

FY2012 Drug-Free Communities New Awards Terms and Conditions

PROGRAM OVERVIEW

The Drug-Free Communities (DFC) Support Program is a collaborative effort between the Office of National Drug Control Policy (ONDCP) and the Substance Abuse and Mental Health Services Administration (SAMHSA). ONDCP issues grant awards to community coalitions through an interagency agreement with SAMHSA. According to the Drug-Free Communities Act of 1997, the purpose of DFC funding is to address two major goals: 1) establish and strengthen collaboration among communities, public and private non-profit agencies, and Federal, State, local and Tribal governments to support the efforts of community coalitions, and 2) reduce substance abuse among youth and, over time, among adults.

While responsibility rests with the grantee for achieving the primary goals of the program, SAMHSA shall monitor and provide continuing technical assistance, consultation, and coordination in the execution of the project during the funding period. You can find additional details about the support available to you as a grantee on the program's website at <http://www.whitehouse.gov/ondcp/Drug-Free-Communities-Support-Program>.

In addition to these Terms and Conditions and the applicable statutes and regulations, grantees are bound by the HHS Grants Policy Statement, which can be accessed at www.samhsa.gov/grants and all requirements in the Request for Applications (RFA) for the FY 2012 Drug-Free Communities Support Program. All requirements in the FY2012 DFC Request for Applications (RFA) are available at <http://www.samhsa.gov/grants/archives.aspx>, go to FY 2012 applications, then SP-12-001.

TERMS AND CONDITIONS OF AWARD

Failure to comply with Terms and Conditions may result in a financial drawdown restriction on your Payment Management Account or denial of funding in the future as outlined in the following section.

Sub-recipients and contractors under grants are subject to the requirements of the cost principles otherwise applicable to their type of organization and to any requirements placed on them by the recipient to be able to comply with the terms and conditions of the award. Please refer to the DFC Handbook and the Health and Human Services (HHS) Grants Policy Statement available at <http://dhhs.gov/asfr/ogapa/grantinformation/hhsgps107.pdf> for detailed information.

PROGRESSIVE DISCIPLINE AND APPEALS PROCESS

If for any reason you do not comply with the applicable terms, conditions, rules and regulations for the DFC Program, your grant will be subject to the Progressive Discipline and Appeals Process developed by ONDCP and SAMHSA. There are three progressive discipline actions that can be taken: 1) High Risk status, 2) Suspension, and 3) Termination. Failure to comply with special Terms and Conditions if applicable may result in a financial drawdown restriction on your Payment Management Account or denial of funding in the future.

An overview of this plan and the complete explanation and procedures are posted on the Drug-Free Communities Program website at <http://www.whitehouse.gov/ondcp/Drug-Free-Communities-Support-Program> or can be linked through <http://www.samhsa.gov/Grants/management.aspx>.

ROLE AND RESPONSIBILITIES OF THE GRANTEE

For the purposes of the DFC Program, a "grantee" is either a coalition that has received a grant or is an outside agent that is serving as the grantee on behalf of a community coalition. The following Statutory Eligibility Requirements must be met each year while the coalition is funded by the DFC Program. Failure to meet one of these requirements is considered non-compliance with grant regulations (see Progressive Discipline and Appeals Process).

Statutory Eligibility Requirements for DFC-funded coalitions (if you are the grantee for a separate coalition, you are still responsible for ensuring all eligibility criteria are met by the coalition):

- The coalition must have at least one representative from the required 12 sectors, as outlined in the RFA and the Drug-Free Communities Act of 1997;
- The coalition must maintain meeting minutes that demonstrates it is a unique entity that has substantial involvement from its members and is working toward to the two goals of the DFC Program;
- The coalition must address multiple (more than one) drugs in its annual Strategic/Action Plans for each year of funding;
- The coalition must have as its principal mission the reduction of youth substance use;
- The coalition has not received 10 years of DFC funding; and
- The coalition must capture and provide specific data as required by the DFC National Evaluation.

Statutory Eligibility Requirements for all DFC Grantees (coalitions or outside agents):

- The grantee must be an entity eligible to receive Federal funds;
- The grantee must not request more than \$125,000 per year;
- The grantee must document the level of non-Federal match defined in the DFC Act; and
- The grantee can only be awarded one DFC grant at a time.

