

COVID-19 Response Grant Guidelines and Instructions

Grant Purpose

Court Improvement Program (CIP) grants are federal funds awarded to each state's highest court by the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) to help states assess and evaluate foster care and adoption laws, and improve safety, permanency, and well-being outcomes for abused and neglected children in the child welfare system. The Consolidated Appropriations Act, 2021 was enacted into law on December 27, 2020. This law included supplemental awards to address needs stemming from the COVID-19 public health emergency to ensure that the safety, permanence, and well-being needs of children are met in a timely and complete manner.

Grant Eligibility

State agencies, non-profit organizations, educational institutions, and local governments (including courts) are eligible to apply.

Grant Cycle

- The grant cycle is from October 1, 2021, to September 30, 2022.

Allowable Grant Activities

The supplemental CIP funds must be used to address needs stemming from the COVID-19 public health emergency to ensure the safety, permanence, and well-being needs of children are met in a timely and complete manner.

Systems Improvement:

- Technology investments to facilitate the transition to remote hearings for dependency courts when necessary, as a direct result of the COVID-19 public health emergency.
- Provide support for electronic case file applications, secure electronic document transmission, and electronic notice systems.
- Implement systems to allow rapid direct communication with clients or resource parents such as mobile applications or emergency notification systems.
- Provide support for safe in-person operations (e.g. personal protective equipment, time certain docketing systems).

- Address case-specific barriers to permanency, safety, or well-being such as virtual alternatives to services.
- Support to address inequities/disproportionalities in service delivery or access for clients, for example, by supporting internet access for clients or communities where it is lacking.

Legal Practice and Process:

- Pay for staff or consultants to work on policy, regulations, or court rules around COVID-19.
- Programs to help families address aspects of the case plan to avoid delays in legal proceedings that would occur as a direct result of the COVID-19 public health emergency.
- Provide support for remote operations such as hearings, legal representation, and other case activities such as family team meetings.

Training:

- Training for judges, attorneys, and caseworkers on facilitating and participating in remote hearings that comply with due process and all applicable laws, ensure child safety and well-being, and help inform judicial decision-making.
- Provide training to judges, attorneys or partners on pertinent topics relating to working with children and families during the pandemic.
- Other purposes to assist courts, court personnel, or related staff related to the COVID-19 public health emergency (section 7(c) of Division X).

Additionally, grant recipients must incorporate continuous quality improvement methods (CQI) into all grant-funded activities. CQI is a process that seeks to establish whether activities undertaken to achieve particular goals produce the desired outcomes, and whether data support the outcomes. Another important part of CQI is sharing with others any resulting data and analysis and continually soliciting feedback. This assists CIP in moving forward to another stage of the project in a cyclical process of gathering data, evaluating it and trying new strategies. The CQI process can also reveal whether projects, as designed, will not produce desired outcomes.

Required Grant Activity Components

As part of the CQI process, all grant recipients are required to identify each of the following for each project:

1. **Outcome:** What goal or goals do you seek to accomplish? Project goals should be aimed at improving child and family safety, permanency, and well-being (including medical, mental, behavioral, health and education needs), or due process, and timeliness to case resolution and permanency for the child and family.
2. **Activity:** Please list all activities that you will undertake or perform in an attempt to fulfill the identified goal(s). Also, please link the activity to child safety, permanency, wellbeing, due process or timeliness.
3. **Output(s):** What changes do you expect to occur as a result of the activity/activities?
4. **Data Collection:** Will you be able to collect any data as part of the project? If so, please describe what data will be collected, how it will be used or analyzed and what you expect to learn from your analysis.
5. **Evaluation:** Please indicate how you might use the results to improve or modify the project.

