funds: -10,000

Matching Funds: \$ 1,111

* Divide by .85 for 15% match; .80 for 20% match; and .70 for 30% match.

B. Multi-jurisdictional Projects

Where a group of counties (jurisdictions) combine and submit a joint application for funds, such application shall contain a cooperative agreement indicating each jurisdiction's willingness to collaborate and describing in detail each county's role and responsibility to the project. Such multi-county applications shall provide for the appointment of one (1) fiscal agent to coordinate the financial activities of the grant award.

C. Expending Matching Funds

The grantee matching share must be expended in the same manner and proportion as budgeted in the Proposal application. The grantee share must also be expended in the same time concurrence (grant period) as the state funds are expended.

D. Records of Matching Funds

Since the requirement for grantee matching funds is mandatory, accurate records must be maintained and show the amount and timing of these contributions. These records are subject to audit in the same manner and to the same extent as books and records dealing with the receipt and expenditure of WVCC funds.

Chapter 3

ALLOWABILITY OF COSTS

A. General

The purpose of this chapter of the manual is to set forth the cost allowability rules and principles. These rules and principles for all determining allowable costs* apply to all grants awarded. They are intended to provide a basis for a uniform approach to the problem of determining costs under projects supported with state funds. All agencies will be subject to annual audit reviews by the State of West Virginia Auditor's Office. All irregularities reporting during these audit reviews must be reported to the Division of Justice and Community Services within 30 days of receiving the formal audit report and findings.

B. Basic Principles

The basic guide in determining allowability of costs will be the extent to which these costs contribute to the purpose and execution of state assisted programs. It will be assumed that:

1. Applicant agencies will each bear their appropriate share of allocated costs as allowable under federal, state and local law or regulation.
2. DJCS and its grantees have the primary responsibility for employing whatever form of organization and management techniques will be necessary to assure proper and efficient fiscal administration and cost allocation, including accounting, budgeting, reporting, auditing and other review controls.
3. Costs pertinent to carrying out unrelated function (i.e., unrelated to programs receiving grant support) are not allowable and there cannot be recognition of "profit" or increment above true cost in executing grants.

*In general, project costs are "all necessary charges made by a grantee to accomplish the objectives of a project during the grant period."

C. General Guidelines

Community Corrections funds are to be used to provide flexibility and involvement in responding to crime at the community level. The funded projects are to provide effective protection of society and efficiency in the delivery of correctional services. These community based programs shall be designed to address the local criminal justice needs including sentencing alternatives to reduce recidivism, promoting accountability of offenders in the community, providing an opportunity for offenders to make restitution to their victims, and to provide programs specifically designed to meet the needs of offenders. Activities unrelated or only tangentially related to the provision of these services are not eligible for support.

The following categorical guide can be used as an aid in determining **allowable** costs:

1. Personnel Costs. Costs that are directly related to providing administration and direct services, such as staff salaries and fringe benefits, including malpractice insurance; the cost of advertising to recruit WVCC-funded personnel; and the cost of training paid and volunteer staff.
2. Special Services. Services needed to operate an effective community corrections program and meet the core elements of the program guidelines can also be funded. These special services include: intake and risk/needs assessment tools; direct services such as offender therapy and treatment, education programs, restorative justice, mental health services, home placement services; reentry and aftercare services such as job training and placement; and program evaluation.

D. Other Related Allowable Costs

These services, activities, and costs listed below are not generally considered direct services, but are often a necessary and essential activity to ensure that quality direct services are provided. Before these costs can be supported with WVCC funds, the state grantee and subrecipient must agree that direct services to offenders or the community cannot be offered without support for these expenses; that the subrecipient has no other source of support for them; and that only limited amounts of WVCC funds will be used for these purposes. The following list provides examples of such items:

1. Skills Training for Staff. WVCC funds designated for training are to be used exclusively for developing the skills of direct service providers including paid staff and volunteers, so that they are better able to offer quality services to offenders, the criminal justice system and the community. Please note all trainings must be approved by the Division of Justice and Community Services prior to attending any training by submitting to DJCS a written request for training approval. The request must contain specifics regarding the training event, such as an agenda or

brochure, and must also provide a breakdown of all expenses to be included.

