



Kentucky State Corrections Commission Guidelines for Community Corrections Grant Programs

Rev. 11-2020

Community Corrections Grant Program Guidelines is comprised of the following sections:

- COMMUNITY CORRECTIONS GRANT PROGRAM OVERVIEW
- GRANT ELIGIBILITY
- APPLYING FOR A COMMUNITY CORRECTIONS GRANT
- GRANT AWARD PROCESS
- GRANT RECIPIENT QUARTERLY REPORTING

COMMUNITY CORRECTIONS GRANT PROGRAM OVERVIEW

The Kentucky State Corrections Commission, herein referred to as the Corrections Commission, was created to administer Community Corrections Grant Programs with local government agencies, private nonprofits and/or charitable organizations. Community Corrections Grant Programs are designed to provide sentencing alternatives for the judicial system and to assist local agencies in providing treatment, rehabilitation, and restitution opportunities.

Community Corrections Grant Programs provide alternatives to incarceration for targeted offenders as defined by KRS 196.700. Targeted offenders are persons ***charged with or convicted of one (1) or more felonies*** who under application of law are eligible for probation or suspension of sentence.

Community Corrections Grant Programs offer additional resources and opportunities to increase the potential for successful outcomes, including completion of imposed sentences. Additionally, these programs allow individuals to remain in their local communities while they participate in home incarceration, electronic monitoring, drug testing, work release, treatment, counseling and rehabilitation services including mentoring and coaching, employment and job search assistance, and workforce development training. These options can help reduce recidivism and break the cycle of repeated incarcerations.

Grant award amounts vary depending on the scope of the programs and budget availability. Programs are funded on a fiscal year July 1 – June 30 cycle.

GRANT ELIGIBILITY

Community Corrections Grant Programs as defined by KRS 196.700 can apply for grants administered by the State Corrections Commission. The State Corrections Commission can only fund programs which meet objectives as stated in statute.

Statutory Authority: KRS 196.700-KRS 196.736. *Italic font indicates statutory language.*

KRS 196.700 Administration of programs by Kentucky State Corrections Commission -- Purposes of programs.

(2) Community corrections program means a local government agency, private nonprofit, or charitable organization within the judicial circuit which shall perform one (1) or more of the following:

- (a) Prepare community penalties plans;*
- (b) Directly provide, arrange, or contract with public and private agencies for sentencing services for offenders; and*
- (c) Monitor the progress of offenders placed on community penalty plans or who receive sentencing services through provisions of KRS 196.700 to 196.735.*

KRS 196.705 Administration of programs by Kentucky State Corrections Commission -- Purposes of programs.

The purposes of the commission and community corrections programs shall be to:

- (1) Provide the judicial system with sentences to be used in lieu of incarceration;*
- (2) Develop community-based sentencing alternatives to incarceration individuals convicted of a felony;*
- (3) Monitor and enforce the payment of restitution to victims of crime and the community through financial reimbursement, community service, or both;*
- (4) Stimulate local involvement in community corrections programs to assure that they are specifically designed to meet the needs of the sentencing court and the community; and*
- (5) Reduce expenditures of state funds by increasing community-based sentencing, reducing the rate of recidivism, and reducing revocations of probation and parole.*

KRS 196.715 Services for targeted offenders

(1) A community corrections program shall be responsible for providing services for targeted offenders which shall include one (1) or more of the following:

- (a) Preparing detailed community penalty plans for presentation to the prosecution, the sentencing judge, and by the offender's attorney.*

(b) Providing treatment, punishment, management, supervision, rehabilitation, mentoring, employment, and other services to targeted offenders, or contracting or arranging with public or private agencies for services for targeted offenders, as described in the community corrections plan.

(c) Monitoring the progress of offenders under community penalty plans.

(2) A community corrections program shall be responsible for assessing the needs of victims for restitution or other types of assistance resulting from the crime, and for tailoring community-based sanctions for the offender which correspond to the needs of the victim and the community.