General Grant Rules

- a. **Compliance With Laws** - The applicant shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this program, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the applicant shall furnish CIP with satisfactory proof of its compliance.
- b. **Ongoing and Meaningful Collaboration** – All CIP funded programs must include a process for on-going and meaningful collaboration with CIP and the other stakeholders who impact child protection courts. Applicants must avoid any risk of *ex parte* communications on particular matters before a court in implementing this requirement.
- c. **Single Contract** – A partnership, multi-county region, or other conglomerate entity requesting funds must appoint one entity to be the administrator. If selected, CIP will only contract with one entity for the program. Only one county or agency may be designated as the administrative county in partnerships or regions.
- d. **Disclosure** – Applicants must disclose if any members of the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (The Children's Commission), a Children's Commission Committee or Children's Commission Collaborative Council member serves on a governing or advisory board or is retained for fee beyond reimbursement of actual expenses to participate in funded activities.
- e. **Grant Officials** - Each grant must have the following designated to serve as grant officials:
 - i. Financial officer. This person must be the county auditor (or county treasurer if the county does not have a county auditor) or governmental, educational institution or non-profit organization's fiscal officer.
 - ii. Authorized official. This person must be authorized to apply for, accept, decline, modify, or cancel the grant for the applicant. A county judge or a designee authorized by the governing body in its resolution may serve as the authorized official.

Note: The financial officer may not serve as the authorized official.
- f. **Maintain Official Contact Information** - Applicants and subgrantees must advise CIP of changes in the authorized official, program director or financial officer. This information will be used to provide notices for grant information. CIP will use e-mail whenever possible to notify grant recipients of required reports and funding opportunities.
- g. **Equipment and Software Maintenance** - All equipment and software purchased with grant funds shall include at least three (3) years and no more than five (5) years of maintenance to ensure the equipment and software will operate as intended during and beyond the grant period.
- h. **Inventory** – Property records must be maintained by applicants for any equipment and capital expenses incurred consistent with the applicants' written property control policy and procedures. In the event an applicant does not have such property control measures then the

equipment must be maintained in such a way to protect the asset from damage or loss in accordance with OMB circulars. If the court improvement program is discontinued prior to the expiration of the useful life then the applicant may continue to use the property to support similar programs or notify CIP to discuss procedures for return or transfer of the property. Subgrantees may choose useful life attribution for inventory items in accordance with OMB circulars.

- i. Records Retention** – Grant recipients must maintain records related to the funded activity for at least *three years after the end of the grant period*. Records may be stored electronically.
- j. Monitoring and Auditing** – Records must be made available to CIP or its designees upon request. CIP staff or their designees must have access to funded events or be allowed to conduct on-site inspections.
- k. Professional and Contractual Services** - Any contract or agreement entered into by a subgrantee that obligates grant funds must be in writing and consistent with Texas contract law. Subgrantees must establish a contract administration system to regularly and consistently ensure that contract deliverables are being provided as specified in the contracts. A subgrantee's failure to monitor its contracts may result in disallowed costs and/or disallowed match.
- l. Curriculum Approval** – Training events funded with CIP grants must be developed in consultation with the CIP staff and approved in advance of the event.
- m. Grant Status** – Continued programs must be current on reporting and program requirements as of the grant review period. CIP will review status of continued programs and make recommendations to The Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families based on the status of the program.
- n. Grant Management Standards** – All programs and funds awarded under CIP shall be managed in accordance with the Texas Uniform Grant Management Standards (UGMS), which can be linked to here: www.governor.state.tx.us/files/state-grants/UGMS062004.doc.
- o. Collaboration** – Identify the persons or groups with whom you will collaborate as part of your project. Collaboration with partners may be informal or formalized with, for example, a memorandum of understanding.

Review & Selection

- a. Review criteria** – Commission staff will review each grant in relation to the Children’s Commission Strategic plan and/or the strategic plans submitted by the Supreme Court of Texas to ACF.
- b. Past performance** – Children’s Commission Staff will review subgrantees performance, implementation, and evaluation of past grants.
- c. Final Selection** – The Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families will make the final decision about which projects will receive CIP funding. The Children’s Commission staff may recommend to the Children’s Commission that a program not be funded.