Other Requirements for all DFC Grantees (coalitions or outside agents):

- The grantee must continue implementing the specific goals and objectives outlined in their approved application for DFC funding. The grantee must develop a funding plan that ensures (1) the required match of requested Federal funds and (2) to solicit substantial financial support from non-Federal sources for sustainability purposes.
- The lead paid staff (Program/Project Director) of the DFC-funded coalition must participate in The DFC Workstation (www.drugfreecommunities.org), so that he/she receives information from the DFC Staff on a timely basis (see Special Term #8 below for more details).
- The grantee must use the Strategic Prevention Framework (SPF), a five step evidence based process for community planning and decision making.
- The grantee must plan and implement the appropriate environmental strategies as part of their Strategic and Action Plans.

Requirements for Grantees in Year 3 and 7:

The coalition must submit via email a Sustainability Plan to the Government Project Officer within 60 days of the start of years 3 and 7 of DFC funding.

RESTRICTIONS ON GRANTEE LOBBYING

(c) Title 18 > Part I > Chapter 93 > Section 1913: No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business,

or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352 (a) of title 31.

SPECIAL TERMS OF AWARD

1. The grantee must budget for two people to attend a two-day training that may be called at some point during the fiscal year by ONDCP. Should this training be called, ONDCP will provide guidelines on the positions and/or participants who should attend through the SAMHSA Government Project Officer (GPO) and via the DFC Workstation. If ONDCP chooses not to hold such a meeting during the fiscal year, the grantee will be allowed to reallocate the funds in this line item with the approval of their GPO and Grants Management Officer (GMO).

2. The grantee must receive and expend non-Federal matching funds as required in the Program Announcement and the Drug-Free Communities Act. In-kind support (i.e., donations, volunteer time, etc.) may also be used to satisfy the match requirement.

3. The grantee must comply with the DFC National Evaluation requirements. ONDCP requires all grantees to collect data specific to the geographic area designated in the approved application. The data collection size must be sufficient to provide an accurate and meaningful statistical representation of the people being surveyed in each of the geographical areas served by the coalition. The grantee is responsible for providing these data on or before the deadline established for each reporting period as highlighted on the program website at <http://www.whitehouse.gov/ondcp/information-for-current-grantees>. Failure to meet established deadlines could result in the GPO placing the grantee on High-Risk status, which could lead to an eventual suspension or termination of the grant for failure to comply with reporting requirements. ONDCP reserves the right to change measures for effective and meaningful evaluation of the program. The following data must be collected every two years on alcohol, tobacco, marijuana and prescription drugs for three grades (6th-12th; with a combination of odd or even years capturing two high school grades):

1. Past 30-day use
2. Perception of risk or harm
3. Perception of parental disapproval of use
4. Perception of peer disapproval of use

4. When requested, the grantee must develop a corrective action plan and complete the approved plan within the designated timeframe designated by the GPO. The corrective action plan must be designed to address identified deficiencies in performance and/or in the conditions contributing or causing the identified unsatisfactory performance.

5. Grantees are required to adhere to all the sections of the Roles and Responsibilities of Grantees as outlined in earlier sections of the Notice of Award.

6. The grantee must continue to meet the Statutory Eligibility Requirements, as required by the original Request for Applications and the Drug-Free Communities Act each year of funding.

7. Requests to carryover funds from one fiscal year to another are due to the GMS by the first Monday in February. All such requests must include a copy of the coalition meeting minutes showing coalition approval of the request.

8. The lead paid staff (Program/Project Director) of the DFC-funded coalition must participate in The DFC Workstation (<http://www.drugfreecommunities.org>), so that he/she receives information from the DFC Staff on a regular basis. This includes submitting the lead paid staff's contact information, as well as the contact information of one member from each of the required 12 sectors. The lead paid staff should discuss the use of The DFC Workstation with sector members chosen to represent each sector, so that they understand their role in distribution of information sent to them. Information sent to specific sectors will always be sent to the lead paid staff. The lead paid staff must participate in the quarterly update of contact information in The DFC Workstation. Lead paid staff will receive an email from The DFC Workstation indicating the update needs to be completed and the deadline for doing so.

9. Grantees must maintain a current account with the Central Contracting Registry (CCR) that is updated yearly. Additional information on CCR and the registration process is available at www.bpn.gov/ccr.

STANDARD TERMS OF AWARD

1. This grant is subject to the terms and conditions, included directly, or incorporated by reference on the Notice of Award (NoA). Refer to the order of precedence in Section III (Terms and Conditions) on the NoA and can be found at <http://www.samhsa.gov>.