196.730 Restriction on use of funds.

Funds provided for use under the provisions of KRS 196.700 to 196.735 shall not be used for the operating costs, construction, or any other costs associated with local jail confinement.

Individuals Eligible to Participate in Community Corrections Grant Programs

The following indicates eligibility for participation in a Community Corrections Grant Program:

Under KRS 196.700, targeted offenders means individuals charged with or convicted of one (1) or more felonies. Only offenses eligible for probation or suspension of sentence by statute are eligible to participate in a community corrections program. Only individuals charged with or convicted of a felony are eligible. Misdemeanor offenses are not eligible. Individuals whose felony charges are amended to a misdemeanor through a guilty plea would remain eligible until sentencing. However, offenders convicted of a misdemeanor would not be eligible after sentencing.

APPLYING FOR A COMMUNITY CORRECTIONS GRANT

Application Requirement – Community Corrections Board

Each Community Corrections Grant Program is governed by a community corrections board. Community corrections boards are defined in KRS 196.725. Applicants must have a community corrections board to be eligible to apply for a Community Corrections Grant.

Grants may be awarded to new or existing boards. Grants may be awarded only to community corrections boards as provided in KRS 196.725 unless the Commission determines that the community corrections program is governed by an alternative board. An alternative board shall serve the same functions as described in KRS 196.700 – 735. The Commission shall further determine that establishment of a new or additional community corrections board would impose an administrative burden upon or pose a conflict of interest in the program.

The purpose of the community corrections boards is to provide direction and assistance in the design, implementation, and evaluation of the Community Corrections Grant Program. The board shall be organized as required in KRS 196.725 as nonprofit corporations under KRS 273 and shall consist of no less than eight (8) members, and shall include, judges, commonwealth attorneys, defense attorneys, crime victims or survivors, community leaders, social workers, law enforcement officers, probation officers, and other interested parties. Members of the board shall receive no compensation for their

duties and shall meet (in compliance with Kentucky Open Meetings Law, KRS 61.800-61.850 and 61.991) on a regular basis to develop the program budget, select new board members, arrange for a private and independent audit, approve grant Quarterly Reports, and develop procedures for contracting services. (KRS 196.725).

Application Requirement – Community Corrections Plan

Each Community Corrections Grant Program shall develop, with the community corrections board, a community corrections plan to be submitted with the grant application. Community corrections plan requirements are listed in KRS 196.720.

196.720 Plan requirements

Community corrections programs applying for grants under KRS 196.700 to 196.735 shall prepare a community corrections program plan for the judicial circuit, as prescribed by the commission. More than one (1) community corrections program plan may be prepared, submitted, and approved for any one (1) judicial circuit. The plan shall include:

(1) Objectives of the community corrections program described in the community corrections program plan.

(2) Realistic goals for reduction of offenders committed to prison for each county within the judicial circuit, and a system of monitoring the number of commitments to prison.

(3) Procedures for identifying targeted offenders, and a plan for referral of targeted offenders to the community corrections program.

(4) Procedures for preparing and presenting community penalty plans to the court, when applicable.

(5) Procedures for obtaining services from existing public or private agencies, and a detailed budget for staff, contracted services, and all other costs.

(6) Procedures for monitoring the progress of offenders on community penalty plans and for cooperating with the probation personnel who have supervisory responsibility for the offender, when applicable.

(7) Procedures for returning offenders who do not comply with their community penalty plan to court for action by the court.

(8) Procedures for evaluating the program's effect on numbers of prison commitments and revocations of probation and parole.

Additional information on the administration and application procedure for Community Corrections Grant Programs is located in 500 KAR 10:020 (*the administrative regulations applicable to the State Corrections Commission can be located at <https://apps.legislature.ky.gov/law/kar/TITLE500>*).

APPLYING FOR A COMMUNITY CORRECTIONS GRANT

Notification of Community Corrections Grant Program Funding Availability

Notice of funding availability may be issued from the Governor's Communications Office, the Department of Corrections and the Kentucky Justice and Public Safety Cabinet websites, and through social media.