2. Training Materials. WVCC funds can be used to purchase materials such as books, training manuals, and videos for direct service providers, within the WVCC-funded organization, and can support the costs of a trainer for in-service staff development. Staff from other organizations can attend in-service training activities that are held for the subrecipient's staff.
3. Training Related Travel. WVCC funds can support costs such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographic area. This limitation encourages programs to first look for available training within their immediate geographical area, as travel costs will be minimal. However, when needed training is unavailable within the immediate geographical area, WVCC funds may be used to support training outside of the geographical area. All travel expenses must adhere to the West Virginia State Travel Regulations.
4. Equipment and Furniture. WVCC funds may be used to purchase furniture and equipment that provides or enhances direct services to offenders and the community, as demonstrated by the WVCC program.

WVCC funds cannot support the entire cost of an item that is not used exclusively for community corrections activities. However, WVCC funds can support a prorated share of such an item. In addition, subrecipients cannot use WVCC funds to purchase equipment for another organization or individual to perform services that is not related to the community corrections program. Examples of allowable costs may include beepers; computers, printers, video cameras; two-way mirrors; and other equipment and furniture necessary for the program.

Any one item that cost \$1,000 or more is considered equipment for purposes of this grant program. **Please see Appendix G – Office and Computer Equipment Listing From.**

5. Purchasing or Leasing Vehicles. Recipients may use WVCC funds to purchase or lease vehicles if they can demonstrate to the Division of Justice and Community Services that such an expenditure is essential to delivering services to community corrections program. The DJCS must give prior approval for all such purchases.
6. Advances Technologies. At times, computers and other advanced technologies such as TTY/TDD machines may increase a program's ability to reach and serve the criminal justice system and the community. In order to receive a grant for advanced technologies, each subrecipient must meet the program eligibility requirements set forth in this manual. In

making such expenditures, WVCC programs must describe to DJCS how the advanced technology will enhance services to the program and/or the community; how it will be integrated into and/or enhance the subrecipients current system; the cost of installation; the cost of training staff to use the computer equipment; the on-going operational costs, such as maintenance agreements and supplies; and how these additional costs will be supported. Property insurance is an allowable expense as long as WVCC funds support a share of the cost of the insurance payments.

7. Contracts for Professional Services. WVCC funds generally should not be used to support contract services. At times, however, it may be necessary for WVCC recipients to use a portion of the WVCC grant to contract for specialized services. Examples of these services include mental health services, perpetrator intervention and prevention programs, or sign and/or interpretation for deaf/speech-impaired offenders, or for offenders whose primary language is not English.

Programs are prohibited from using a majority of WVCC funds for contracted services, which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.

8. Operating Costs. Examples of allowable operating costs include supplies; equipment use fees, when supported by usage logs; printing, photocopying, and postage; brochures which describe available services; and books and other program-related materials. WVCC funds may support administrative time to complete WVCC required time and attendance sheets and programmatic documentation, and statistics, administrative time to maintain required client records and program reports.
9. Supervision of Direct Service Providers. DJCS may provide WVCC funds for supervision of direct service providers when it is determined that such supervision is necessary and essential to providing direct services to the community corrections project. For example, DJCS may determine that using WVCC funds to support a coordinator of staff and volunteers is a cost-effective way of serving more offenders.
10. Repair and/or Replacement of Essential Items. WVCC funds may be used for repair or replacement of items that contribute to maintaining a healthy and/or safe environment for clients, staff, and the community. In the event that a vehicle is purchased with WVCC funds, related items, such as routine maintenance and repair costs, and automobile insurance are allowable.
11. Public Presentations. WVCC funds may be used to support presentations that are made in the community, to criminal justice professionals, or other

public forums, and that are designed to identify needs of the community and the local criminal justice system and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by WVCC funds.

E. Unallowable Costs

The following services, activities, and costs, although not exhaustive, cannot be supported with WVCC grant funds:

1. Activities outside the purposes and activities specifically covered by the approved program description and project budget.
2. Lobbying, Legislative and Administrative Advocacy. WVCC funds cannot support corrections legislation or administrative reform, whether conducted directly or indirectly.
3. Fundraising Activities. Fundraising is an unallowable expense.
4. Indirect Organizational Costs. For example, capital improvements, security guards and bodyguards, property losses and expenses, real estate purchases and construction may not be supported with WVCC funds.
5. The purchase of real estate.
6. Bad debts.
7. Contingencies.
8. Contributions or donations.
9. Entertainment.
10. Fines and penalties.
11. Interest and other financial costs.
12. Prior obligations.
13. Under-recovery of costs under grant agreements.
14. Legislative expenses.

