

Appendix: A
CJA Annual Report and DFCS Response



STATE OF MISSISSIPPI
Phil Bryant, Governor
DEPARTMENT OF HUMAN SERVICES
Richard A. Berry
Executive Director

May 29, 2013

Ms. Melissa Lim Brodowski
Children's Bureau
Office on Child Abuse and Neglect
Portals Building, 8th Floor
1250 Maryland Avenue, S.W.
Washington, D.C. 20024

Dear Ms. Brodowski:

Mississippi appreciates the opportunity to reapply for the Children's Justice Act Grant.

The Mississippi Department of Human Services, Division of Family and Children's Services, has been designated as the lead agency by the Governor of Mississippi to be responsible for the administration of funds and the oversight of programs funded through this grant.

Funds received under this grant will be used to help the agency in its reform of the state system and improvement of the process by which Mississippi responds to cases of child abuse and neglect, particularly child sexual abuse and exploitation, and the cases of suspected child abuse or neglect related fatalities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Gaffano".

Mike Gaffano, Director
Division of Family and Children's Services

APPLICATION FOR FUNDING

CHILDREN'S JUSTICE ACT

FISCAL YEAR 2013

**Submitted by
State of Mississippi**

**Administered by
Mississippi Department of Human Services
Division of Family and Children's Services
Prevention Unit
750 N. State Street
Jackson, MS 39202**

May 30, 2013

**CHILDREN'S JUSTICE ACT
FY 2013 GRANT APPLICATION**

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**CHILDREN'S JUSTICE ACT
FY 2013 GRANT APPLICATION**

APPLICANT INFORMATION

APPLICANT AGENCY:

**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES (MDHS)
DIVISION OF FAMILY AND CHILDREN'S SERVICES (DFCS)**

ADDRESS:

**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY AND CHILDREN'S SERVICES
PREVENTION UNIT
P .O. BOX 352
JACKSON, MS 39205**

CJA GRANT CONTACT PERSONS:

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64-6000807

DUNS NUMBER:

809399918

Log. No. ACYF-CB-PI-13-01

Issuance Date: February 6, 2013

**CHILDREN'S JUSTICE ACT
FY 2013 GRANT APPLICATION**

I. MAINTENANCE OF TASK FORCE Sections 107(b) (2) and 107(c) (1):

A. TASK FORCE STATEMENT OF PURPOSE

The Mississippi Children's Justice Act (CJA) Task Force was appointed by Governor Haley Barbour in June 2004 and restructured in January 2008. Pursuant to the By-laws of the Mississippi Children's Justice Act Task Force, the terms of the membership are to run concurrently with the Governor who appoints them. In May of 2013, Governor Phil Bryant approved all members CJA Task Force members. Orientation and trainings are ongoing.

The Task Force meets on a quarterly basis on the third Friday of the first month of the quarter. The members continually provide oversight and management for the Children's Justice Act Grant. The Mississippi Department of Human Services (MDHS) is the designated lead agency responsible for administering this grant and providing support services to the Task Force. The MDHS/DFCS Prevention Unit performs the administrative functions necessary to maintain the Task Force and to meet the responsibilities of the Children's Justice Act in compliance with the federal requirements of the Child Abuse and Prevention Treatment Act.

The Children's Justice Act Task force is a gubernatorial appointed multi-disciplinary group with primary responsibility for meeting the mandates of Section 107 of the Child Abuse Prevention and Treatment Act. Each member was appointed based on the individual's experience and knowledge of the investigation and prosecution of child abuse. Listed below are the names and titles of the current Task Force Members and the professional category represented:

B. TASK FORCE MEMBERS

- 1) Janet Kennedy, Director, Victim Compensation Division, Mississippi Attorney General's Office, Jackson, MS. Category: Adult former victim of child abuse and or neglect.
- 2) Leslie Lee, State Defender, Office of State Public Defender, Jackson, MS. Category: Defense Attorney.
- 3) Honorable Vernon Cotten, Circuit Court Judge, Place II 8th District, Carthage, MS. Category: Civil Court Judge.
- 4) Tuwana Williams, Coordinator for National Center of Family Homelessness, Jackson, MS. Category: Individual experienced in working with homeless children and youth.

