

AMERICAN INDIAN CHILD ABUSE TREATMENT (CHAT) PROGRAM

PROGRAM GUIDELINES



ADMINISTERED BY:

**GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING
CHILDREN'S BRANCH**

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SEPTEMBER 2001

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I. INTRODUCTION AND BACKGROUND

A. PURPOSE OF THE GOVERNOR’S OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP)

OCJP is the lead agency responsible for implementing the Governor's Public Safety Plan for California. This plan is a comprehensive system-wide approach designed to support criminal and juvenile justice agencies, local victim services programs, schools, community-based organizations, community crime prevention programs, and training programs for prosecutors and public defenders. OCJP provides leadership and direction in implementing the plan by:

- Providing grant funding to State and local units of government and private non-profit organizations;
- Supporting the development of state-of-the-art approaches for the justice system and victim services programs;
- Providing technical assistance to ensure effective program management;
- Disseminating information on successful program models, and current and emerging research;
- Promoting inter-disciplinary information exchange and support between criminal and juvenile justice agencies, and public and private organizations; and
- Developing publications on crime prevention, crime suppression, and victims services for Statewide distribution.

Additional information on OCJP can be obtained through the Internet at “<http://www.ocjp.ca.gov>.”

B. AMERICAN INDIAN CHILD ABUSE TREATMENT PROGRAM DESCRIPTION

1. Overview

The American Indian CHAT Program funds direct services, including therapeutic treatment, to all American Indian children of all tribal or religious affiliations. These services are available to all American Indian children residing in urban areas, on the reservations, or in the catchment area as defined by the Bureau of Indian Affairs, who are victims of child abuse and neglect. One of the goals of the American Indian CHAT Program is to establish Minimum Standards of Services for child abuse treatment projects.

The project must provide treatment services to American Indian children under 18 years of age who are victims of:

- physical abuse, sexual abuse, emotional abuse, or sexual exploitation;
 - neglect;
 - domestic or family violence;
 - child endangerment;
 - child abduction;
 - school and community violence;
 - hate crimes; and
 - acts of terrorism.
-

Special outreach services are to be provided to adolescent victims of abuse.

Additionally, outreach services and accommodations are to be provided to children with disabilities who are victims of abuse.

Funds supporting the American Indian CHAT Program are restricted to the provision of direct services. Services are to be provided in a culturally sensitive and appropriate manner. Comprehensive treatment services include, but are not limited to:

- Outreach,
- Intake,
- Assistance in filing victims compensation claims,
- Crisis intervention and stabilization,
- Pre-treatment assessment,
- Individual, family, and group counseling,
- Referrals to conjunctive services, and
- Post-Treatment assessment.

2. Legislative Authority

The Federal Victims of Crime Act (VOCA) of 1984, Public Law 98-473, as amended, 42 USC 10601, et seq (Appendix A), authorizes the use of federal funds for direct services for victims. The source of revenue for this fund comes from the collection of fines and restitution levied under federal law against individuals and organizations convicted of federal crimes. OCJP has State statutory authority over these funds, which is subject to their federal appropriation and annual approval in the State Budget Act.

3. Statutory Mandates

The statutory authority over the selection criteria and funding decisions for the federal VOCA assistance funds is vested with the Executive Director of OCJP.

4. Administrative Authority

OCJP is the administrative agency for the American Indian CHAT Program. The role of OCJP is to develop, implement, oversee, and monitor the program. These activities include: establishing policies dealing with the operation and direction of the program; monitoring the projects selected for funding; evaluating program effectiveness; and reporting the program's progress and accomplishments to the federal government.

II. ORGANIZATIONAL REQUIREMENTS

A. IMPLEMENTING AGENCIES

Agencies implementing this program are American Indian tribes/organizations in California selected through a competitive Request for Proposal (RFP) process. Interested parties may contact the Children's Branch at (916) 323-7449 for information on future RFP's for this program.

B. FEDERAL VOCA COMPLIANCE

All American Indian CHAT projects are funded by VOCA victim assistance funds. As the State Administrator of these funds to local projects, OCJP is required to ensure they are used as mandated by the Federal VOCA Guidelines and only for VOCA allowable services and expenses. Projects accepting VOCA funds must implement their projects in compliance with the Federal VOCA Guidelines. The federal funding source for the American Indian CHAT Program has a number of statutory mandates and requirements. These VOCA requirements are described throughout this document.

C. VOCA REQUIRED MATCH

The Federal VOCA Guidelines mandate that local VOCA-funded projects provide matching funds.

1. General VOCA Match Requirements

VOCA match requirements include the following:

- a. The required match amount is based on the total project cost;
- b. The match must be derived from non-federal sources;
- c. State funds may be used as a match only if they are not awarded by OCJP, and if it is allowable by the particular State funding source.

- d. All funds designated as match are restricted to the same use as the VOCA funds; and
- e. Match may be cash or in-kind contributions. In-kind contributions can include, but are not limited to:
 - 1) Paid personnel performing VOCA allowable project related duties;
 - 2) Volunteers performing VOCA allowable project related duties;
 - 3) Benefits of personnel performing VOCA allowable project related duties;
 - 4) Travel of staff or volunteers performing VOCA allowable project related duties;
 - 5) VOCA allowable project related operating expenses; and/or
 - 6) Equipment used in implementing project objectives and activities.

The specific level of matching funds an agency implementing this program must provide is described below. As stated above, the match must be calculated based on the “total project cost” as opposed to the “percent of allocation” method. Instructions regarding calculation of the VOCA match are included in the Grantee Handbook Section 6550.01.

2. Required American Indian Match – Five Percent (5%) or Twenty Percent (20%)

a. Five Percent (5%) Match

An American Indian Tribe/Organization is any tribe, band, nation, or other organized group or community, which is recognized as eligible for the special programs and services provided by the United States to American Indians because of their status as American Indians. To qualify for the five percent (5%) match requirement, American Indian Tribes/Organizations must be physically located on a reservation or the catchment area as defined by the Bureau of Indian Affairs.

b. Twenty Percent (20%) Match

An American Indian organization, or a non-profit agency located in an urban geographical area not located on an American Indian reservation or the catchment area, must submit a twenty percent (20%) match requirement.

3. Sources of Matching Funds

Federal funds cannot be used as a source for match. Federal funds include, but are not limited to Medi-Cal, Office of Juvenile Justice and Prevention's funding to Court Appointed Special Advocates (CASA) Programs, Victim Witness Compensation (Administered by the California Victim Compensation and Government Claims Board, and Office of the District Attorney), Child Abuse Prevention and Treatment Act (CAPTA), California Safe and Healthy Families (Cal-SAFE), Cal-Works, Community Based Family Resource and Support (CBFRS), and the Family Prevention and Support Program (FPSP).