15. Relocation Expenses – WVCC funds cannot support relocation expenses such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments for offenders or program staff.
16. Development of Protocols, Interagency Agreements, and Other Working Agreements. These activities benefit programs, but they are considered examples of the types of activities that programs undertake as part of their role as a community corrections services organization.
17. Unlicensed domestic violence perpetrator intervention or batterer's intervention prevention programs.
18. Non-funded Positions - The following are positions the Community Corrections Sub Committee have voted not to fund West Virginia Community Corrections funds:
 - a) Community Service Officer/Supervisor
 - b) Pretrial Officer (or related position)
 - c) Sex Offender Supervision (or related position)
 - d) Home Confinement Officer/Supervisor
 - e) Lab Technician (or related position)
 - f) Drug Screeners
 - g) Security Officers

F. Costs Requiring Prior Approval

1. Out of State travel
2. Training Expenses
3. Consultant awards/fees
4. Contract awards/fees
5. Any expenses not specifically covered by the approved program description and grant budget.

Chapter 4

GRANTEE REPORTING

A. General

Grantees are required to constantly monitor performance under grant-supported activities to assure that time schedules are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved.

B. Types of Reports

Grantees are required to prepare and submit the following types of reports. Please refer to **Appendix H** for report forms.

1. **Project Financial Report**

This report must be prepared and submitted on a monthly basis and is due at the DJCS office no later than 20 days following the close of the reporting month. Attach copies of invoices, as well as, proof of payment, to verify all expenditures.

2. **Request for Reimbursement**

A copy of this form is to be submitted monthly with the Project Financial Report for the purpose of DJCS issuing a reimbursement check. The total requested should agree with amounts listed on the Project Financial Report. This form must contain the original signature of the Authorized Official or the Fiscal Officer of the approved grant. Blue ink is recommended for the signature.

6. **Financial Recap Page**

A copy of this form is to be submitted monthly with the Project Financial Report and the Request for Reimbursement. This form supplies a breakdown of specific items and funds being requested for reimbursement.

4. **Progress Reports**

This report must be prepared and submitted on a monthly basis and is due no later than 20 days following the close of the reporting month. Please note requests for reimbursement will **not** be processed without the corresponding progress reports. Progress reports should include, but not limited to:

- a. A summary completed by a WVCC-funded staff position outlining activities during the reporting month. This summary should list the Goals and Objectives for the approved grant. In bullet form, under each objective, a list of the activities performed by the staff to meet each objective should be listed.
- b. Statistical data reflecting the number and types of clients served and the number and types of services offered during the month. **A monthly report generated by the CCIS database is required.**
- c. Copies of minutes from the governing board (Advisory Board for WV Supreme Court grantees and the Local Community Criminal Justice Board for County Commission grantees) must be submitted with each corresponding monthly progress report. A list of members attending, members absent, and confirmation of a quorum must be included in minutes. For months in which the board does not meet, it should be clearly noted in the progress report.

Minutes from County Commission meetings are only needed in the event that the WVCC grant program and/or WVCC funded staff are discussed during the meeting.

4. **Annual Performance Report**

This form is required for all completed projects, and is due no later than August 31 of each year. The form and instructions will be mailed by DJCS. An example of an Annual Report is provided in **Appendix I**.

5. **Office and Computer Equipment Listing Form**

This form is required of all WVCC grantees that purchase equipment (computers, software, printers, and/or advanced technology items that cost \$1,000 or more) with WVCC funds or a portion of WVCC funds during a grant period. After the purchase of equipment, this form should be submitted to DJCS within twenty (20) days after the end of the month in which the equipment was purchased. The form should be submitted with the corresponding monthly request for reimbursement. Refer to **Appendix G**.