- 5) Kaye Burt, Executive Director of MS Court Advocacy and Justice Institute, Jackson, MS. Category: CASA Representative/Child Advocacy.
- 6) Cindy Dittus, Associate Director- Arc of Mississippi, Jackson, MS. Category: Individuals experienced in working with children with disabilities.
- 7) Timmy Pickett, Crisis Specialist-Region 8 Mental Health, Canton, MS. Category: Mental Health Professional.
- 8) Leilani Tynes, Assistant District Attorney, Pascagoula, MS. Category: Prosecuting Attorney.
- 9) Matt Nalker, Director- Arc of Mississippi, Jackson, MS. Category: Individuals experienced in working with children with disabilities.
- 10) Rico Buckhaultler, Rankin County School District, Assistant Director of Federal Programs. Brandon, MS. Category: Parent and Representative of Parent Group.
- 11) Honorable Thomas Broome, Youth Court Judge, Brandon, MS. Category: Criminal Court Judge.
- 12) Wendy Rosas Altieri, Mississippi Department of Health, Licensed Social Worker, Brandon, MS. Category: Health Professional/ Child Advocate.
- 13) Lauren Harless, Assistant District Attorney in 15th Circuit Court of Appeals, Purvis, MS. Category: Attorney who represents children.
- 14) Kim Henderson, Juvenile Investigator, Madison, MS. Category: Law Enforcement.
- 15) Jean Vaughan, Director, Cybercrime Investigations. Attorney General's Office Jackson, MS. Category: Child Protective Service Professional/ Law Enforcement.

See **Attachment A** for the Governor's approval of Task Force Members.

II. TASK FORCE RECOMMENDATIONS

A. 2013 RECOMMENDATIONS

The following 2013 Task Force Recommendations will serve as the main objectives of this project and activities proposed are intended to support these recommendations:

- 1) Mississippi should examine our systems and address cultural competence in practice and service delivery.
- 2) Mississippi should improve coordination between the criminal justice system and civil child protection system.

- 3) Mississippi will review data and explore ways to improve our state's ability to meet our target.
- 4) All pertinent state and local agencies and elected officials should continue to take a more active role in adopting and promoting the concept of inter-agency participation in a comprehensive approach to child abuse/neglect investigation and management at the most local levels of involvement. Further, the state should seek to remove any barriers to such an approach that are amenable legislative, judicial, or executive action.
- 5) Mississippi should continue efforts to develop and/or expand statewide membership in multi-disciplinary child abuse review teams for the cooperation and collaboration among agencies and professionals involved in the investigation, assessment, and disposition of child abuse/neglect cases in the state.
- 6) Mississippi should continue to encourage the promotion and adoption of statewide standard protocols and procedures for case handling to be used by all jurisdictions, so as to ensure consistent and appropriate efforts on behalf of the child abuse victim and family.
- 7) Mississippi should continue to provide ongoing training for the specific professionals participating in multi-disciplinary child abuse review teams across the state, in order to achieve a consistent level of competency and service for child abuse victims no matter their location in the state. Specifically, the state should seek training opportunities for MDT members to include: Trauma Based Therapy services and Operation Passport training.
- 8) Mississippi Department of Human Services should promote CJA Task Force recommendations for reforms to state law as part of the Department's legislative agenda.

See **Attachment B** for Signed Task Force Recommendations

B. IMPLEMENTATION OF TASK FORCE RECOMMENDATIONS

The following responses from Mississippi Department of Human Services to the 2013 Task Force Recommendations will serve as the main objectives of this project for the upcoming year:

1. Mississippi should examine our systems and address cultural competence in practice and service delivery.

Response: DFCS will examine our systems and address cultural competence in practice and service delivery.

2. Mississippi should improve coordination between the criminal justice system and civil child protection system.

Response: DFCS will make efforts to improve the coordination between the criminal justice system and civil child protection system.

3. Mississippi should review data and explore ways to improve our state's ability to meet our target.

Response: Mississippi will review data and explore ways to improve our state's ability to meet goals of the Children's Justice Act grant.

4. All pertinent state and local agencies and elected officials should continue to take a more active role in adopting and promoting the concept of inter-agency participation in a comprehensive approach to child abuse/neglect investigation and management at the most local levels of involvement. Further, the state should seek to remove any barriers to such an approach that are amenable legislative, judicial, or executive action.

Response: DFCS will continue to take a more active role in adopting and promoting the concept of inter-agency participation in a comprehensive approach to child abuse/neglect investigation and management at the most local levels of involvement. Further, the state will seek to remove any barriers to such an approach that are amenable legislative, judicial, or executive action.

5. Mississippi should continue to develop and/ or expand statewide membership in multi-disciplinary child abuse review teams for the cooperation and collaboration among agencies and professionals involved in the investigation, assessment, and disposition of child abuse/neglect cases in the state.