D. PROMOTE COMMUNITY EFFORTS TO AID CRIME VICTIMS

The project must promote coordinated public and private efforts to aid child victims within the community served. Because the various types of services needed by child victims of crime are usually provided by a variety of agencies, it is essential that these services be coordinated. This will ensure continuity of support to the victims and avoid duplication of effort. **Although coordinating efforts qualifies an organization to receive VOCA funds, these are not activities that can be supported with VOCA funds.**

E. OTHER

All projects must adhere to additional State and Federal requirements, such as maintaining civil rights information, and confidentiality of client-counselor information. Projects must comply with legal requirements mandated under the Child Abuse Reporting Act, California Penal Code, Article 2.5, (commencing with Sections 11166) Chapter 2 of Title 1, Part 3.

III. PROGRAMMATIC REQUIREMENTS

A. Program Objectives

All projects must implement the three following objectives:

1. Provide Treatment Service

Projects must provide intensive in-person therapeutic services by a licensed clinician for child victims and their non-offending family members. Under the American Indian CHAT Program, this requirement can be met with one or both of two types of therapeutic services:

- a. Therapeutic services, provided by a licensed clinician, which conforms to State and Federal licensing mandates for therapy standards and clinicians, or
- b. Culturally-centered therapeutic services.

2. Assistance in Filing Crime Victim Compensation

The project must assist child victims and their non-offending family members in applying for Crime Victim Compensation funds and services.

3. Volunteers

The project must utilize volunteers in the execution of the project unless there is a compelling reason to waive this requirement. Written waiver requests documenting the basis for the waiver, must be submitted to OCJP for prior approval.

B. American Indian CHAT Program Staffing Standards

1. Project Staff and Volunteers Selection: Required Background Checks

Project staff and volunteers cannot have contact with children and their non-offending family members until a complete background check has been conducted, the results have been received and reviewed by the individual authorized to sign for the grant.. A complete background check includes all of the checks listed in this section. If any of the checks result in a finding, however insignificant, the individual cannot provide any services through the grant.

a. Mandated Reporting of Suspected Child Abuse and Neglect

Volunteers are considered to be mandated reporters and must comply with the provisions of Penal Code Section 11165.5. The agency must provide to the volunteers a written statement informing them of their status as mandated reporters, their reporting obligations pursuant to Penal Code Section 11166, and copies of Penal Code Section 11165.7 and 11166. Volunteers must sign this statement acknowledging receipt of a copy of these Penal Code sections and their intention to comply with said provisions. A copy of their signed statement shall be kept in the personnel files.

b. Written Application and Reference Checks

A formal application, including three references checked by program administrators/managers, must be completed.

c. Criminal Background Checks

A criminal background check must be completed prior to any contact with children receiving services. Projects and subcontractors must perform criminal background checks on all staff, volunteers, and trainees providing services in the funded project. **If staff, volunteers, or trainees have resided in California less than three years, out-of-state criminal history checks are also required.** The criminal background check includes fingerprinting and processing through the Department of Justice.

d. Child Abuse Central Index Checks

A check of the child abuse central index must be completed prior to contact with the clients.

e. Department of Motor Vehicles Check

A check of the Department of Motor Vehicles records must be completed for all staff prior to transporting any American Indian CHAT Program clients.

2. Staff Qualifications and Supervision

a. Qualified Clinicians

Individuals providing clinical therapy services, including pre-licensed clinical staff used in volunteer positions, must have specific qualifications to provide clinical services to children and their non-offending family members.

b. Licensed Clinicians

Qualified licensed clinicians means either a:

- psychiatrist;
- clinical psychologist;
- social worker or marriage and family therapist; or
- registered psychiatric nurse who is experienced and trained in working with child abuse victims and their families.

The clinicians must be licensed in the State of California and provide documentation demonstrating two years of experience or training in working with child abuse victims and their families.

The above licensed clinicians must abide by their respective professional association's code of ethics and California's Business and Professional Code Sections and be in good standing with the Board of Behavioral Sciences.

c. License-Eligible Clinicians

Persons who are license-eligible in one of the fields listed above, who are post-masters level and are seeking qualifying hours for licensure, must be supervised by a licensed clinician knowledgeable in the dynamics of child abuse. Weekly-documented supervision by a licensed clinician knowledgeable in the dynamics of child abuse must be maintained. The license-eligible clinician must have two years of experience or training in working with child abuse victims and their families, and be registered with the Board of Behavioral Sciences. Licensed clinicians providing the supervision must take a class on the supervision of interns who are seeking licensure. More information on scheduling this training is available from the California Board of Behavioral Sciences at (916) 445-4933.

The above license-eligible clinicians must abide by their respective professional association's code of ethics and California's Business and Professional Code Sections and be registered with the Board of Behavioral Sciences.

d. Graduate School Trainees

Graduate School Trainees are those persons who have not yet received a Masters Degree in one of the fields listed above.

1) Graduate School Trainees Supervision

Graduate School Trainees must be supervised by a:

Licensed clinician or a supervisor with a Masters Degree in a social work or mental health related field, who is knowledgeable in the dynamics of child abuse.

Documentation of weekly supervision by a licensed clinician, knowledgeable in the dynamics of child abuse, must be provided.

2) Services Provided by Graduate School Trainees

Graduate School Trainees can provide client-related services such as:

- Information and referral;
- Assistance in filing Crime Victim Compensation claims;
- Criminal justice support and advocacy; and
- Emergency services as defined under the emergency service procedure.

3) Support Groups Facilitated by Graduate School Trainees

Graduate School Trainees with two years of experience in the area of child abuse and neglect may provide non-therapeutic services such as educational/self-help/support groups.

4) Graduate School Trainee Training Required Prior to Client Contact

Graduate School Trainees who do not have up to two years experience or training in working with child abuse victims and their families are required to complete at least 40 hours of child abuse training prior to any contact with clients.

This training must include, but is not limited to:

- Crisis intervention;

- Assessment and treatment issues related to neglect, abuse, and domestic violence;
- Assessment of substance abuse and family dynamics;
- Issues related to child abduction;
- The child abuse reporting laws and procedures;
- Sexual abuse of children;
- Psychological maltreatment;
- Psychotherapeutic treatment models for abused children; and
- Treatment of adolescents and children with disabilities who have been abused.

e. Non-licensed Cultural Therapists

Individuals providing culturally-centered therapies must have completed application background checks prior to contact with project clients. Additionally, culturally-centered therapists must:

- 1) Be skilled in a recognized specialized culturally-centered therapy modality; and
- 2) Be supervised by a:

Licensed clinician or a supervisor with a Masters Degree in a social work or mental health related field, who are knowledgeable in the dynamics of child abuse.

Documentation of weekly supervision by a licensed clinician, knowledgeable in the dynamics of child abuse, must be provided.

f. Volunteers

Volunteers **shall not** have contact with children and their non-offending family members until the application background checks are complete and the following criteria are met:

1) Provision of Therapy Services by Volunteers

Volunteers who provide therapy must meet the above definition of qualified clinicians.

