



GOVERNOR'S COORDINATING OFFICES

**COMMUNITY INITIATIVES, SERVICES & VOLUNTEERISM, PERFORMANCE
IMPROVEMENT CRIME CONTROL & PREVENTION, SMALL, MINORITY &
WOMEN BUSINESS AFFAIRS CHILDREN, DEAF & HARD OF HEARING**

GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH AND VICTIM SERVICES

SUBJECT: UPDATES: VOCA MATCH WAIVER POLICY

EFFECTIVE DATE: August 26, 2022

I. PURPOSE

To provide guidance for VOCA Subrecipients & the Governor's Office of Crime Prevention, Youth and Victim Services (GOCPYVS) Grant Management staff to ensure subrecipients may apply for full or partial waivers in compliance with the match requirements of the VOCA Assistant grant.

II. POLICY

The policy of the Governor's Office of Crime Prevention, Youth and Victim Services (GOCPYVS) is to encourage VOCA subrecipients to meet match requirements. GOCPYVS currently has a VOCA Match Policy dated 7/1/2019 that details the unique circumstances that VOCA recipients may request partial or full match waivers.

GOCPYVS has updated the match waiver policy dated 7/5/2022 that provides subrecipients a process to request a waiver to match requirements for reasons beyond their control when the current match requirements present an unwarranted burden, including issuance of mandatory match waivers during National Emergencies (i.e., pandemic response or a national disaster).

III. DEFINITIONS

For the purpose of this policy, the following definitions shall apply:

- a. **Maryland's GOCPYVS**: Governor's Office of Crime Prevention Youth and Victim Services formally known as the Governor's Office of Crime Prevention.
- b. **Match Requirements**: The amount of non-federal resources used for the grant project by the subrecipient as a condition of receiving the federal funds.
- c. **VOCA**: Victims of Crime Act
- d. **National Emergency with respect to a pandemic**: A nation emergency declared under the National Emergencies Act (50 U.S.C. 50 U.S.C. § 1601 et seq.) with respect to a pandemic.
- e. **Notice of Funding Application**: Signed award documentation indicating the amount of funding awarded by GOCPYVS to a subrecipient agency.
- f. **Subrecipient**: A non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a federal awarding agency.
- g. **Pandemic**: A national widespread occurrence of an infectious disease over a period of time.
- h. **VOCA FIX TO SUSTAIN THE CRIME VICTIMS FUND ACT 2021 (public law No: 117-27 (7/22/2021))**: The VOCA Fix, section 3(b), directs states to waive the matching requirement for recipients of state victim assistance formula grants during and for one year after a pandemic related national emergency.

IV. PROCEDURES

Prior to submitting a match waiver request, subrecipients should review the procedures and requirements outlined below, and as indicated, consult with the VOCA Victim Service Program Manager to clarify the requirements and eligibility prior to submitting the waiver request.

Match waivers, both in full and in part, are required to be justified at the time the VOCA grant application is submitted. Should a full or partial match waiver be requested, the VOCA applicant must follow application procedures set below.

V. APPLICATION PROCESS FOR STANDARD MATCH WAIVER

Subrecipients seeking a full or partial match waiver should submit a request in writing on agency letterhead directly to the VOCA Grant Manager @ paulette.williams-tillery@maryland.gov and include the following information to the VOCA Grant Manager.

1. Legal name of the agency requesting match

2. A brief description of agency, project, and services to be provided
3. A justification explaining the hardship reason for the match waiver request and the level of need requested-either full or partial match waiver
4. If applicable, overview of prior performance with VOCA funding.
5. The agency's total operating budget
6. How is the grant currently being matched?
7. What methods has the organization used to consider all possible options for meeting the match requirements?
8. Funding sources used to meet the match in prior years and past ability to meet the match
9. If a match waiver is approved, does the organization anticipate this is a one-time request or are there extenuating circumstances that will require a waiver request next year?
10. What changes have occurred that impact the ability to meet the match? For example, any reductions in funding resources that have previously been used or were proposed to be used to meet the match requirement and the impact of the reductions on the agency's overall operations.
11. Percentage of the match that the agency can reasonably meet. It is requested that the agency makes a reasonable effort to provide a 5% match.
12. Describe steps the agency will take to meet the match requirement in the future.
13. Impact on the agency if the match waiver is denied.
14. Request must be approved and signed by the agency's authorized agent.