Response: DFCS will make continuous efforts to develop and/or expand statewide membership in multi-disciplinary child abuse review teams for the cooperation and collaboration among agencies and professionals involved in the investigation, assessment, and disposition of child abuse/neglect cases in the state.

6. Mississippi should continue to encourage the promotion and adoption of statewide standard protocols and procedures for case handling to be used by all jurisdictions, so as to ensure consistent and appropriate efforts on behalf of the child abuse victim and family.

Response: DFCS will continue to encourage the promotion and adoption of statewide standard protocols and procedures for case handling to be used by all jurisdictions, so as to ensure consistent and appropriate efforts on behalf of the child abuse victim and family.

7. Mississippi should continue to provide ongoing training for the specific professionals participating in the multi-disciplinary child abuse review teams across the state, in order to achieve a consistent level of competency and service for child abuse victims no matter their location in the state. Specifically, the state should seek training opportunities for MDT members to include: Trauma Based Therapy services and Operation Passport training.

Response: DFCS will continue to provide ongoing training for the specific professionals participating in the multi-disciplinary child abuse review teams across the state, in order to achieve a consistent level of competency and service for child abuse victims no matter their location in the state. Specifically, the state will seek training opportunities for MDT members including the exploration of Trauma Based Therapy services and Operation Passport training as well as other pertinent trainings.

8. Mississippi Department of Human Services should promote CJA Task Force recommendations for reforms to state law as part of the Department's legislative agenda.

Response: DFCS will continue to seek to promote CJA Task Force recommendations for reforms to state law as part of the Department's legislative agenda.

III. ANNUAL PROGRAM PERFORMANCE REPORT

A. CJA PROGRAM

Since October 1999, the Mississippi Children's Justice Act (CJA) Grant has funded the development of a Statewide Multi-Disciplinary Child Abuse Review Team Network (MDT). This project was in response to the need for the CJA Grant in Mississippi to address in a more systemic manner the handling of child abuse cases in the state. The progressive establishment of a coordinated network of child abuse review teams, providing both a mechanism for improved multi-disciplinary cooperation and a means for ongoing specialized training and technical assistance, is the tangible vehicle through which this desired result is being achieved. Significant progress has been made and is ongoing in the realization of a statewide structure of the MDT's which are reviewing reported cases and operating in a coordinated effort with other teams around the state.

Through the CJA Grant Funds, the Mississippi Department of Human Services (MDHS), Division of Family and Children's Services (DFCS), funded one contractor for the October 1, 2011-September 30, 2012 contract period who worked under the administrative supervision of DFCS, to accomplish the outcomes targeted by this endeavor. The subgrantee established expertise and experience in multi-disciplinary child abuse review team development and coordination garnered through prior efforts in creating local review teams in their service areas.

The program awarded the following contract for the 2011-2012 grant cycle:

Family Resource Center of Northeast Mississippi
Award Period: October 1, 2011 to September 30, 2012
Grant Amount: \$ 186,000.00

B. PROGRAM OUTPUTS

1. MDHS currently funds one contract through CJA Grant Funds. The current contract period is for October 1, 2011 to September 30, 2012.

- a. Employ two full-time and two part-time Multi-Disciplinary Team Coordinators/Forensic Interview Specialists, one full-time Forensic Interview Specialist, one part-time Forensic Interview Specialist, and one Victim Intake Coordinator.
 - b. All intake referrals received from MDT members will be assessed by the Victim Intake Coordinator to insure the safety of the child and determine what services are needed for that child/family. All intake assessments will be entered into the tracking system by a MDT Coordinator, a Forensic Interview Specialist or the Victim Intake Coordinator.
 - c. Coordinate and facilitate MDT meetings for 59 counties in north and central Mississippi, update case tracking table which includes new cases, cases to be closed, and cases awaiting prosecution, and maintain the database for all cases.
 - d. Provide continuing education and training directly related to child abuse victims to MDT members/first responders. This will be done through individual trainings, team trainings, state wide networking conferences, webinars, or quarterly in-service trainings at the MDT meetings.
- 2. Expand the Statewide Network of Multi-disciplinary Child Abuse Team Network to achieve review team presence in all eighty-two (82) counties in Mississippi.**

DFCS has encouraged our subgrantee to continue to create, maintain, and assist with the facilitation for MDT's statewide. The subgrantee is currently facilitating MDT's in 59 counties with the hopes of having MDT's in all 82 counties in the future.