The Department of Corrections will send notice to county governments, jailers, and judicial districts via letter and/or email. These are generally issued in the month of December and/or January.

Interested parties may visit the Justice and Public Safety Cabinet Grants Management Website at justice.ky.gov/Pages/SCC for the program guidelines, directions on how to apply, timeframes for submission, and to log into the online portal for the Community Corrections Grant application. Inquiries may also be submitted to the Kentucky Justice and Public Safety Cabinet's Grants Management Division or the Department of Corrections' State Corrections Commission staff.

Submission of Community Corrections Grant Application

Applicants must submit a completed application via the online portal through the Kentucky Justice and Public Safety Cabinet's Electronic Grant Management System (eGMS). at www.kyjusticegms.com. Applicants must create a log in to the system to view the application portal or submit an application. Applicants may contact Kentucky Department of Corrections' State Corrections Commission staff with questions or assistance with the Electronic Grant Management System. Concerns should be addressed *before* the grant submission deadline. Contact information can be found at justice.ky.gov/Pages/SCC.

A Grant Application must include the following:

- Contact Information
- General Information
 - Brief abstract of proposal or continued grant project
 - Areas Served (Judicial Circuits and Counties)
- Grant Operations
 - List of issues/problems the grant project will address
 - Total number of clients expected to be directly assisted through the grant period
 - Expected daily client caseload per caseworker
 - Expected minimum and maximum time periods clients will stay in the project
 - Description of services to be provided
 - Clients Referred
 - Describe how, and by whom, clients are referred to this project
 - List of Supporting Agencies
 - How will this agency enable the project to accomplish the goals?
 - Performance Indicators
- Budget Summary
 - Personnel
 - Contractual Services
 - Travel & Training
 - Operating Expenses
 - Equipment

- Budget Narrative
 - Provide a narrative detailing the necessity of all project costs
- Required additional documentation
 - List of Community Corrections Board Members (includes contact information and job titles)
 - Letter of Good Standing with the State
 - Articles of Incorporation
 - Required Signatures (Certified letters of need from the Circuit Judge, Commonwealth Attorney, County Attorney or chief executive officer of the local governmental unit.)
 - Attachments
 - 990 Tax Forms
 - IRS Non-Profit Designation Letter
 - Affirmation Statement of Targeted Offenders
 - Community Corrections Plan
 - Procurement Procedures
 - Board Calendar of Schedules Meeting Dates

Additional items to be included in Grant Application

- The project narrative shall identify the problem to be addressed; define the targeted population; and define project goals, objectives and measurable performance indicators, (i.e. proposed impact on recidivism, revocations, and project success rate).
- The application should specify if there are additional funds, over those requested in the grant application, which are required to run the program. If so, provide the amount and sources of those funds.
- Re-applying programs are encouraged to provide information about program completion numbers, re-incarceration rates, rates of new arrests, and positive program outcomes.

New applications should provide information about the targeted number of offenders to be served, desired program outcomes, and how performance indicators will be measured.

The applicant shall submit a completed application through the online portal at the Kentucky Justice and Public Safety Cabinet’s Grants Management System at www.kyjusticegms.com for submission to the Corrections Commission, according to the established due date.

Incomplete applications and applications received after the deadline will not be considered.

GRANT AWARD PROCESS

Awarding of the Grants and the Grant Review Process (KRS 196.710)

Grant applications and attachments are reviewed by the Kentucky State Corrections Commission. The Commission shall make grant award decisions. All applicants will be notified of funding decisions and, if awarded, provided signature documents and requirements.

Funding Cycle

Grants are awarded on performance and funding available in accordance with the state fiscal year July 1 to June 30.

Fiscal Disbursements

The first grant disbursement for the fiscal year will occur on or around July 1. Subsequent disbursements occur on or around the first of each quarter. The Chairman of the State Corrections Commission holds the authority to designate Department of Corrections staff to determine compliance. The Chairman of the State Corrections Commission reserves the right to hold subsequent disbursements if a grantee does not adhere to program guidelines or submit the required Quarterly Reports per the listed timeframe.