2. The grantee organization is legally and financially responsible for all aspects of this grant, including funds provided to sub-recipients.

3. Grant funds cannot be used to supplant current funding of existing activities. Under the HHS Grants Policy Directives, 1.02 General--Definition: Supplant is to replace funding of a recipient's existing program with funds from a Federal grant.

4. The recommended future support as indicated on the NoA reflects total costs (direct plus indirect). Funding is subject to the availability of Federal funds, the demonstration of matching funds, and acceptable documentation of the progress of the grant.

5. Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR 2) are applicable to any information about alcohol and other drug abuse patients obtained by a program (42 CFR 2.11) if the program is Federally-assisted in any manner (42 CFR 2.12b). Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with (42 CFR 2). The grantee is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.

6. Accounting Records and Disclosure: Awardees and sub-recipients must maintain records which adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to grant or sub-grant awards matching funds and in-kind support, and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The awardee, and all its sub-recipients, should expect that SAMHSA, or its designee, may conduct a financial compliance audit and on-site program review of grants with significant amounts of Federal funding. Please reference the Reporting Requirements section for Audit Requirements.

7. Per (45 CFR 74.36 and 45 CFR 92.34) and the HHS Grants Policy Statement, any copyrighted or copyrightable works developed under this cooperative agreement/grant shall be subject to a royalty-free, non-exclusive and irrevocable license to the government to reproduce, publish, or otherwise use them and to authorize others to

do so for Federal Government purposes. Income earned from any copyrightable work developed under this grant must be used as program income.

8. A notice in response to the President's Welfare-to-Work Initiative was published in the Federal Register on May 16, 1997. This initiative is designed to facilitate and encourage grantees and their sub-recipients to hire welfare recipients and to provide additional needed training and/or mentoring as needed. The text of the notice is available electronically on the OMB home page at <http://www.whitehouse.gov/omb/fedreg/omb-not.html>.

9. Program income accrued under the award must be accounted for in accordance with (45 CFR 74.24) or (45 CFR 92.25) as applicable. Program income must be reported on the Federal Financial Report, Standard Form 425. Program income accrued under this award may be used in accordance with the additional costs alternative described in (45 CFR 74.24(b)(1)) or (45 CFR 92.25(g)(2)) as applicable. Program income must be used to further the grant objectives and shall only be used for allowable costs as set forth in the applicable OMB Circulars A-102 (Grants and Cooperative Agreements with State and Local Governments) and A-110 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations). Any other use of program income (such as to meet match requirements) must have prior approval from the Division of Grants Management.

10. Actions that require prior approval must be submitted in writing to the Grants Management Officer (GMO), SAMHSA. The request must bear the signature of an authorized business official of the grantee organization, as well as the project director. Approval of the request may only be granted by the GMO and will be in writing. No other written or oral approval should be accepted and will not be binding on SAMHSA. Post-award requirements and instructions may be found at <http://www.samhsa.gov>. Click on "grants", then "grants management".

11. The recipient is required to notify the GMO in writing if the Project Director (PD) or key personnel specifically named in the NoA will withdraw from the project entirely, be absent from the project during any continuous period of 3 months or more, or reduce time devoted to the project by 25 percent or more from the level that was approved at the time of award, for example, a proposed change from 40 percent effort to 30 percent or less effort. SAMHSA must approve any alternate arrangement proposed by the recipient, including any replacement of the PD or key personnel named in the NoA.

The request for approval of a substitute PD/key person should include a justification for the change, the biographical sketch of the individual proposed, other sources of support (if applicable), and any budget changes resulting from the proposed change. If the arrangements proposed by the recipient, including the qualifications of any proposed replacement, are not acceptable to SAMHSA, the grant may be suspended or terminated. If the recipient wants to terminate the project because it cannot make suitable alternate arrangements, it must notify the GMO, in writing, of its wish to terminate, and the GMO will forward closeout instructions.

Key staff (or key staff positions, if staff have not been selected) are listed below:

Name, Project Director @ unstated level of effort
Name, Project Coordinator @ unstated level of effort

12. Refer to the NoA under Section II (Payment/Hotline Information) regarding the Payment Management System and the HHS Inspector General's Hotline concerning fraud, waste or abuse.

13. As the grantee organization, you acknowledge acceptance of the grant terms and conditions by drawing or otherwise obtaining funds from the Payment Management System. In doing so, your organization must ensure

that you exercise prudent stewardship over Federal funds and that all costs are allowable, allocable and reasonable.