6. **Other Periodic Reports**

Periodically, additional programmatic and/or fiscal information may be requested by DJCS. Most often for the purpose of program evaluation and strategic planning. All Community Corrections funded projects will be required to provide such information upon request.

Chapter 5

ACCOUNTING BOOKS AND RECORDS

A. General

Grantees must maintain accounting records in accordance with generally accepted accounting procedures, which will insure that state and grantee matching funds are accounted for, adequately. The minimum requirements for such records are explained below.

B. Minimum Requirements

In addition to complying with its regular accounting procedure, the grantee must keep special accounting records, which will accomplish the following:

1. Account for the receipt of state funds approved for each grant project.
2. Account for the expenditure of state and matching funds approved for each grant project by the broad budget categories set forth below:
 - a. **Personnel/Contractual:** Salaries, employee benefits, and contracts for hiring of consultants. Consultant services require advance DJCS approval. A copy of all job descriptions and resumes and contractual agreements must be on file at DJCS prior to any reimbursement for expenses for those staff, consultant, and/or contractual services.
 - b. **Travel/Training:** Lodging, transportation, registration fees, and subsistence expenses for project personnel. Training projects require advance DJCS approval. Expenses may not exceed ceiling established by West Virginia state travel regulations. Approval from DJCS will require a written request letter that provides information on the training event (agenda or brochure) and a specific breakdown of expenses to be covered.
 - c. **Equipment:** Computers and software, office equipment, and advanced technologies over the amount of **\$1,000 or more**. *An Office and Computer Equipment Listing Form is required to be submitted with the financial report.*

- d. **Other:** Allowable expenses not otherwise classified. *Please note that computer, software, office equipment, and printer purchases under \$1,000 are allocated to this category; however, an Office and Computer Equipment Listing Form must be completed for all purchases regardless of the amount.*

C. Documentation

Adequate documentation for all project costs must be maintained. Such documentation must be retained and available for audit purposes for the period of time specified in Chapter 6, Section F – Record Retention. Adequate documentation is defined as follows, for each major budget category.

1. **Personnel/Contractual:** Documentation includes daily time and attendance records signed by each project employee and his/her supervisor. Additional documentation includes payroll records, which indicate payroll period, payment rate, hours per day, and other related information. Contractual services require documentation by way of the consultant agreement and statement from the consultant indicating time period, payment rate, hours per day, signature of consultant and approval of project director. **(Appendix J - Sample Timesheet).**
2. **Travel:** Documentation includes detailed expense vouchers, signed by the employees and approved by the employees' supervisor. **(Appendix K – Travel Expense Sheet)**
3. **Training:** Documentation includes detailed expense vouchers, receipts from the training organization, and brochures, etc. from training. Documentation when your organization provides training for other participants includes consultant agreement and copies of the actual receipts for other expenses.
4. **Equipment:** Documentation for “equipment” includes purchase orders, audited vendor invoices approved by the project director, and copies of checks issued for payment.
5. **Other:** Documentation for “other” includes purchase orders, audited vendor invoices approved by the project director, and copies of checks issued for payment.

D. Technical Assistance

The staff of DJCS can make a determination of the adequacy of the grantee's accounting records. Technical assistance will be provided if necessary.

Chapter 6

GENERAL FISCAL AND ADMINISTRATIVE REQUIREMENTS

A. Budget Deviations

Deviations (increases or decreases) from the submitted cost estimates of each budget category require prior written approval from DJCS. However, in no event, may the grantee charge to the grant amounts in excess of the approved state funding.

B. Written Approval of Changes

Grantee must obtain prior, written approval from DJCS for major project changes. These include:

1. changes in substance and project activities, design, or research plans set forth in the approved application;
2. changes in the project director, fiscal officer, authorized official or key professional personnel, or changes in grant funded staff;
3. changes in the project budget (**Appendix L - Sample Budget Adjustment Request**); and,
4. changes in the length of the project period .

Please note written change requests will **only be accepted from one of the grant officers listed on the approved grant**. Also note a written grant adjustment notice (GAN) must be issued by DJCS for the project change to be valid. Refer to **Appendix M** for an example of a GAN form.

C. Obligation of Funds

Project funds (state and grantee) may not be obligated prior to the effective date or subsequent to the closing or termination date of the project period. Obligations outstanding as of the closing or termination date shall be liquidated within 30 days. Such obligations must be related to goods or services provided within the project period.