- 3. The continued provision of technical assistance and training to the active teams in the Statewide MDT Network. The subgrantee is encouraged to attend various conferences, workshops and trainings in order to enhance their skills and be better able to meet the needs of the children and their families.**

C. PROGRAM OUTCOMES

The Children's Justice Act clearly indicates that one purpose for these funds is for the reform of the state's child abuse case handling systems, especially as it pertains to child sexual abuse. Systemic reform is, and has been, at the heart of the Mississippi CJA program since 1999, with the initiation of the Statewide Multi-disciplinary Child Abuse Review Team Network project. Systemic reform is occurring at several levels in the manner of handling these serious child abuse cases.

- 1. More children can continue to benefit from the increased efficiency and expeditious handling of cases. Through the intervention of the Multi-Disciplinary Teams it increases the likelihood that hundreds of children will be less likely to be further traumatized by the system as it seeks to give them aid. Disciplines are

working together in greater cooperation than ever before and problem issues have an avenue by which to be resolved. According to the reporting worksheets submitted by Family Resource Center of Northeast Mississippi, there were a total of 240 MDT meetings conducted which resulted in a total of 1,245 cases being reviewed during this reporting period.

2. The provision of specialized training to large numbers of front-line workers has had a significant impact on the system and its operation. The following is a list of conferences, workshops, and other instructional activities relating to handling child abuse cases that have been or are currently being made available to MDT participants, such as law enforcement, social workers, medical professionals, prosecutors, guardians ad litem, CASA workers, judiciary, mental health care providers, child advocates, and other professions who work with children (and families):

- Creating Trauma Informed Multidisciplinary Teams, Jackson, MS
- 29th Symposium on Child Abuse, Huntsville, AL.
- 21st Annual Conferences Breaking the Cycle of Abuse, Hamilton, AL.
- Team Facilitator 101, Huntsville, AL.
- Forensic Interviewing Training Course, Jackson, MS, August 2012
- Preparing Children for Court, Jackson, MS.
- National Children's Alliance: Leadership Conference, Washington, D.C.
- ChildFirst Mississippi: Interviewing Children and Preparing for Court Applications, Jackson, MS.
- 14th National Conference on Child Sexual Abuse and Exploitation Prevention, New Orleans, LA.
- Preventing Child Maltreatment and Promoting Well-Being: A Network for Action, Bloomington, MN.
- 2012 Crimes Against Children Conference, Raymond, MS, September 2012

3. The role of MDHS in the case handling system is continuing to evolve in order to encompass all the needs involved with the investigation and treatment of the children who fall victim to abuse and neglect. In order for substantive reform to the system to be effective, MDHS depends on partnership with other agencies and community members in the process. Mississippi DFCS has been implementing a new Practice Model incrementally throughout the state since 2010 and utilizing Regional Implementation Teams as a framework for community collaboration. The Regional Implementation Teams are made up of MDHS/DFCS staff, community partners, service providers, law enforcement, judicial representatives, and other various stakeholders from that region. The Regional Implementation Teams focus on needs for children and families specific to that region. Since some of the needs for regions can be met in that region and some can be met by focused attention from state-level entities making systemic change, there is a framework in place for the regional implementation teams to feed into a state level implementation team with an ongoing loop of communication. Likewise, there will be statewide systemic efforts in addition to county and regional efforts.

MDHS continues to increase the number of cases being presented to the MDT's. This is a direct result of the improved communication between professionals and the leadership role MDHS is taking in the handling of child abuse cases.

The Family Resource Center indicated that there were 15 convictions by trial of perpetrators of felony child abuse and a total of 61 perpetrators entering into plea agreements in the 59 counties that the subgrantee served during the last reporting period. This decreases the re-victimization of the child by avoiding testifying in a court room and being cross-examined by the defendant's attorney. Significant progress is being made to ensure the perpetrators are receiving the appropriate punishment.

4. The nature of the system itself continues to show signs of evolution with the emerging development of collaborative partnerships between various agencies. The continued, combined efforts, while all are individual in content, have a common goal for the final objective; decreasing the number of children who have been abused and increasing the number of cases presented for prosecution. Effective communication and coordination among community partners is necessary to provide optimal services to the children and families in need of these services.