14. No HHS funds may be paid as profit (fees) per (45 CFR Parts 74.81 and 92.22(2)).

15. Restrictions on grantee lobbying (Appropriations Act Section 503).

a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself or any State legislature.

b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

16. Where a conference is funded by a grant or cooperative agreement the recipient must include the following statement on all conference materials (including promotional materials, agenda, and internet sites):

Funding for this conference was made possible (in part) by (insert grant or cooperative agreement award number) from ONDCP and SAMHSA. The views expressed in written conference materials or publications and by speakers and moderators do not necessarily reflect the official policies of the Office of National Drug Control Policy or the Department of Health and Human Services; nor does mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government.

17. This award is subject to the requirements of Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104). For the full text of the award term, go to <http://www.samhsa.gov/grants/trafficking.aspx>.

18. Grantees must comply with the requirements of the National Historical Preservation Act and EO 13287, Preserve America. The HHS Grants Policy Statement provides clarification and uniform guidance regarding preservation issues and requirements (pages I-20, "Preservation of Cultural and Historical Resources). Questions concerning historical preservation, please contact SAMHSA's Office of Program Services, Building, Logistics and Telecommunications Branch at 240-276-1001.

19. Executive Order 13410: Promoting Quality and Efficient Health Care in Federal Government Administered or Sponsored Health Care Programs promotes efficient delivery of quality health care through the use of health information technology, transparency regarding health care quality and price, and incentives to promote the widespread adoption of health information technology and quality of care. Accordingly, all grantees that electronically exchange patient level health information to external entities where national standards exist must:

a) Use recognized health information interoperability standards at the time of any HIT system update, acquisition, or implementation, in all relevant information technology systems supported, in whole or in part, through this agreement/contract. Please consult <http://www.hhs.gov/healthit> for more information; and

- b) Use Electronic Health Record systems (EHRs) that are certified by agencies authorized by the Office of the National Coordinator for Health Information Technology (ONC), or that will be certified during the life of the grant. For additional information contact: Jim Kretz at 240-276-1755 or Jim.Kretz@samhsa.hhs.gov; Richard Thoreson at 240-276-2827 or Richard.Thoreson@samhsa.hhs.gov; or Ken Salyards at 240-276-2003 or Kenneth.Salyards@samhsa.hhs.gov.

20. If Federal funds are used by the grantee to attend a meeting, conference, etc. and meal(s) are provided as part of the program, then the per diem applied to the Federal travel costs (M&IE allowance) must be reduced by the allotted meal cost(s).

21. By signing the standard form SF-424 application face page in Item #21, the Authorized Representative (AR) certifies (1) to the statements contained in the list of certifications* and (2) provides the required assurances* and checking the I AGREE box provides SAMHSA with the AR's agreement of compliance. It is not necessary to submit signed copies of these documents, but should be retained for your records.

22. The Division of Grants Management created a Public Assistance (P) Account in the Division of Payment Management's (DPM) payment management system to provide a separate accounting of Federal funds per SAMHSA grant. When discussing your account with the DPM's Account Representative, provide the document number identified on Page 2 of the Notice of Award under Section I - AWARD DATA, Fiscal Information.

*The documents are available on the SAMHSA website at <http://www.samhsa.gov/Grants/apply.aspx> or contained within the Request for Applications (RFA).

REPORTING REQUIREMENTS

Semi-Annual Reports:

1. The DFC Semi-Annual Progress Reports, submitted through the Coalition Online Management and Evaluation Tool (COMET), are completed twice a year in August and February. DFC grantees are NOT required to report the core measures during every reporting period. It is the responsibility of the grantee to know when core measure data is required and to enter it at the proper time (every two years starting with baseline collection year). For more information, contact your GPO or the DFC National Evaluation Team at dfc_evaluators@icfi.com. COMET Reports for all FY2012 Year 1 and Year 6 grantees are due on the following dates:

Monday, February 11, 2013

Monday, August 12, 2013

All Year 1 grantees will report baseline core measure data on Monday, February 11, 2013. This is the data provided in your initial application to the DFC Program or the most recent core measure data available to you. Year 1 grantees will not report core measures data again until February 2014.

Year 6 grantees who received continuous funding between Years 5 and 6 will remain on the core measure reporting schedule established in the first five years of DFC funding. Year 6 grantees who have not had sequential years of DFC funding will need to speak with the DFC National Evaluation Team to determine when to report core measures.