2) Provision of Non-therapeutic Client Services by Volunteers

Volunteers can provide client-related services such as:

- information and referral;
- assistance in filing Crime Victim Compensation claims;
- criminal justice support and advocacy;
- emergency services under the emergency service procedure (i.e., transportation, food, clothing, shelter, etc.) related to the victimization; and
- on-site supervision (child care) for CHAT clients.

3) **Volunteer Training Required Prior to Client Contact**

Volunteers who do not have up to two years of experience or training in working with child abuse victims and their families are required to complete at least 40 hours of child abuse training **prior** to any contact with clients.

This training must include, but is not limited to:

- crisis intervention;
- assessment and treatment issues related to neglect, abuse, and domestic violence;
- assessment of substance abuse and family dynamics;
- issues related to child abduction;
- the child abuse reporting laws and procedures;
- sexual abuse of children;
- psychological maltreatment;
- psychotherapeutic treatment models for abused children; and
- treatment of adolescents and children with disabilities who have been abused.

4) **Supervision of Volunteers**

Adequate supervision by a professional staff with expertise in the delivery of direct services to child victims is required.

Volunteers may not provide or engage in any direct face-to-face services with clients until the above requirements have been met.

g. Project Staff Training or Specific Qualification Waivers

Waivers of OCJP-mandated staff training or a specific qualification, or disqualification such as findings resulting from background checks, may be obtained from the OCJP Program Specialist. **A written waiver** from OCJP must be obtained **prior** to the staff performing duties for the grant.

To request a waiver, the following items must be submitted to the OCJP Program Specialist:

- 1) A letter requesting a waiver on behalf of the individual;
- 2) A detailed explanation of the reason a waiver is needed, such as a finding on the background check, short training hours, or lack of a specific qualification;
- 3) Justification for the waiver, including the individual's resume; and
- 4) A description of recruitment efforts and the results.

While OCJP will make every effort to accommodate project staffing needs, OCJP reserves the right to deny a waiver in order to maintain treatment and other client services delivery standards.

h. Personnel Records

The project and all subcontractors must have personnel records on all paid staff, trainees, and volunteers providing project services, which include:

- 1) copies of degrees and licenses, as applicable;
- 2) Documentation of any special training specific to the services performed on this grant;
- 3) Documentation of supervision hours as required;
- 4) substantiation of what makes the supervisor knowledgeable in the dynamics of child abuse; and
- 5) Documentation of the completion of background checks/clearances including the results and applicable waivers, including:
 - Written application and reference checks;
 - Department of Justice Criminal History Check and Clearance;
 - Child Abuse Central Index Check;
 - Department of Motor Vehicles Clearance;
 - OCJP-approved waivers, if applicable; and
 - Copy of signed mandated reporter statement pursuant to Penal Code Section 11166.5.

C. Client Eligibility Criteria

The **child is the primary client** of the American Indian CHAT Program. Additional requirements are as follows:

1. Victim of Crime

Federal VOCA Guidelines require that only victims of crime be provided VOCA funded services. The American Indian CHAT Program is intended to serve child victims of abuse and neglect. Child abuse and neglect categories of clients to be served by the project include the following:

Physical Abuse: This refers to the intentional and willful infliction of bodily harm or any cruel corporal punishment or injury upon a child, which results in a traumatic condition. Examples include but are not limited to hitting, kicking, biting, pinching, burning, pulling hair or limbs, and scratching. Marks left on the body such as small bruises and minor cuts are not required to fulfill this definition. Depending upon the policy of the local Children's Protective Services, this may include indigenous, traditional health/medical practices which can leave patterned abrasions on the body due to rubbing, cupping, and other dermabrasive techniques, and which are performed with the intention of healing consistent with metaphysical, religious, and cultural beliefs.

Sexual Abuse: This refers to the sexual assault of a child including but not limited to indecent exposure, lewd acts, fondling, molestation, oral copulation, penetration, and incest.

Sexual Exploitation: This refers to the use of children in pornographic materials, performance or posing involving sexual conduct, and prostitution, as well as children exploited through the Internet.

Emotional Abuse: This refers to the verbal shaming, berating, terrorizing, and demeaning of a child which may damage a child's self-esteem and cause developmental delays. Indicators may include anxiety, depression, withdrawal, disruptive or aggressive behaviors, and learning disabilities.

Physical Neglect: This refers to the willful or negligent failure by the parent or guardian to provide adequate food, clothing, shelter, and supervision to the child.

Emotional Neglect: This refers to the lack of emotional attachment, stimulation, and response to a child's needs, depriving him or her of age appropriate socialization, which can result in inorganic failure to thrive, depression, and affect his or her intellectual or emotional development.

Health/Medical Neglect: This refers to the failure by parents or guardians to provide dental, health, and medical care which results in life-threatening and health-threatening conditions for the child. This can unintentionally be the result of religious and traditional, indigenous cultural preferences only where a child's life and health is in danger without alternative interventions. This also includes poor hygiene where the child is always dirty, posing a health risk.

Abandonment: This refers to the total physical and emotional rejection of a child by their parents or guardians who disown them and refuse to exercise any parental responsibilities towards them. It includes children who are left by their parents or guardians with related or unrelated individuals for an indefinite period of time without any provisions for their support; children who test positive for HIV or chemical substances and are left unclaimed at health facilities; children who as infants are left unclaimed at health facilities, children who as infants are left in dumpsters, public places or restrooms, etc. It includes infants who come under the provisions of the “Safe Arms for Newborns Law.”

It does not include children who are removed from the custody of their parents or guardians pursuant to the provisions of Welfare and Institutions Code Section 300 and who come within the jurisdiction of the Juvenile Court.

Domestic and Family Violence: This refers to children who reside in an environment where they are exposed to repetitive, hostile disputes between parents, guardians or other adults in the home with at least one primary caregiver being physically and verbally assaulted by his or her partner. It includes but is not limited to physical battery, yelling, destruction of personal property, and cruelty to animals.

Others Available to Receive Services: This refers to children who have been abducted by a relative or a stranger; children who have been exposed to school and community violence, hate crimes, and acts of terrorism. It includes children who have been endangered by exposure to clandestine methamphetamine labs in their homes.

2. **American Indian**

For the purposes of this program, eligibility for services to an American Indian Child is not limited by Certificate of Degree of Indian Blood (CDIB) status, blood quotient or tribal membership. The primary cultural identity of the child victim and familial ties as American Indians are the primary qualifying criteria. The basis for eligibility is to be recorded in client case records.

3. **Child**

Services are to be provided only to American Indian child victims of abuse and violence under age 18.

Child victims that are receiving treatment services or have completed intake prior to their 18th birthday may complete their treatment plan. Once the treatment plan is ended either through completion or nonparticipation by the 18-year-old, they are no longer eligible to receive services under this program.