D. ACTIVITIES TO BE ASSISTED WITH CJA FUNDS

The Statewide MDT Network has been the focus for CJA efforts since the fall of 1999. Certainly, the development and expansion of the MDT approach is the core of the program. MDHS/DFCS has begun to look beyond the MDT project and embrace the full range of efforts needed to establish a truly comprehensive case handling system for the abused children of Mississippi. There is more that needs to be done to complement and augment the MDT Network. The presence of sufficient numbers of properly trained professionals to investigate these cases is as crucial as having the appropriate investigative structure in place.

CJA funds allowed Prevention/Protection MDHS/DFCS staff to send eighteen front-line Child Protection Workers throughout Mississippi to attend the ChildFirst Forensic Interviewer Training in August 2012. The ChildFirst Training was beneficial to provide updated information on child abuse and neglect cases and to enhance the interviewing skills of the front-line Child Protective workers. The 2012 Crimes Against Children Conference was held in September 2012 and sponsored by CJA funds in collaboration with CBCAP funds. This conference was provided for social workers, law enforcement, teachers, and community services professionals, etc. Topics such as Human Trafficking, Prevention Teachable Skills, and Cybercrimes, were offered at this conference. The Prevention Unit, MDHS/DFCS staff attended conferences such as: the Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs in Bloomington, MN and the CJA Annual Grantees Meeting and Children's Bureau Conference in Washington, DC in April 2012.

E. PROPOSED ACTIVITIES

MDHS/DFCS is seeking to award contract(s) through Request for Proposal to subgrantee (s) to provide high quality conferences and/or trainings to first responders and/or professionals who work with children and to facilitate Multi-Disciplinary Teams in any or all counties in Mississippi for the October 1, 2013-September 30, 2014 contract period. Mississippi is focused on having highly qualified trainers to provide the necessary knowledge to family protection workers. Subgrantee (s) will provide support in the future to counties in order to assist in developing more self-facilitative MDT meetings and counties not currently being served. The long term goal is to have all of the counties in the State of Mississippi participating in self-facilitative MDT meetings. The areas of focus are listed below.

MDHS/DFCS is seeking to award a subgrant(s) which can assist the State in developing, establishing, and operating programs designed to improve:

- the assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child's family;
- the assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
- the investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
- the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

Applicants shall meet all the requirements of this RFP including the provisions as follows:

1. Provide quality trainings to professional individuals who work with children, alleged victims of sexual and/or other felonious child abuse.

- a. Provide trainings to school personnel, child care providers, healthcare professionals, mental health, family protection workers, law enforcement, and other professionals who interact with children with disabilities who have been sexually and or physically abused. The curriculum should be developed and provide research-based training to professionals to identify signs and symptoms of abuse towards children with disabilities.
- b. Provide trainings for multidisciplinary team members. Topics may include Advanced Child Abuse Investigations Training. Technical assistance should be designed to improve their professional skills and knowledge and enhance the investigation, intervention, and prosecution of child abuse cases. This training should provide multidisciplinary team members with specific and targeted

professional development.

- c. Develop and provide trainings to school personnel, child care providers, healthcare professionals, mental health, family protection workers, law enforcement, and other professionals who interact with children recognizing and reporting child abuse. This training should educate the professionals above (as mandated reporters) on the proper way to report suspected child abuse and neglect.
- d. Participate and/or co-sponsor a conference such as the Crimes Against Children's Conference. This conference is designed to educate and update school personnel, child care providers, healthcare professionals, mental health, family protection workers, law enforcement, and other professionals who interact with children on topics related to the prevention, intervention, and treatment of child abuse and neglect.

The subgrant(s) will allow funding for establishment, maintenance or expansion of programs to provide coverage in any or all counties in Mississippi. Final approval of location(s) will be given by MDHS/DFCS.

2. Provide facilitators for Multi-Disciplinary Teams (MDT) in any or all counties in MS.

- a. Initiate and/or maintain Multi-Disciplinary Teams in any or all counties in MS, except where MDHS/DFCS has a self-facilitating MDT. MDTs will operate according to the MS Code, See 43-15-51. These teams encourage a forum for open communication, information sharing, and case coordination among community professionals and agencies involved in child protection efforts.
- b. On going support will be provided by the Subgrantee to the MDT facilitators to train them on group facilitation techniques, purpose of MDT, and operation of MDTs according to SEC. 43-15-51.
- c. Document and track all referrals to Multi-Disciplinary Teams.
- d. Provide training opportunities to MDT members, CJA Board Members, MDHS/DFCS staff and other professionals working as first responders with child abuse victims.
- e. Collaborate with MDHS/DFCS Prevention/Protection Unit to coordinate an Annual Statewide MDT Networking Conference for MDT members offering continuing education for professionals on topics that address child abuse victims and their families. The topics should enhance professional skills to effectively respond to cases of child abuse through cross-disciplinary and cross-cultural training and support.
- f. Administer an evaluation bi-annually to MDT members to evaluate the MDT process.