VI. DETERMINATION BY GOCPYVS FOR STANDARD MATCH

The VOCA PROGRAM MANAGER will notify the requesting agency of the match waiver decision within ***thirty (30)*** days of receiving the request.

GOCPYVS will use the following factors to determine if a match waiver request is granted and whether a full time or partial match waiver is warranted:

- a. Population served by the project (e.g., priority underserved victims identified in GCPYVS Notice of Funding Application)
- b. Requesting agency's history of successfully managing VOCA funded projects (if applicable)
- c. Practical and or logistical obstacles to providing match (public agencies that do not engage in private fund raising and may have limitations on soliciting contributions)
- d. Length of time program has been providing services (e.g., Is this a new project/service).

- e. The extent to which the agency's funding resources have been reduced and the impact of those reductions on overall operations, and specifically the VOCA program.
- f. Past compliance with subrecipient monitoring findings and corrective actions.
- g. Past ability to provide match. The GOCPYVS and OVC generally expects subrecipients to provide a similar match as provided the previous grant year unless a change in circumstances justifies a lower amount.
- h. Impact on the target population of not granting the waiver.
- i. Increases to VOCA funding levels, whereas local funding availability has not increased to the same degree.

VII. MATCH WAIVER APPROVAL

Once the grant is awarded and provided a match waiver is approved, a match waiver determination notice will be uploaded to the respective grant to the GOCPYVS Grants Management System in the Documents tab. The VOCA Program Manager will notify the requesting agency of the match waiver decision within ***thirty (30)*** days of receiving the request.

The match waiver determination notice will contain the following:

- a. A brief description of the project/services provided by subrecipient.
 - b. The justification (consistent with the considerations under the applicable waiver guidance)
 - c. the scope of the waiver, and waiver amount; and
 - d. the GOCPYVS approval of the waiver request for the reasons set out in the determination.
- Waivers will only be applicable for the duration of the subrecipient's award period.
 - The GOCPYVS will submit the match waiver spreadsheet, using the OVC template showing all active waivers approved in a federal fiscal year, no later than 120 days after the fiscal year end.
1. Determination of a partial or full match waiver will be determined by the GOCPYVS Grant Manager based on need. If it is determined that an agency can adequately and sustainably provide a portion of the match, then a partial match waiver will be approved.
 2. The Match Waiver will include amounts waived for each federal award for which match is waived.
 3. Determination of a full match waiver will be decided by the GOCPYVS Grants Management team and will be based on the agency's ability to provide services to clients in the community.
 4. Upon receipt of a request for the match waiver, the GOCPYVS Grants Management team will review the application, collect additional documents as

needed and submit a recommendation for approval, approval with modification, or denial or denial to the Chief of Grants.

5. The Grant Manager shall issue a decision on request for match waiver and provide the decision in writing to the subrecipient. The Grant Manager will review all match waiver requests and make approval contingent upon additional special conditions to the grant.
6. All approved match waiver request will be reviewed and signed by both the Grants Manager and Chief of Grants Administrator.
7. Upon approval of the match waiver by the GOCPYVS Grant Manager & Chief of Grants Administrator.
8. The Grant Management team will update the subrecipient's grant file in the GMS to include the subrecipient's approved budget to reflect the reduced match required and amended and signed Notice of Fund Application (NOFA).
9. Written match waiver approval notification to the subrecipient includes the amount of match waived and the period for which match is waived. The time period may be no longer than one year. The match waiver will also include the reasoning set out in the approval of the match waiver.

VIII. NATIONAL EMERGENCY PANDEMIC MANDATORY MATCH WAIVER PROCESS

The current match waiver policy was updated to provide policy and procedures required by the VOCA Fix Act.