Programs may not be considered for subsequent funding if required Quarterly Reports (including required Financial Report, Progress Report, and Quarterly Performance Spreadsheet) are not properly submitted within fifteen (15) days of the end of the quarter. The end of year close out is an exception allowing thirty (30) days for report submission.

Upon due consideration, the Chair may take immediate action if needed, with compliance issues reported to the Commission and processed in accordance with 500 KAR 10:040. For example, quarterly disbursement may be delayed until Quarterly Reports have been submitted. A formal notice of discrepancies shall be provided to the grantee if this action is taken. (*Effective FY2021*).

Program Review and Compliance

Compliance issues shall be reported and processed in accordance with 500 KAR 10:040. Refer to the Administrative Regulation for detailed steps related to program review and addressing of compliance issues.

If the Department of Corrections' State Corrections Commission staff determines that there is reasonable cause to believe that a program or facility is not in substantial compliance with current requirements of the grant or program plan, notice of the findings shall be submitted to the Chair and the Commission.

If information concerning a compliance issue is received and the Chair of the Commission determines that there is a significant risk or evidence of significant mismanagement of grant funds, the Chair may suspend all or any portion of a grant until the Commission meets and considers the matter.

If compliance issues can be resolved, the grantee will receive instructions on how to correct deficiencies. Within ninety (90) days, the Department of Corrections' State Corrections Commission staff and Justice and Public Safety Cabinet's Grants Management Division will review actions taken to determine if there is substantial compliance or satisfactory progress being made to achieve compliance.

If substantial compliance is not being made, the Corrections Commission may suspend all or any portion of the grant for the remainder of the fiscal year. The Commission may require the return of unexpended grant monies.

Department of Corrections shall provide written notice to the program of the decision of the Corrections Commission within seven (7) days of the decision to suspend all or any portion of the grant funding.

Fiscal Requirements and Stipulations

1. Grants are intended to *expand existing resources*, not replace or take the place of existing services. Community Corrections Grant funds shall *not* be used to supplant funds. Grant funds must be used to supplement existing funds and may not replace funds previously committed to programs by other state or county appropriations.
2. Projects cannot expend any funds unless services have been provided as authorized in the grant award.
3. Funds shall not be used for operating costs, construction, or other costs associated with local jail confinement. (KRS 196.730)
4. Funds shall not be used for cell phones, furniture, or computers.
5. Funds cannot be utilized for charitable contributions.
6. An employee shall not receive compensation from two (2) jobs for the same hours being worked.
7. Funds cannot be allocated for administrative fees.
8. Funds cannot be utilized for payment of income taxes, tax penalties, or interest on tax penalties.
9. Programs are encouraged to develop a sliding fee schedule for participants who have an ability to pay to reduce the expenditure of grant funds.
10. Funds may be used to pay salary and benefits for individuals employed in the program and can be prorated if the employee is not a full-time employee with the program. This applies to new hires and current employees if this is a continuation application.
11. Funds may be used to pay for supplies, materials, and services relating to counseling, clinical assessments or psychological testing, treatment, and substance testing.
12. Funds may be used to purchase equipment, if it is essential for the operation of the program and it must be identified at the time of application along with estimated cost. Equipment is defined as anything that has a value of \$500.00 or greater or a serial number. All equipment purchased with grant funds will be considered state property and must be made part of state inventory. An inventory listing of equipment shall be maintained.
13. All supplies and equipment must be purchased in accordance with State Purchasing Regulations. These regulations can be found through the Kentucky Finance and Administration Cabinet's Office of Procurement Services (www.finance.ky.gov/services/eprocurement).
14. Funds may be used to pay for mileage at the state rate for an employee's travel while on duty for the program pursuant to state regulation.
15. Requests for training, travel, and lodging expenses must be submitted at the time of application. If approved, travel expenses shall be reimbursed at current state rates for meals, travel, and lodging. State travel and mileage reimbursement regulations shall be found through the Kentucky Finance and Administration Cabinet's State Employee Travel (www.finance.ky.gov/services/statewideacct). All overnight travel must have prior approval from Department of Corrections (DOC) except for travel and lodging for grant training conducted by DOC.
16. Funds must be used in accordance with the approved budget and grant stipulations. Deviations from the approved budget require a written request and justification from the grantee to the Commission

for review and approval. The grantee shall not expend any funds unless services have been rendered.