4. **Non-Offending Family Members**

Minimal services may also be provided to the child victim's appropriate non-offending family members. A non-offending family member is defined as one who did not commit the abusive or neglectful act or omission on the child.

Non-offending parents and caregivers can receive minimal services under the grant only if they are an adjunct to the child's treatment plan. For example, non-offending parents and caregivers may need several sessions of individual or conjoint counseling regarding their child's victimization. The focus must be on effective ways to parent their victimized child. Services cannot be provided to the non-offending parent and caregiver unless it is documented that there is an inextricable link, and is the direct result of providing services to the child victim.

Non-offending parents and caregivers must be referred to outside services for their own victimization or therapeutic needs. Inevitably, non-offending parents and caregivers can also receive services on behalf of the child victim, such as information and referral and assistance in filing crime victim compensation claims.

5. Non-Exclusion Policy

Services must be made accessible and provided to all eligible child victims and their appropriate non-offending family members. No one otherwise eligible for services shall be excluded or otherwise denied services due to their tribal, familial, or religious affiliation.

6. Child Victims with Disabilities

The project must be in compliance with the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. 12101, et seq, and Title 28 of the Code of Federal Regulations, part 35. The project must make every effort to ensure that American Indian child victims with disabilities receive appropriate project services and to ensure that no American Indian child victim with disabilities is unable to participate in project services due to a lack of awareness of the project's services, lack of accessibility, or inability to accommodate the child's special needs.

7. Individuals Ineligible for Services

Projects cannot provide services to offending parents, guardians, caregivers, siblings, or other relatives who have taken action or inaction that led to the victimization of the child. These individuals are **not eligible** for services under this VOCA-funded program.

However, the child's therapist may provide counseling to the offending parents, guardians and caregivers under **the child's treatment plan** for limited sessions if it is determined to be in the best interest of the child. Please refer to Section IV, Allowable and Non-Allowable Costs, A.8 Restorative Justice, for further conditions.

D. Provision of Services: Service Delivery Standards

All required services must be provided by the project or referred to another service provider. Operational Agreements developed between the project and the referral source must clearly delineate the expectations and services of the parties involved. Services provided by American Indian CHAT Program must comply with the following VOCA requirements:

1. Direct Services

The project must use grant funds to provide only VOCA-allowable direct services to victims of child abuse. For purposes of the American Indian CHAT Program, "services to victims of crime" means those activities which directly benefit individual American Indian child victims. In general, activities unrelated to the provision of direct services to child victims are not allowable costs. VOCA funds cannot be used for coordination efforts unless directly tied to direct services. Administrative positions and related activities cannot be funded by VOCA. Examples of direct services appropriate under the American Indian CHAT Program include:

Counseling: This refers to in-person crisis intervention to child victims and non-offending family members, emotional support, guidance, and counseling provided by advocates, counselors, and mental health professionals. Such counseling may occur at the scene of the crime, immediately after a crime, or be provided on an ongoing basis as needed.

Therapy: This refers to intensive ongoing professional psychological and/or psychiatric treatment to the child victims, and provides support to the non-offending family members in crisis arising from the occurrence of the crime.

Group Treatment/Support: This refers to the coordination and provision of supportive group activities and includes self-help, peer, societal support, etc.

Emergency Financial Assistance: This refers to cash, vouchers, or certificates for transportation, food, clothing, medicine, and housing on an emergency basis only.

Assistance in Filing Compensation Claims: The project must assist child victims in seeking available crime victim compensation. This includes informing the victim of the availability of crime compensation, assisting the victim in completing the required forms, or gathering the needed documentation, etc. It also may include follow-up contact with the victim compensation agency on behalf of the victim. The project must demonstrate that it will refer clients to the State Victim/Witness Assistance Program. **Grant funded project personnel cannot request remuneration via the State Victim Compensation Program for services rendered in accordance with the project's grant award agreement.**

Follow-up: This refers to in-person contacts, telephone contacts, and written communications with victims to offer emotional support, provide emphatic listening, check on a victim's progress, etc.

Personal Advocacy: This refers to assisting victims in securing rights, remedies, and services from other agencies; locating emergency financial assistance, intervening with employers, creditors, and others on behalf of the victim; assisting in filing for losses covered by public and private insurance programs including workman's compensation, unemployment benefits, welfare, or accompanying the victim to the hospital, etc.

2. No Cost for Services

Applicants must not charge child crime victims for services under the American Indian CHAT Program.

3. Provide Services To Child Victims With Disabilities

The project must be in compliance with the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. 12101, et seq, and Title 28 of the Code of Federal Regulations, part 35. The project shall operate so each service is accessible to and usable by individuals with disabilities.

Projects may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternative accessible sites, alteration of existing facilities and construction of new facilities, other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities.

Projects must ensure communication with individuals with disabilities is as effective as communication with others without disabilities. This includes the use of telecommunications systems for communications by telephone. Projects must also ensure individuals with impaired vision or hearing can obtain information as to the existence and location of accessible services, activities, and facilities, as well as provide appropriate signage. This includes all written materials (i.e., brochures, applications, consents, videos, etc.).

E. Provision of Services: OCJP Service Delivery System Standards

One of the goals of the American Indian CHAT Program is to establish Minimum Standards of Services for child abuse treatment projects. The project's service delivery system provides the framework for the provision of client services. Some key elements of an effective service delivery system include:

1. Accessibility and Outreach

Projects must make reasonable efforts to ensure that services are accessible by identifying barriers to client's ability to participate in services and creating solutions to eliminate those barriers. Typical barriers include, but are not limited to:

- a. Lack of community/client awareness of the services;
- b. Lack of transportation to the services;
- c. Lack of child care;
- d. Services not available in client's language;
- e. Services are not adapted to meet the special needs of child victims with disabilities;
- f. Days and hours of services conflict with work or school schedules;
- g. Culturally comfortable services are not available;
- h. Age-appropriate services are not available; and
- i. Clients lack trust in the service provider to ensure private, confidential, and emotionally safe services.

2. Qualified Staff

A major concern of service provision to child victims is to facilitate their emotional healing without further traumatizing the child. It is essential that project staff providing clinical therapy be licensed, experienced, and knowledgeable of the various dynamics of abuse and neglect to ensure meeting the various special needs of the child victims.

It is equally important that whether paid or volunteers, all project staff who have contact with clients understand the dynamics of child abuse and neglect, victimization, and the standard practices of ethical and professional provision of victim services.

3. Confidentiality

Projects must ensure the privacy of client's personal information. Confidentiality is a moral, ethical, and legal right of clients of therapeutic services.

At a minimum, projects must implement the following actions to ensure the confidentiality of client information:

- a. Implement a written confidentiality policy;
- b. Train all project staff, including volunteers, in the confidentiality policy;
- c. Review the confidentiality policy individually, requiring all staff and volunteers to sign a confidentiality agreement which is then maintained in their personnel file;
- d. Provide each staff and volunteer with a copy of the confidentiality agreement;
- e. Provide limited access to client files, such as maintaining them in locked file cabinets with keys supervised by clinicians or project managers; and
- f. Develop a written release of confidentiality form for client's signature to be used under appropriate circumstances.