Unexpended grant funds will be deobligated after a grant has ended. If a grantee determines that there will be unexpended grant funds prior to the end of the grant period, those funds will be deobligated. That will allow those funds to be rewarded to another project.

D. Time Extensions

If adequate justification is provided, DJCS does occasionally approve time extensions. A situation where an extension might be approved would be if the grant project started later than originally planned due to **extenuating** circumstances. An extension would allow sufficient time for the grantee to fully expend the grant funds. Grantees must request approval from DJCS in writing. If after reviewing the individual circumstances, an adjustment is justified, an adjustment notice will be forwarded to the grantee reflecting the approval of the time extension.

E. Travel Regulations and Rates

Project travel expense charges are to be determined in accordance with the State of West Virginia travel regulations and rates, unless the grantee's travel regulations are more restrictive, then its regulations will govern. *Reimbursement is limited to actual expenses incurred.* A complete copy of the current state rates and regulations can be found at www.state.wv.us/admin/purchase/Travel. A copy of the most current per diem rates can be found at www.dtic.mil/perdiem/pdrates.

Meal allowance: Costs are **only** allowable for overnight stay travel. Please refer to the State of West Virginia Travel Regulations and nationwide per diem rates.

Motor Vehicle: Reimbursement for the use of employee's personal car in connection with grant business will be based on the State Government rate. Such reimbursement rates shall apply between the employee's headquarters and any designated location of work as approved by the project director. There will be no reimbursement of expense for commuting purposes other than in cases where an employee has complete his/her workday and is called out to return to his/her headquarters.

Duplicate Reimbursements: Notwithstanding any provision of these rules and regulations to the contrary, no official or employee shall be permitted to receive reimbursement for any expenses incurred in instances in which such expenses have been paid or are to be paid by any person, firm, corporation, partnership, association or any other third party. No official or employee shall receive reimbursements for any expense incurred in instances in which such expenses have been paid or are to be paid by DJCS as part of registration fee.

Registration Fees: Registration fees for conferences and/or seminars must be supported by receipts and attached to the attendee's expense report. Lodging and/or food that are included in the registration should be indicated on the expense report. Additional reimbursement will not be made for lodging or food that is included in registration fees.

F. Record Retention

Records of the grantee and its contractors, including books of original entry, source documents supporting accounting transaction, the general ledger, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records must be retained for a period of at least three years. The retention period starts from the date of the submission of the final expenditure report or, for grants, which are renewed annually from the date of the submission of the annual expenditure report. The three-year retention period is qualified as follows:

1. Records for nonexpendable property acquired with state grant funds shall be retained for three years after its final disposition.
2. Records must be retained beyond the three-year period when an audit is in progress and/or the findings of a completed audit have not been resolved satisfactorily. If an audit is completed and the findings are resolved prior to the three-year period, records will be retained until the end of the three-year period. If the three-year period has passed and no audit has been initiated, the records will be retained in accordance with other federal, state, and local laws. If state and local law requires a longer period of record retention, access to the records will be allowed for purposes of an audit.
3. DJCS may request transfer of certain records to its custody when it determines that the records possess long-term retention value.

G. Project Income

Project income is defined to be "gross income earned by grant supported activities." Regarding project income, the following general rules apply:

1. All other program income earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be:
 - a. Added to funds committed to the project by the grantor and grantee and be used to further eligible program objectives, or

- b. Deducted from the total project costs for the purpose of determining the net costs on which the state share of costs will be based.
2. Programs must maintain and follow accounting guidelines which address the collection and remittance process of any program fees and other program funding, such as multiple grant resources, private foundation funding, and program donations.
3. All agencies will be subject to annual audit reviews by the State of West Virginia Auditor's Office.

H. Lobbying

All grants funded with State of West Virginia funds, will contain in the grant contract a certification regarding lobbying. The certification will be signed by the authorized official of the grant indication that no grant funds will be used to lobby, or if lobbying is engaged in by anyone associated with the grant, it will be done with non-state funds. A Disclosure of Lobbying Activities form must be completed and submitted to DJCS in all instances of grantee lobbying with non-state funds.