17. Two signatures or approvals shall be required for every transaction. The fiscal officer and the person signing for the applicant agency cannot be the same person. It is recommended that the program establish a practice of documenting approvals. An example is to retain electronic or hard copies of approvals in the grant file and add a statement in the electronic submission stating the transaction was reviewed and approved by the second approval entity.
18. A uniform accounting system, which conforms to generally accepted accounting practices, must be maintained and include the following:
 1. Retention of copies of all invoices/packing slips appropriately approved when received/paid.
 2. Reconciliation of the checking account monthly.
 3. Documentation of matching invoices and check amounts.
 4. Submission of performance and financial accounting information; and any other pertinent information on a quarterly basis as required.

To protect against co-mingling of funds, grantees shall record grant receipts and expenditures in distinct and separate categories within their accounting system(s).

19. Procedures for procurement must be developed which will avoid the purchase of unnecessary or duplicative items. When feasible and cost effective, local agencies shall participate in state and/or local intergovernmental agreements for procurement of equipment and supplies. These procedures must be submitted to the Department of Corrections for review and approval prior to expending grant dollars.
20. Financial obligations incurred after the effective grant termination date will be the responsibility of the grantee. All funds must be obligated by the end of the program period. Any grant funds that are not expended and reimbursed within thirty (30) days of the grant year end will divert to Department of Corrections.
21. Financial records shall be maintained for a minimum of seven (7) years after the close of the grant period. Personnel records shall be maintained for a minimum of five (5) years after the close of the grant period. Information pertaining to offender records and the community corrections grant program files shall be maintained for a minimum of five (5) years after the close of the grant period.
22. Individual time and attendance records must be maintained on all employees hired under this grant. This record should include:
 1. Hours worked
 2. Activity
 3. Duties performed

Appropriate documentation should be submitted or maintained in support of grant-related expenditures, which includes time and activity logs to support the use of grant funds. Approval documentation shall also be maintained for employee and contract employee payroll.

23. Agencies shall complete annual employee evaluations to be available for review by the Department or the Commission on request.
24. Community Corrections Program funds must be in a non-interest bearing account.
25. Grantee shall retain copies of all contracts/contractual agreements for audit purposes for a minimum of seven (7) years after the close of the grant period.

26. Eligible personnel expenses include staff salary and fringe benefits, including overtime. Payments for fringe benefits are allowable personnel costs but cannot exceed the amount paid by the employer. The fringe benefits must be reasonable and in line with state, city, or county rates. The following are considered allowable benefits: Health, Dental, and Life Insurance; Federal Insurance Contributions Act (FICA); all other applicable federal, state, and local taxes; retirement; and any unemployment insurance or worker’s compensation insurance required by state, federal or local statutes. Documentation for both salary and fringe benefits must reflect the actual rates paid by the employer.
27. Amount of grant funds used to provide participant transportation shall be in alignment with the program’s individual grant application. Approved means of transportation include bus tokens, Ride Share companies, vouchers, and pre-paid cards that exclusively purchase gasoline. Other forms of transportation shall be subject to prior approval. Additional reporting requirements will be required to ensure accountability of funds, such as a log requiring the participant signature. The amount expended for participant transportation should be reported on the Quarterly Reports.

GRANT RECIPIENT QUARTERLY REPORTING Programmatic and Fiscal Reporting

Programmatic reports and financial reports are required from grantees on a quarterly basis detailing the fiscal and program activity that occurred in the previous quarter.