4. Treatment Planning

Treatment planning is essential in determining the most appropriate services to facilitate healing for a specific client. At a minimum, treatment planning must include the following elements:

- a. Assessment;
- b. Development of a written treatment plan which incorporates the assessment findings and includes the goals, objectives, interventions, duration, and frequency of the treatment;

- c. A plan to evaluate a client's progress in therapy and the effectiveness of the treatment.

5. Case Management

Case management services are essential to ensure quality treatment services. At a minimum case management services must include:

- a. Periodic reassessment of the client's needs;
- b. Coordination of support services provided in addition to the therapy;
- c. Regular case review and consultation as appropriate;
- d. Periodic modification and updating of the treatment plan as indicated;
- e. Preparation for termination of services when appropriate; and
- f. Plan for follow-up and aftercare services as indicated.

6. Documentation

Documentation of services is essential to ensure continuity of service, quality services, and a meaningful evaluation of services. American Indian CHAT Program documentation standards are discussed in Section F, Documentation Standards.

7. Follow-up

Follow-up and aftercare services are an important aspect of comprehensive therapy services. Healing from trauma often progresses in stages. Victims must be informed of available aftercare support services and how to access these services, if needed.

8. Evaluation

Evaluation of the effectiveness of the project's model, strategies, methodologies, and services are an essential element of successful project implementation.

E. Provision of Services: Service Definitions and Standards

One of the goals of the American Indian CHAT Program is to establish Minimum Standards of Services for child abuse treatment projects. This section provides guidance in establishing these standards in local American Indian CHAT projects.

1. Mandated Reporting of Suspected Child Abuse and Neglect

The Child Abuse and Neglect Reporting Act (CANRA) established the mandated reporting law in California.

Penal Code Section 11166.05 states:

“Any mandated reporter who has knowledge of or who reasonably suspects that mental suffering has been inflicted upon a child or that his or her emotional well-being is endangered in any other way may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9.”

Penal Code Section 11165.9, in pertinent part states, all mandated reporters must submit reports of suspected child abuse or neglect to the county child protection agency or any police department or sheriff’s department immediately or as soon as it is practical by telephone. Within 36 hours of receiving the information concerning the incident, mandated reporters must follow-up the verbal report with a written report.

The prescribed form to be used in filing this incident report is the “Suspected Child Abuse Report” form SS-8572 and is available from the:

California Department of Justice
Bureau of Criminal Information and Analysis
Child Protection Program
P.O. Box 903387
Sacramento, CA 94203-3070
(916) 227-3285

Penal Code Section 11166.5, in pertinent part states, agencies must provide to employees, identified as mandated reporters, a written statement informing them of their status as mandated reporters, their reporting obligations pursuant to Penal Code Section 11166, and copies of Penal Code Sections 11165.7 and 11166. Employers must obtain the signatures of employees on a statement acknowledging the provisions of these Penal Code sections and their intention to comply with said provisions. A copy of this signed statement shall be kept in the personnel files.

2. Definition and Standards of Services to Meet VOCA-Mandated Objectives

a. Provide Treatment Service

Agencies must offer in-person treatment to child victims and their non-offending family members. Treatment modalities may include individual, group counseling, or a combination of these modalities. Under the American Indian CHAT Program, projects can fulfill this requirement by providing one or both of the services described under this section.

Objective 1: Provide Clinical Therapeutic Counseling: This therapy conforms to State and Federal licensing mandates for clinicians providing therapeutic treatment to children. For the purposes of this program minimum standards include:

- 1) Treatment modalities may include individual and/or group sessions
- 2) Clinical therapeutic counseling must be provided by a
 - California licensed therapist or
 - Registered, license-eligible person who must be supervised by a licensed therapist as required by State and Federal licensing mandates

The provision of treatment must adhere to State and Federal mandated standards governing the practices and documentation of services.

AND/OR

Objective 2: Provide Culturally Centered Therapies: This objective refers to culturally centered therapeutic services. For the purposes of this program minimum standards include:

- 1) Services must be provided by a:
 - licensed clinician; or
 - Registered, license eligible clinician; or
 - non-licensed therapist who will receive supervisory oversight by a trained staff person.
- 2) Therapeutic Services must be:
 - based on traditional culturally-centered therapy;
 - provided within acceptable cultural practices approved by:
 - a) the project's Board of Directors, **and**
 - b) OCJP.

If the project chooses to implement both types of therapy, there must be a plan to coordinate service delivery among all the treatment service providers. Providers must collaborate in the assessment, service plan development, ongoing service provision, periodic review of the child victim's progress, and termination of services.

b. Treatment in the Child's Home

Therapy typically should be center based as opposed to home based due to issues related to psychological boundaries and liabilities. Thus, the projects should have a plan addressing accessibility concerns, particularly for children who are handicapped due to physical disabilities or geographic barriers. However, there are situations in which treatment services at home are appropriate. For example, a child's disabilities may prohibit travel.

3. Assistance in Filing Crime Victim Compensation

Objective 3: Provide Assistance in Filing Crime Victim Compensation

Claims: The project must assist child victims and their non-offending family members in applying for Crime Victim Compensation funds and services. Such assistance can include, but is not limited to, any one of the following:

- Identifying and notifying potential recipients of the availability of Victim/Witness Compensation ; and
- Assisting with application forms, procedures, and follow-up on claim status.

The project must work cooperatively with county Victim/Witness Centers in meeting this objective. Operational Agreements with the Centers are required which describe the resources, roles, and responsibilities of each party in coordinating activities.

Grant-funded project personnel cannot request remuneration via the State Victim Compensation Program for services rendered in accordance with the project's grant award agreement

Objective 4: Use of Volunteers in the Project: The project must utilize volunteers in the execution of the project.

Volunteers cannot have contact with children and their non-offending family members until they have met the American Indian Program Staffing Standards as described under Section A, Program Objectives.

Volunteer hours reported as a match must be earned, providing VOCA-eligible direct services to clients. Administration, fund-raising, or other non-allowable services under VOCA cannot be counted.

F. Documentation Standards

1. Clinical Documentation

One of the goals of the American Indian CHAT Program is to establish Minimum Standards of Services for child abuse treatment projects. Adequate documentation of project activities is an essential element of those standards.