Financial Provisions

- a. **Funds Availability** - All commitments are subject to availability of funds.
- b. **Fund Use** - Funds must be used to pay for the direct and/or administrative costs of providing court improvement projects consistent with the Children's Commission Strategic plan and/or the strategic plans submitted by the Supreme Court of Texas to ACF.
- c. **Matching Requirements and Limitations** - Supplemental funds for this program are awarded with a 100 percent Federal Financial Participation (FFP) rate for program costs; therefore, no match (non-federal share) is required to receive these supplemental funds (section 7(b)(3)(E) of Division X).
- d. **Budget – (Narrative required)** Applicants will complete the budget form. Budget narrative must clearly state the costs of executing the program. Budget categories are Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, and Other.
 - i. Include all costs necessary to implement the proposed activity.
 - ii. The narrative must justify all budgeted expenses.
 - iii. The narrative must correspond to the activities sections.
 - iv. Identify in the narrative the start-up costs or non-reoccurring.
 - v. Indicate other sources of match and whether they will provide direct cash payments or in-kind contributions.
- e. **Timeframe for Expenses** - No expenses are allowed outside of the period specified in the Statement of Grant Award.
- f. **Program Related Costs for These Grants** - Only costs directly related to project are allowable. See OMB Circulars A-87 and A-110 for full details of allowable costs.
- g. **Unallowable Costs** –Specifically, in accordance with OMB Circulars, UGMS and/or the grant rules the following conditions apply to these grant funds:
 - i. General government costs are unallowable;
 - ii. Costs of law enforcement, prosecution, and incarceration are unallowable; and
 - iii. Replacing existing funding with grant funds is unallowable;
(Note: See OMB Circulars A-87 and A-110 for full details of unallowable costs.)
- h. **Reallocation of Funds** - CIP permits up to 25% of funds to be reallocated within budget line-item categories without prior Commission approval however, all reallocations must be approved by the Children's Commission Grants Administrator. Please send all reallocation requests via email to the Grants Administrator at Patrick.Passmore@txcourts.gov for review and approval.
- i. **Unobligated Balances** - At the end of a budget period any unspent funds will be returned to the CIP. Fund carryover and no-cost extensions are not allowed.
- j. **Supplanting Prohibited** - Applicants may not reduce the amount of funds provided for courts because of funds provided by this grant. Supplanting is defined as the withdrawal of

local, private, or other public funds for services that were available during previous years of funding for the same program purpose in the same manner.

- k. Use of Program Income** - Applicants may use funds received through program income to fulfill the matching funds requirement, if applicable.
- l. Awards** - Publishing this RFA does not obligate CIP to fund any programs.
- m. Partial Funding** - CIP may recommend funding for all or any portion of a program submitted in the application.
- n. Substitution** - CIP may recommend alternative funding sources, special conditions or alternative program elements in response to submitted applications.
- o. Reporting Requirements** – Grantees are required to submit two formal reports during the grant period: an interim and a final program progress report.

The **interim progress** report is due at the six-month interval of the grant period. The deadline is prescribed in the Notice of Award under “Reporting Requirements.”

The **final progress** report is due at the completion of the grant period. The deadline is prescribed in the Notice of Award under “Reporting Requirements.” CIP will provide a template for both reports on its website at www.texaschildrenscommission.gov. CIP also requires that each grant recipient provide a copy of any independent or required audit completed by a sub-grantee to help ensure adequate accountability of organizations expending CIP funds. A copy of the audit must be submitted to CIP within 30 days after completion of the audit. Grantees should take note that failure to submit reports within the recommended timeframe may result in delay in final payments and hold on future funding. ***CIP reserves the right to require additional reports or submission of backup to CIP for auditing purposes at any time during the grant year.***

- p. Future Funding on Continued Projects** – CIP can recommend funding for only the current grant year. Future funding will be based on the applicant submitting a new application to continue funding in subsequent years, submission of progress reports, a demonstration of successful progress made in implementing the program evidenced by a formal evaluation, and future availability of funds.
- q. Length of Project Grants** -A project grant may be funded for up to three fiscal years unless otherwise authorized by the Children’s Commission for purposes of project completion.