Annual Coalition Classification Tool:

2. In addition, all DFC grantees must complete the Coalition Classification Tool (CCT) once per year:

Monday, August 12, 2013.

Financial Reports:

3. The Federal Financial Report (FFR), Standard Form SF- 425 is required on an annual basis and must be submitted for each budget period as stated on the attached report due date(s) schedule after the close of the 12-month budget period. The FFR is required for each 12-month period, regardless of the overall length of the approved extension period authorized by SAMHSA. In addition, a final FFR is due within 90 days after the end of the extension. The FFR must be submitted no later than:

January 30, 2014

NOTE: Single grant reporting is required for each SAMHSA project as stated on the FFR (#10 d-o). If applicable, include the required match on this form under Recipient Share (#10 i-k) and Program Income (l-o) in order for SAMHSA to determine whether matching is being provided and the rate of expenditure is appropriate. Adjustments to the award amount, if necessary, will be made if the grantee fails to meet the match. The FFR must be prepared on a cumulative basis and all program income must be reported. The status of any Federal share of unliquidated obligations for each 12-month budget period must be explained in the remarks section (#12). In addition, your intention to carryover the unobligated balance of funds up to 10% of the current Federal share must be stated in the remarks section. Subsequent FFRs must reflect the actual carryover amount. If possible, disbursements reported on the FFR should equal/or agree with the top portion of the FFR (#10 a-c). The FFR, including instructions, may be accessed at http://www.whitehouse.gov/omb/grants_forms. The data can be entered directly on the form and the system will calculate the figures, then it can be printed and mailed to this office.

4. Audit requirements for Federal award recipients are detailed at http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf.

Specifically, non- Federal entities that expend a total of \$500,000 or more in Federal awards, during each Fiscal Year, are required to have an audit completed in accordance with OMB Circular A-133. The Circular defines Federal awards as Federal financial assistance (grants) and Federal cost-reimbursement (contracts) received both directly from a Federal awarding agency as well as indirectly from a pass-through entity and requires entities submit, to the Federal Audit Clearinghouse (FAC), a completed Data Collection Form (SF-SAC) along with the Audit Report, within the earlier of 30 days after receipt of the report or nine months after the fiscal year end.

The Data Collection Forms and Audit Reports MUST be submitted to the FAC electronically at <http://harvester.census.gov/fac/collect/ddeindex.html>. For questions and information concerning the submission process, please visit <http://harvester.census.gov/sac/> or call the FAC 1-800-253-0696.

5. The grantee must comply with Government Performance Results Act (GPRA requirements that include the collection and periodic reporting of performance data as specified in the RFA or by the Government Project Officer. This information is needed in order to comply with PL 102-62 which requires that ONDCP and SAMHSA report evaluation data to ensure the effectiveness and efficiency of its programs.

6. As required by the Federal Funding Accountability and Transparency Act of 2006, this new award is subject to the sub-award and executive compensation reporting requirement of 2 CFR Part 170. Although the full text of this regulation is attached, you may access the language online at <http://www.samhsa.gov/grants/sub-award.aspx>.

Failure to comply with the above stated terms and conditions may result in suspension, classification as High Risk status, termination of this award or denial of funding in the future.

INDIRECT COSTS

If the grantee chooses to establish an indirect cost rate agreement, it is required to submit an indirect cost rate proposal to the appropriate office within 90 days from the start date of the project period. For additional information, please refer to HHS Grants Policy Statement Section I, pages 23-24.

SAMHSA will not accept a research indirect cost rate. The grantee must use other-sponsored program rate or lowest rate available.

Please contact the appropriate office of the Division of Cost Allocation to begin the process for establishing an indirect cost rate. To find a list of HHS Division of Cost Allocation Regional Offices, go to the SAMHSA website <http://www.samhsa.gov>, and then click on Grants > Grants Management > Important Offices.

CONTACTS

All responses to special Terms and Conditions of award and post-award requests must be mailed to the Division of Grants Management, Office of Financial Resources (OFR) SAMHSA below.

For Regular Delivery:

Division of Grants Management

OFR, SAMHSA

Office of Financial Resources

1 Choke Cherry Road, Room 7-10911

Rockville, MD 20857

For Overnight or Direct Delivery:

Division of Grants Management

OFR, SAMHSA

Office of Financial Resources

1 Choke Cherry Road, Room 7-10911

Rockville, MD 20850