The Act specifically states, "allow great flexibility for state VOCA Victim Assistance Administrators to waive subgrantee match requirements and require them to waive match requirements to a date that is one year after the date of the end of the currently declared national emergency concerning the COVID-19 pandemic." GOCPYVS as the State Administering Agency (SAA) of VOCA and to comply with the VOCA Fix, section 3(b) is required to provide the following: "beginning on the date a national emergency is declared under the National Emergencies Act (50 U.S.C. § 1601 et seq.) with respect to a pandemic and ending on the date that is one year after the date of the end of such national emergency, SAAs shall issue waivers for any matching requirement, in its entirety, for all eligible crime victim assistance programs contracted to provide services at that time." As further detailed in an Office for Victims of Crime (OVC) Bulletin released 09/20/20. The match waiver considers the remaining matching contributions at the time of the waiver.

For the implementation of the Mandatory Match Waiver, GOCPYVS Grant Management team will adhere to the following:

- a. Comply with Sec. III C. (Match Waiver Determinations) and (if applicable) III.D. (Waivers for a Class of Subrecipients), except that no further justification beyond the fact that the match is subject to mandatory waiver is required; and Sec. III E. (Reporting Match Waiver to OVC). Further details about the purpose of the VOCA Fix Match can be found by using the following link: [VOCA Fix to Sustain the Crime Victims Fund Act of 2021](#). In addition, the [March 2020 Updates to Match Approval Process](#).
- b. Honor all match waivers granted during the national emergency period and one year after the date of the end of the national emergency.
- c. GOCYPYVS may also offer subrecipients the opportunity to accepting, partially accepting or decline receiving a match waiver, or the subrecipient may provide voluntary match to support the VOCA-funded project.
- d. The GOCYPYVS Grant Management team will contact all subrecipients in writing within thirty (30) days of a national emergency being declared under the National Emergency Act (50 U.S.C. § 1601 et seq.) with respect to a pandemic.
- e. This letter will let all subrecipients know that their match will be waived for the duration of the award period. The letter will be signed by GOCYPYVS Chief of Grants Administrator and the Grant Manager.
- f. GOCYPYVS Grant Management team will update the subrecipient's grant file in GMS once the match waiver has been granted by the SAA; this will include the updated approved budget to reflect the reduced match required and amended and signed NOFA after a full or partial acceptance match waiver is received from the subrecipient.
- g. All approved match waivers will be reviewed by the SAA. GOCYPYVS is required to provide notice of approved waivers that were granted for each federal fiscal year within (September 30th) 120 days after fiscal year end (as stated earlier in the policy) to the Office of Victims of Crime (OVC).
- h. National Emergency Pandemic Mandatory Match Waivers will be issued from the date the national emergency was declared and ending on the date that is one year after the date of the end of such national emergency.
- i. The match waivers issued during this time will be honored through the end of the subaward period on the subrecipient's award. Any match after this period will go through the standard match waiver process described above.

VIII. DOCUMENTATION

1. This policy will be made publicly and shared with all VOCA subrecipients via the NOFA application, scheduled TA session, and posted to the GOCYPYVS website.
2. GOCYPYVS Grant Management team will maintain documentation of any pending or completed request for match waivers.
3. GOCYPYVS VOCA Grant management team will maintain a match waiver spreadsheet tracking all active and denied match waivers in the federal fiscal year including amounts waived overtime, completion of any additional special

conditions and any other documentation to properly manage the match waiver request.

All match waivers must be approved and signed by the authorized point of contacts.

This updated Match Waiver Policy has been adopted this 26th day of August 2022.

A handwritten signature in blue ink, reading "Kunle Adeyemo", positioned above a horizontal line.

Kunle Adeyemo, Executive Director

A handwritten signature in black ink, reading "Gary Richardson", positioned above a horizontal line.

Gary Richardson, Director of Grants Administration

A handwritten signature in black ink, reading "Paulette Williams-Tillery", positioned above a horizontal line.

Paulette Williams-Tillery, Senior Grants Manager