Chapter 7

PURCHASING PROCEDURES

A. General

This section sets forth procedures for purchasing supplies, equipment, construction, and other services through state grant funds. These procedures are furnished to insure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable law.

Grantees may use their own purchasing regulations and procedures which reflect applicable state and local laws provided that purchases made with grant funds adhere to the minimum requirements set forth below:

B. Minimum Requirements

1. All purchasing transactions, regardless of whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizational conflicts of interest or non-competitive practices among contractors, which may restrict or eliminate competition or otherwise restrain trade.
2. Proposed purchases shall be reviewed by grantee officials to avoid purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.
3. Invitations for bids or requests for proposals shall be based upon a clear and accurate description or the technical requirements for the material, produce, or service to be procured. Such description shall not, in competitive procurements, contain features, which unduly restrict competition.
4. Positive efforts shall be made by the grantees to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing grant funds.

5. Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required method to ensure a sound procurement. However, procurement of \$4,999 or less need not be so advertised unless otherwise required by state or local law or regulations. Where such advertised bids are obtained the awards shall be made to the responsible bidder whose bid is responsive to the invitation and is most advantageous to the grantee price and other factors (such as discounts, transportation costs, and taxes may be considered in determining the lowest bid considered). Invitations for bids shall clearly set forth all requirements, which the bidder must fulfill in order for his/her bid to be evaluated by the grantee. Any or all bids may be rejected when it is in the grantee's interest to do so, and such rejections are in accordance with applicable state and local law, rules, and regulations.
6. Procurements may be negotiated if it is impracticable to use formal advertising. Negotiation may also be used to obtain an equitable adjustment for a unilateral, grantee-directed change in a contract provision, or to resolve a mutually acceptable amendment or supplement to an existing contract.
7. A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely follow-up of all purchases.

C. Approval of Contracts

Prior to entering into any contract exceeding \$4,999, which will be paid in whole or in part with project funds, a copy of the proposed contract must be submitted to DJCS for review and approval. This is to assure that the above provisions have been included in the proposed contract. In addition, grantees must submit to DJCS the selection basis (i.e., competitive bids, competitive negotiations, or sole source procurement) used in awarding the proposed contract. Copies of bids, proposals, or other documentation, which would support selection basis, must also be provided.

Chapter 8

MONITORING

A. General

The Division of Justice and Community Services staff will make at least one site visit to each grant program during the grant period to monitor the performance of grant-supported activities. Site visits will:

1. Determine progress made toward achieving project objectives;
2. Determine compliance with terms, conditions, and purpose of grant;
3. Identify technical assistance needs; and
4. Provide guidance of future design or funding of similar projects.

In the event a site visit cannot be made, a self monitoring report will be required to determine the performance of grant supported activities. The appropriate forms will be mailed to the Project Director with a specific due date.

Chapter 9

LOCAL COMMUNITY CRIMINAL JUSTIC BOARDS

A. General

Each county seeking to establish a community-based corrections program must establish a community criminal justice board unless established by the chief probation officer of the county (with the approval of the chief judge of the circuit). Any program which chooses to operate without a community criminal justice board shall be subject to the regulations and requirements established by the community corrections subcommittee and the governor's committee

Although an official community corrections/criminal justice board is not required for programs established under the chief probation officer and who utilizes the WV Supreme Court of Appeals as the fiscal agent for state community corrections funding, the Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction **strongly encourages and recommends** such programs to establish and maintain a community corrections board to serve as an advisory board to the chief probation officer.

B. Local Community Corrections/Criminal Justice Boards

A local community criminal justice board shall include no more than fifteen (15) voting members, who are all residents of the county or counties represented in the proposal. These members should include, but not be limited to, the following members:

- a. Sheriff(s) or Chief of Police(s)
- b. Prosecutor(s)
- c. Public Defender(s)
- d. Representative from Board(s) of Education
- e. Representative from local Mental Health service provider(s)
- f. Two (2) Crime Victims Rights Organization/Program Representatives, with preference given to:
 1. Local Licensed domestic violence program; and,
 2. Mother's Against Drunk Driving or other related program for victims of the crime of driving under the influence.
- g. Domestic Violence Program Representative

h. Three At Large Representatives

Additionally, the local board may include a Judge(s), a Magistrate(s), and a Probation Officer, but these members shall not have voting privileges they serve as ex officio members.