All licensed clinicians in California are required to maintain written records of their client contact. OCJP staff must review the clinical records for administrative purposes associated with grant monitoring and site visit purposes only. The OCJP review will include but is not limited to the following criteria for clinical documentation:

- a.** A written release of information signed by the client or the client's parent or guardian, authorizing OCJP access to the clinical file.
- b.** A written authorization to treat the child signed by the child's legal custodian;
- c.** An intake summary sheet containing the following minimum information:
 - 1) Name, gender, birth date, age, social security number, cultural/ethnic affiliation, primary language, school status, and special needs, if any, such as needs to accommodate a disability, language translation, transportation, or other access issues concerning the child victim, siblings, and family members;
 - 2) Date, source, and basis for the referral;
 - 3) Name of the intake clinician, date, and location of intake;
 - 4) Summary of current situation;
 - 5) Checklist of intake documents/actions completed; and
 - 6) Summary of services provided such as information, referral, and crisis intervention.
- d.** Completed initial assessment that was used to determine how the crime has affected the child victim's life and what will help the child recover;
- e.** Completed psychological assessment of the child victim's needs to determine a therapeutic treatment plan;
- f.** Completed assessments regarding the child victim's physical, medical, cultural, emotional, safety, and social-environmental needs.
- g.** Completed initial treatment plan which includes, at a minimum, the following elements:
 - 1) Link between the assessment findings and treatment methodologies;

- 2) The various child's needs to be addressed by the treatment plan;
 - 3) The goals, objectives, frequency, and duration of the therapy;
 - 4) A description of how culturally-centered therapies will facilitate the child's healing;
 - 5) Plan for support services and identification of collaborative agencies to provide these services;
 - 6) A plan for different individuals assisting the child to meet at least once every two months and discuss the needs of the child;
 - 7) A plan to periodically review the child victim's progress in therapy and effectiveness of the therapy methodology.
- h.** Case notes which include, at a minimum:
- 1) Type of service/contact: emergent or scheduled, in-person, telephone, or letter;
 - 2) Reason for service request;
 - 3) Service modality (ie, in-person counseling, group counseling, consultation, information and referral, etc);
 - 4) Date, location, and duration of service;
 - 5) Summary of services provided;
 - 6) Periodic therapeutic assessment results;
 - 7) Contacts with, information shared, and services provided by other individuals providing services to the child victim and non-offending family members;
 - 8) Supervising clinician to document periodic review of the therapy.
- i.** Copies of reports and other documentation from coordinating professionals, such as the court, social services, victim witness, or law enforcement. Copies of reports of suspected child abuse must also be retained.

G. Reporting

Grantees must meet OCJP reporting standards for timely and accurate reporting. During each grant program year, the following three reports are required:

3-Month Report	Narrative covering the first three months of operation.
6-Month Report	Progress Report Narrative and Statistics for the first six months of operation.
12-Month Report	Final Progress Report Narrative, Statistics, and Project Summary for the entire current grant year.

Each report is due 30 days after the end of the report period. For example a report for the period January 1st to June 30th is due by July 31st.

Records are subject to review by OCJP staff. It is helpful for grantees to retain working papers used to compile data. Some projects have found it useful to create a file folder for each reporting period. Within this file they retain working papers, copies of significant source documentation, and a copy of the completed progress report for that period.

IV. ALLOWABLE AND NON-ALLOWABLE COSTS

A. SERVICES, ACTIVITIES, AND COSTS ELIGIBLE FOR SUPPORT

Funding for the American Indian CHAT Program is available through the Victims of Crime Act (VOCA) of 1984. VOCA legislation and regulations contain guidelines regarding allowable and non-allowable expenditures.

In addition to the VOCA-mandated objectives, the following describes allowable services, activities, and costs under VOCA-funded services to the non-offending parent, guardian or caregiver which are allowable when the services are in support of the well-being and recovery of the child victim:

1. **Immediate Health and Safety.** Services which respond to the immediate emotional and physical needs of the child victims (excluding medical care) and are intended to restore the victim's sense of dignity and self-esteem are allowable and include (1) crisis intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food, clothing, shelter and transportation; and other emergency services; (2) Services which offer an immediate measure of safety to the child victim such as boarding up broken windows and replacing doors or repairing locks; (3) Emergency legal assistance such as filing restraining orders, and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and pertain to the health and safety of the child victim.
2. **Mental Health Assistance.** This includes services and activities to assist the primary and secondary victims (minor's siblings) of crime in understanding the dynamics of victimization, and in stabilizing their lives after a victimization episode with services such as individual or group counseling, and psychotherapy.

Therapy refers to intensive professional psychological/psychiatric treatment to child victims either in individual or group sessions. This includes a psychosocial assessment and evaluation of mental health needs, as well as the actual delivery of psychotherapy.

3. **Assistance with Participation in Criminal Justice Proceedings.** In addition to the cost of Emergency Legal Services noted in Section 1, Immediate Health and Safety, there are other costs associated with helping child victims participate in the criminal justice system that are also allowable. These services may include advocacy on behalf of child victims; accompaniment to criminal justice offices and court; transportation to court; child care for siblings to enable a victim to attend court; notification to the child victim regarding trial dates, case disposition information, and parole consideration procedures; and restitution advocacy and assistance with victim impact statements. Grant funds cannot be used to pay for non-emergency legal representation such as for the dissolution of the parent's marriage.
4. **Forensic Examinations.** For sexual abuse child victims, forensic exams are allowable costs only to the extent that other funding sources (such as State compensation, private insurance, or public benefits.) are unavailable or insufficient.

5. **Costs Necessary and Essential to Providing Direct Services.** Prorated costs of rent, telephone service, transportation costs for child victims to receive services, emergency transportation costs that enable a child victim to participate in the criminal justice system, and local travel expenses for service providers are allowable.
6. **Special Services.** Services to assist child victims with managing practical problems created by the victimization such as acting on behalf of the child victim with other service providers, creditors, or employers; assisting the child victim to recover property that is retained as evidence; assisting in filing for compensation benefits; and helping to apply for public assistance are allowable.
7. **Personnel Costs.** Costs that are directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance; the cost of advertising to recruit grant-funded personnel; and the cost of training paid and volunteer staff are allowable.
8. **Restorative Justice.** Opportunities for the child victim to meet with perpetrators, if such meetings are requested by the child victim, and have therapeutic value to the child victim are allowable. Projects offering this type of service must closely review the criteria for conducting these meetings. At a minimum, the following should be considered:
 - a. the safety and security of the child victim;
 - b. the benefit or therapeutic value to the child victim;
 - c. ensuring participation of the child victim and offender are voluntary, and everyone understands the nature of the meeting;
 - d. provision of appropriate support and accompaniment for the child victim;
 - e. debriefing opportunities for the child victim after the meeting;
 - f. opportunity for the child victim to withdraw from the process at any time; and,
 - g. the credentials of the facilitators.