Each grantees’ **Quarterly Reports** shall include the following documents: 1) Financial Report, 2) Progress Report, and 3) Quarterly Performance Spreadsheet. Reports shall be submitted on prescribed forms required by the Commission and shall be submitted through the Kentucky Justice and Public Safety Cabinet’s Electronic Grant Management System (eGMS).

Reports open fifteen (15) days before the end of the quarter, and are due by the fifteenth (15th) day of the month following the close of the quarter. (Except for the end of the fiscal year, with reports due thirty (30) days after the close of the quarter to accommodate the thirty (30) day close out period after the end of the fiscal year for grantees to pay outstanding bills from the prior year.)

<u>Report for Quarter</u>	<u>Due by:</u>
July – August – September	October 15
October – November – December	January 15
January – February – March	April 15
April – May – June	July 31

Should a grant recipient fail to submit the required report, no reimbursements will be processed until such time as the report is received and approved by State Corrections Commission staff. Reporting requirements are outlined further in 500 KAR 10:030.

Grantees shall also provide the Quarterly Report documents to their local community corrections board or alternative board for review. The board shall review program outcomes and any questions or concerns with the grantee.

Commission staff shall review the Quarterly Report documents and may address any concerns or questions with the grantee. The Quarterly Report documents are then submitted to the Corrections Commission for review. Compliance issues will be reported as outlined by 500 KAR 10:040.

The chart below illustrates the area of the form that must be updated each quarter. The blue cells reflect where information should be entered quarterly, while the green cells have formulas that will automatically calculate as data is entered. The document is cumulative over the course of the funding year.

Quarterly Performance Spreadsheet		FY 2021 Proposals				Quarterly Reporting			
		FY 2019	FY 2020	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	Totals
		Total	Total	Proposed Totals	Participants Going Forward	Quarter 1	Quarter 2	Quarter 3	
Program Progress Reporting	Electronic Monitoring								
	Mental Health Court								
	Treatment Program								
	Drug Tests Administered								
	Referral to Treatment Program								
	Community Service								
	Restoration								
	Child Support								
	Other (Specify in Explanations Below)								
	Participants (Touched)								
	New Participants								
	Successful Completions								
	Unsuccessful Completions								
	Diversion								
	New Arrests								
Cost Savings	All participants-Average number of days in the program								#DIV/0!
	Successful Completions-Average number of days in the program								#DIV/0!
	Unsuccessful Completions-Average number of days in the program								#DIV/0!
	Pre Sentencing Participants								
Program Financial Reporting	Post Sentencing Participants								
	Pre Sentence Jail Day Diverted								
	Post Sentence Jail Day Diverted								
	Total Days Diverted								
	Total Cost Avoidance (\$36.70/day)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Program Financial Reporting	Personnel								\$0.00
	Contractual Services								\$0.00
	Travel/Training								\$0.00
	Operating Expenses								\$0.00
	Equipment								\$0.00
	Grant Expenditure for the Quarter								\$0.00
	Amount DOC Paid for the Quarter								\$0.00
	FY 2021 Total Award Amount								\$0.00
	Percentage of Total Budget Spent				#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
	Payback for State cost avoidance				#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!



Quarterly Performance Spread

To view the spreadsheet, click on the Excel Icon to open.

Grant Adjustment Notices (GANs)

A Grant Adjustment Notice (GAN) is to be submitted when changes to General Information, Contact Information or Budget modifications are needed. GANs shall be submitted within the Electronic Grants Management System. The budget modification and justification for the GAN request shall be submitted to Department of Corrections’ State Corrections Commission staff and reviewed by the Justice and Public Safety Cabinet’s Grants Management Division. The State Corrections Commission Chair may approve GANs between Commission meetings. GAN requests and actions will be reported to the Commission.

Evaluation

Once a year, grantees are required to present to the Corrections Commission the progress of the program including updates on the community corrections board.