If a community criminal justice board represents more than one county, the appointed membership of the board, excluding ex officio members, must have an equal number of members from each county, unless the county commission of each county agrees to something different in writing.

Standards for the function of local community criminal justice boards are set by West Virginia Code and by guidelines adopted by the West Virginia Community Corrections Subcommittee.

The following are minimum standards set forth in WV Code for the local community criminal justice boards during the establishment period, which in general, is prior to the submission of an application for state community corrections grant funding:

1. Provide for the purchase, development and operation of community corrections services;
2. Coordinate with local probation departments in establishing and modifying programs and services for offenders;
3. Evaluate and monitor community corrections programs, services and facilities to determine their impact on offenders; and
4. Develop and apply for approval of community corrections programs by the governor's committee on crime, delinquency and correction.

Once the board has been established and a community corrections program has been developed, the following minimum standards apply to the local board for implementation of the program:

1. A community corrections program shall be governed by a local community criminal justice board (known as local board) which shall be responsible for and have authority over the policies of the local program, and which is broadly representative of the local community served as described in §62-11C-6 of the WV Code.
2. The local board shall adopt and review on a bi-annual basis, written and detailed by-laws and policies that define the powers and duties of the governing body, its committees, the executive director, and advisory group(s), where they exist. Copies of the by-laws shall be maintained by the local board.
3. The local board is responsible for ensuring the program's compliance and conformity with:

- a. Provisions of the program's mission;
 - b. All federal, state and local laws, rules and regulations governing the operation of the program; and
 - c. Terms of all leases, contracts, or other legal agreements to which the program is a party as a political subdivision as defined in §29-12A-3(c) of the WV Code.
4. The local board may appoint an executive committee consisting of the elected officers of the board. The only action of the executive committee to take place outside of regular board meetings is in emergency or crisis situations and only in close consultation with the executive director of the community corrections program. Key reasons for emergency/crisis meetings of the executive committee include: 1) situation causing harm to client(s); 2) situation causing harm to the program and/or program staff; and 3) immediate financial crisis. NOTE: All actions of the executive committee must be brought before the full board at the next regularly scheduled meeting for confirmation.
5. The local board shall designate an individual to act as executive director and shall delegate necessary authority to such individual to manage the day-to-day affairs of the program(s).
6. The local board will require the program director to submit a written programmatic and financial report at each board meeting.
7. Every member of the local board shall disclose in writing any financial transactions with the program in which any member of the board or her or his immediate family is involved. The local board must approve any contract or transaction where financial interests of this nature have been made.
8. The local board shall establish internal operating procedures, including by-laws and meeting dates.
9. The local board shall meet at a minimum on a quarterly basis and shall keep written or electronic minutes of all meetings, including attendance and whether or not a quorum was present, and make those meeting minutes available to the public. If a quorum is not present no binding decisions can be made during the meeting. Quorum should be defined in the approved by-laws of the local board, but should not be less than one-third (1/3) of the fifteen (15) voting members.
10. Local board meetings are subject to all conditions of the Open Governmental Proceedings Act which requires the meetings be open to the public, unless a specific statutory exception applies. The Act applies to all state, county, and municipal administrative or legislative units of government, including their departments, agencies, committees, boards and commissions. Every public board is required to give advance notice to the public and news media of the

date, time, place and agenda of all regular meetings and the date, time, place and purpose of all special meetings, except in case of an emergency requiring immediate action. Meeting minutes must include all measures proposed and the results of all votes taken.