B. CONDITIONAL SERVICES, ACTIVITIES AND COSTS ELIGIBLE FOR SUPPORT WITH GRANT FUNDS

The following services, activities, and costs are not generally considered direct crime victim services, but are often necessary to ensure quality direct services are provided. Before grant funds can support these costs, OCJP and the project must agree direct services to child victims cannot be offered without support for these expenses; the agency has no other source of support for them; and only limited amounts of grant funds will be used for these purposes:

1. **Skills Training for Staff.** Grant funds designated for training are to be used exclusively for developing the skills of direct service providers, including paid staff and volunteers, so they are able to offer quality services to child victims. An example of skills development is training focused on how to respond to a child victim in crisis. Grant funds can be used for training both grant-funded and non-grant funded service providers who work within a grant-funded agency, but grant funds cannot be used for management and administrative training for executive directors, board members, and other individuals who do not provide direct services.
2. **Training Materials.** Grant funds can be used to purchase materials such as books, training manuals, and videos for direct service providers within the project, 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 grant-funded staff.
3. **Training-Related Travel.** Grant funds can support costs such as travel, meals, lodging, and registration fees to attend training within the State or a similar geographic area. Projects must first seek available training within their immediate geographical area; however, when needed training is unavailable within the immediate geographical area, projects may use grant funds to support training outside of the geographical area. For example, projects may benefit from attending national conferences offering skills-building training workshops for victim assistance providers.
4. **Equipment and Furniture.** Grant funds may be used to purchase furniture and equipment to facilitate the provision of direct services to child victims. Items such as pagers, cell phones, office machines, video-tape cameras and players, two-way mirrors, items for furnishing shelters, interview and waiting rooms, play areas, and specialized equipment to enable access to services for persons with disabilities are allowable.

Grant funds cannot absorb the entire cost of items not used exclusively for child victim-related activities, however, the cost of such items may be prorated using grant funds and other sources. Grant funds shall not be used to purchase furniture, equipment or supplies to assist any other agencies or individuals to perform a child victim-related service.

5. **Purchasing or Leasing Vehicles.** Projects with prior approval from OCJP may use grant funds to purchase or lease vehicles if they can demonstrate to OCJP such an expenditure is essential to delivering services to child victims.

- 6. Advanced Technologies.** Computers may increase a project's ability to reach and serve child victims. In making such expenditures, projects must describe to OCJP how the computer equipment will enhance services to child victims; how it will be integrated into and/or enhance the agency's 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 grant funds support a prorated share of the cost of the insurance payments.

Projects that receive authorization from OCJP to purchase equipment with grant funds must establish policies and procedures on the acquisition and distribution of the equipment, in the event the project no longer receives grant funds. At a minimum, property records must be maintained with the following:

- a description of the property;
- a State serial number;
- the acquisition date;
- the cost and the percentage of VOCA funds supporting the purchase; and
- the location, use, and condition of the property; and any disposition data, including the date of disposal, and sale price.

- 7. Contracts for Professional Services.** Grant funds generally should not be used to support contract services. At times, however, it may be necessary for agencies to use a portion of the grant funds to contract for specialized services. Examples of these services include assistance in filing restraining orders or establishing emergency custody/visitation rights; forensic examinations on a sexually abused child victim to the extent other funding sources are unavailable or insufficient; emergency psychological or psychiatric services; or sign interpretation for the hearing impaired.

However, projects are prohibited from using a majority of grant 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; books and other child victim-related materials. Grant funds may support administrative time to complete grant-required time and attendance sheets, and programmatic documentation, reports, and statistics; administrative time to maintain child victims' records; and the prorated share of audit costs.

9. Supervision of Direct Service Providers. Projects may use grant funds for supervision of direct service providers when they determine that such supervision is necessary and essential to providing direct services to child victims. For example, projects may determine using grant funds to support a coordinator of volunteers or interns to be a cost-effective way of serving more child victims.

10. Repair and/or Replacement of Essential Items. Grant funds may be used for repair or replacement of items contributing to maintaining a healthy and/or safe environment for child victims, such as a furnace in a shelter. Each request for expending grant funds for such purposes must ensure the following:

- the building is owned by the agency and not rented or leased;
- all other sources of funding have been exhausted;
- there is no available option for providing the service in another location;
- the cost of the repair or replacement is reasonable, considering the value of the building; and
- the cost of the repair or replacement is prorated among all sources of income.

11. Public Presentations. Presentations made in schools, community centers, or other public forums, designed to identify child victims, and provide or refer them to needed services are allowable. Activities and costs related to such programs including presentation brochures, and newspaper notices can be supported by grant funds.

12. Organizational Memberships. Grant funds can be used to purchase no more than three “organizational” memberships in national or State criminal justice or victims’ organizations for the grant-funded service agency, as opposed to “individual” memberships for staff.

C. SERVICES, ACTIVITIES, AND COSTS INELIGIBLE FOR SUPPORT WITH VOCA FUNDS

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

- 1. Lobbying and Administrative Advocacy.** Grant funds cannot support child victim legislation or administrative reform, whether conducted directly or indirectly.
- 2. Perpetrator Rehabilitation and Counseling.** Projects cannot knowingly use grant funds to offer rehabilitative services to offenders. Likewise, grant funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual. For the purposes of the American Indian CHAT Program, *a perpetrator is defined as the person who commits the abusive or neglectful act or omission on the child.*

3. **Needs Assessments, Surveys, Evaluations, and Studies.** Grant funds cannot be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.
4. **Prosecution Activities.** Grant funds cannot be used to pay for activities directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency such as witness notification, management activities, and expert testimony at a trial. In addition, victim protection costs and victim/witness expenses such as travel to testify in court and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility, and cannot be supported with grant funds.
5. **Fundraising Activities.** Grant funds cannot be used for fundraising activities.
6. **Indirect Organizational Costs.** The costs of liability insurance on buildings and vehicles, capital improvements, security guards and bodyguards, property losses and expenses, real estate purchases, mortgage payments, rent, and construction cannot be supported with grant funds.
7. **Property Loss.** Reimbursing child victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills is not allowed.
8. **Medical Costs.** Grant funds cannot pay for nursing home care, home health-care costs, in-patient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. Grant funds cannot support medical costs resulting from a victimization, except for forensic medical examinations for sexually abused child victims, when other funds are not available for this purpose.
9. **Relocation Expenses.** Grant funds cannot support relocation expenses for child victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, grant funds may be used to support staff time in locating resources to assist victims with these expenses.
10. **Administrative Staff Expenses.** Salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals, may not be paid with grant funds **unless these expenses are incurred while providing direct services to the child victim.**
11. **Development of Protocols, Interagency Agreements, and Other Working Agreements.** These activities benefit child victims, but are considered examples of the types of activities agencies undertake as part of their role as a victim services organization.
12. **Costs of Sending Individual Crime Victims to Conferences.** Grant funds cannot be used to send child victims to conferences.

13. Activities Exclusively Related to Crime Prevention. Grant funds cannot be used for activities focusing exclusively on the prevention of crimes.

VI. FUNDING GUIDELINES

A. FUNDING CYCLES

The American Indian CHAT Program will be funded for a three-year period. Funding for each year is for a 12-month period. Funding for subsequent years, after the initial year, will be through a reapplication process. ~~Renewal funding for each year will be contingent on project performance and compliance with grant requirements.~~ The allocation of funds is contingent on the availability and appropriation of funds each fiscal year in the State Budget Act.