11. The Open Governmental Proceedings Act does not require non-State agencies to register public meeting notices on the WV Secretary of State's Register; however, the WV Community Corrections Subcommittee does require all local community criminal justice boards to register their meetings on the State Register. Public meeting notices can be registered online by visiting the WV Secretary of State's website at <http://www.wvsos.com/meeting-notices/index.aspx>.
12. The local board shall maintain a current listing of its members, including the name, the position, and the term of membership (if applicable) for each member.
13. The local board shall ensure that the program is adequately funded and fiscally sound. To this end, the local board is responsible for the following:
 - a. Reviewing and approving the program's annual budget and community corrections grant applications;
 - b. Monitoring collections and disbursement of all funds on a quarterly basis to assure that they are made in accordance with the program's objectives as specified by the local board;
 - c. Assuring that the program maintains liability insurance and bond for all staff, volunteers and members of the local board;
 - d. Providing a financial bond for all individuals delegated the authority to sign checks or manage funds. The bond shall assure the full operation of the community corrections program for a period of thirty (30) days should those individuals misappropriate or mismanage the program's funds or assets or engage in any illegal act which results in the loss of funds or assets.
14. The local board shall adopt and monitor implementation of written personnel policies that shall, at a minimum:
 - a. Pertain to all paid staff;
 - b. Include requirements for equal employment opportunity, selection procedures, orientation, on-going staff development and training, and termination of employment;
 - c. List, in definitive terms, all benefits that are available to staff and volunteers, including specifics of any insurance program;
 - d. Specify eligibility for vacation, personal leave and adjusted work week, yearly carry-over and accumulation, approval procedures, and payment upon termination;

- e. Specify actions that will be taken by the agency if an employee fails to comply with employee policies, including written notification of the nature of misconduct or poor performance, the discipline being taken, the effective date of the discipline, future consequences for reoccurrence, and appeal rights. The policy shall allow the employee the opportunity to respond to the charges of misconduct or poor performance before a disciplinary decision is made;
- f. Specify grievance procedures for the employees, including grievable issues, steps of appeal, required time frames and who has the authority for resolution;
- g. Delineate the lines of authority within the agency, and outline the authority of the supervisor(s) regarding personnel activities such as promotion, discipline, leave approval, performance evaluations, grievances, assignment of work and training;
- h. Include job descriptions and position qualifications for each position within the program;
- i. Set forth, in written form, rules of conduct which include such topics as appropriate attire, work hours, confidentiality, insubordination, misuse of authority or equipment, absences without leave and falsification of records;
- j. Require that individuals providing professional or therapeutic counseling, and/or professional social work have appropriate credentials and are licensed when applicable.

Chapter 10

COMMUNITY CORRECTIONS PROGRAM APPROVAL

A. General

Whether a community corrections program is requesting state funds or not, the program is mandated by the Community Corrections Act to adhere to specific guidelines for program approval. Communities seeking community corrections program approval must submit an official community corrections program proposal application to the Community Corrections Subcommittee through DJCS. All applicants must follow all special conditions and assurances in the proposal application, as well as meet all program standards established by Legislative Rule 149-4-3.

B. Approval of Community Corrections Programs with NO REQUEST for State Funds

Should community corrections program applicant request community corrections program approval from the WVCC Subcommittee and not request state funds for the implementation of the program, the following guidelines shall be applicable:

1. Proposal applications may be submitted to the WVCC Subcommittee at anytime. The proposal application will be reviewed and considered at the next schedule Subcommittee meeting;
2. Upon proposal approval, the approval will remain in effect for a period of three years;
3. In the event that a program is modified following approval and prior to the end of the 3-year approval period, a new approval request shall be made to the Subcommittee;
4. Approved programs must submit quarterly progress reports;
5. Approved programs must submit an annual progress report;
6. And all approved programs must collect statistical data and submit the data on a quarterly basis;

C. Approval of Community Corrections Programs with Request for State Funds

Should community corrections program applicants request community corrections program approval for the WVCC Subcommittee and request state funds for the implementation of the program, the following guidelines shall be applicable:

1. Proposal applications must be submitted to the WVCC Subcommittee on or before application deadline;
2. The proposal application will be reviewed and considered during the scheduled Grant Review Subcommittee meeting;
3. All applicants will be required to orally present their application to the Subcommittee;
4. Upon approval, the grant will begin on July 1 and end on the June 30;
5. Funding awards will be for a one-year period on a competitive basis;
6. Programs must provide a minimum of 10% local cash match;
7. Applicants must submit all administrative paperwork including the award contract, an award resolution, a certification of debarment, and an Equal Opportunity Employer certification;
8. State funds will be disbursed to the applicants through a monthly reimbursement system;
9. Applicants must submit monthly progress reports;
10. Applicants must collect statistical data and submit the data on a monthly basis;
11. Applicants must submit an annual progress report;