B.

GRANT DURATION

Unless stated otherwise in the Grant Award Agreement, grant awards cover a 12-month period. Extensions and reductions are possible with prior written notifications and OCJP approval. Projects selected for funding are expected to begin to be fully implementing services within 90 days or less of the grant period starting date. If project commencement does not occur within this time frame, OCJP may terminate the project and redistribute the funds.

VII. OCJP ADMINISTRATIVE REQUIREMENTS

A. OCJP GRANTEE HANDBOOK

Grantees must administer their grants in accordance with the OCJP Grantee Handbook. An agreement form included in the Grant Award Agreement certifies the applicant will comply with the required administrative and fiscal conditions contained in the Grantee Handbook. Failure to comply with these requirements can result in the withholding and/or termination of the grant award. The American Indian CHAT Program Guidelines supercede information contained in the OCJP Grantee Handbook.

Additional information on the OCJP Grantee Handbook can be obtained through the Internet at <http://www/ocjp.ca.gov>.

B. PROGRESS REPORTS AND DATA COLLECTION

Funded projects are required to participate in data collection and to submit a three-month status report and progress report at the end of each six-month period. Projects will be required to report statistics on the progress report. Progress reports are due to OCJP within 30 days of the end of the reporting period.

Projects are required to keep accurate records to document the project's progress in achieving the objectives. These records must be kept by the project for a period of three years. OCJP will, during programmatic monitoring visits, review these records for accuracy, and will compare the accumulated data to the progress reports submitted by the project.

C. REPORT OF EXPENDITURES AND REQUEST FOR FUNDS (OCJP FORM 201)

Community-Based Organizations (CBOs) shall submit a Report of Expenditures and Request for Funds (OCJP Form 201) **monthly** unless they request a quarterly reporting period. All government and education agencies receiving funding are required to submit the OCJP Form 201 **quarterly**. This form is due within 30 calendar days of the end of the reporting period, and must be submitted whether or not the project has incurred expenses. Delays in submitting these forms will result in the withholding of funds, and may result in the termination of the grant award.

D. MONITORING REQUIREMENTS

Monitoring is an onsite assessment by OCJP staff to determine if the project is in compliance with the Grant Award Agreement (programmatic), and applicable terms and conditions of the Grantee Handbook (administrative). Projects are monitored at least once during the grant cycle. Monitoring will be on a random or as needed basis. Acceptance of the Grant Award Agreement obligates the project to allow OCJP staff/agents unrestricted access to all project books, documents, papers, and records, including confidential client records, for inspection, duplication, and audit. OCJP reserves the right to conduct unannounced onsite and monitoring visits.

E. TRAINING REQUIREMENTS

All projects are required to attend OCJP-sponsored or approved training sessions during the grant year. Use of VOCA funds for training is allowable to ensure VOCA-funded personnel receive appropriate training to enable them to offer quality direct services to child victims. The purpose of the training must be solely to enhance the skills of those individuals (paid and volunteer) who provide direct services to child victims.

VOCA funds cannot support training of an organization's directors and other individuals whose primary functions are other than to provide direct services.

F. EVALUATION

Participation in program evaluation is required. Grantees are expected to report their progress to the OCJP utilizing the reporting forms and systems currently being developed. It is the intent of OCJP to conduct an evaluation of the process and outcomes of all CHAT grantees. All grantees are expected to participate and cooperate with the evaluator. Additionally, grantees are expected to have the technological capacity (computer and skilled staff) to manage and use a small database, and have access to the Internet.

V. APPENDIX

A. Applicable Provisions of the Public Law

B. American Indian CHAT Progress Report and Instructions

Appendix A
Applicable Provisions of the Public Law

APPLICABLE PROVISIONS OF PUBLIC LAW 98-473, TITLE II, CHAPTER XIV
42 U.S.C. 10601, et seq.
(VICTIMS OF CRIME ACT of 1984)

42 U.S.C. 10603 Sec. 1404. Crime Victim Assistance

(a) Grant Authority of Director; Chief Executive of States; Amount; Insufficient Funds.

(1) Subject to the availability of money in the Fund, the Director shall make an annual grant from any portion of the Fund...for the purpose of grants under this subsection to the Chief Executive of each State for the financial support of eligible crime victim assistance programs.

(2) Such Chief Executive shall—

- Certify that priority shall be given to eligible crime victim assistance programs providing assistance to victims of sexual assault, spousal abuse, or child abuse.
- Certify that funds shall be made available for grants to programs which serve previously underserved populations of victims of violent crime.
- Certify that funds awarded to eligible crime victim assistance programs will not be used to supplant State and local funds otherwise available for crime victim assistance.

(b) Eligibility of Program, Factors, and Limitation on Expending of Sums.

(1) A victim assistance program is an eligible crime victim assistance program for the purposes of this section if such program:

- Is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations, or of both such agencies and organizations, and provides services to victims of crime;
- Demonstrates a record of providing effective services to victims of crime and financial support from sources other than the Fund, or substantial financial support from sources other than the Fund;
- Utilizes volunteers in providing such services, unless and to the extent the Chief Executive determines that compelling reasons exist to waive this requirement;
- Promotes within the community served coordinated public and private efforts to aid child victims; and
- Assists potential recipients in seeking crime victim compensation benefits.

(d) Definitions.

(1) The term “services to victims of crime” includes:

- Crisis intervention services;
- Providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures;
- Assistance in participating in criminal justice proceedings; and
- Payment of all reasonable costs for a forensic medical examination of a crime victim, to

the extent that such costs are otherwise not reimbursed or paid;

- (2) The term “crisis intervention services” means counseling to provide emotional support in crises arising from the occurrence of crime.

42 U.S.C. 10605 Sec. 1411. Establishment of Office for Victims of Crime

- (a) There is established within the Department of Justice an Office for Victims of Crime.
- (b) The Office shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall report to the Attorney General through the Assistant Attorney General for the Office of Justice Programs and shall have final authority for all grants, cooperative agreements, and contracts awarded by the Office. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the office makes any contract or other agreement under this part.
- (c) The Director shall have the following duties:
 - (1) Administering funds made available by Section 1402.
 - (2) Providing funds to eligible States pursuant to Sections 1403 and 1404.
 - (3) Establishing programs in accordance with Section 1404.
 - (4) Cooperating with and providing technical assistance to States, units of local government, and other public and private organizations or international agencies involved in activities related to crime victims.
 - (5) Such other functions as the Attorney General may delegate.

**VOCA American Indian Child Abuse Treatment (CHAT) Program
Evaluation Branch Progress Report
Data Report Instructions**

Appendix B

**American Indian Child Abuse Treatment (CHAT) Program
Progress Report
and
Instructions**