- g. Documentation of trainings and multidisciplinary team attendance will be submitted to MDHS/DFCS Prevention/Protection Unit on a monthly basis, by the fifth day of the following month. Applicant must submit a schedule of dates, times, and locations of upcoming MDT meetings before the next month begins.
- h. Subgrantee(s) will present a quarterly report to the Children's Justice Act Task Force. Attendance at this meeting is mandatory. Quarterly reports must be sent to MDHS/DFCS Prevention/Protection Unit representative five days prior to the Children's Justice Act Task Force meeting.
- i. In addition to the monthly and quarterly programmatic and fiscal reports, the Subgrantee will be responsible for an annual programmatic report. This report should be submitted no later than 45 days after the subgrant to MDHS/DFCS. The annual programmatic report should include information regarding all facts of the project (i.e. successes, failures, recommendations, and any other additional information required by MDHS/DFCS).
- j. An evaluation and monitoring process will be utilized to ensure the quality of facilitation of Multi-Disciplinary Teams. This process must be approved by MDHS/DFCS Prevention/Protection Unit.

F. USE OF CJA FUNDS AND PROGRAM BUDGET

CJA funds will be applied to the proposed activities for the 2013-2014 grant year to include:

- Continued advancement of MDT's in all counties statewide;
- Provide trainings to first responders and/or professionals who work with children across the state of Mississippi and
- Continue to provide support services for child victims throughout their judicial proceedings.

Proposed obligations for contract period: October 1, 2013 – September 30, 2014

CJA Funds Application

Subgrant Award(s) for CJA Services	\$186,000
Children's Justice Act Task Force meeting (Board meeting expenses-food, travel, and supplies)	\$ 1,139
Funds to attend annual grantees meeting (two per funding period)	\$3,000
Funds for Prevention staff to attend (one or	

two) Prevention conferences and trainings related to CJA topics.	\$2,500
TOTAL	\$192,639

G. TARGET POPULATION

The most recent statistical information available for the federal fiscal year of October 1, 2011- September 30, 2012 indicates there were 7,449 unduplicated evidenced child victims of abuse/neglect and child maltreatment reported to MDHS/DFCS. The targeted population for this project will be the reports of child abuse and neglect received by MDHS/DFCS. These cases are received by MDHS/DFCS and/or Law Enforcement and the Courts. Whether every case that is reported receives review in a particular local area will be contingent on the number of reports, the nature of the reports by category, and the available local resources. Special emphasis will be mandated for serious physical abuse and all sexual abuse cases. Teams will have discretionary leeway in screening reports for review.

H. APPROACHES

The basic tenet in Mississippi's current CJA program is the multi-disciplinary approach to the handling of child abuse cases. It is this tenet that is at the foundation of all the program objectives described earlier and serves to direct program development for the future. The ultimate and continual vision for Mississippi is the existence of a comprehensive child abuse intervention system whereby any child victim, in any location within the state, would have the benefit of having their case reviewed in a timely manner by a multi-disciplinary body so as to limit the number of interviews and maximize the efforts of all the intervening participants. The notion of recovery starting with the first contacts could be realized with this network in place.

In order to make this a reality, the CJA program must extend beyond its own capabilities and seek to establish collaborative partnerships with organizations that can directly impact the development of the Network. The CJA program seeks to utilize all available resources to achieve a competent multi-disciplinary approach for abused and neglected children in Mississippi.

I. EXPECTED RESULTS

The continued development of the Statewide Multi-disciplinary Child Abuse Review Team Network project will serve to further strengthen the State's system of child abuse investigation and prosecutions by increasing the number of teams, providing specialized training, enhancing the tools available to investigators and prosecutors and seeking to involve all those with a direct responsibility in the handling of these cases. Expected results include:

- 1) The presence of active Multi-disciplinary Child Abuse Review Teams in all 82 of the counties in Mississippi. This will lead to the inclusion of the District Attorney's offices acting in a more direct role in the multi-disciplinary process.
- 2) A significant increase in the number of proficiently trained professionals investigating abuse cases through involvement in the specialized training opportunities for members of Review Teams. This exposure to a high level of specialized training will also have the potential to affect the attitudes of the participants regarding the efficacy of the multi-disciplinary approach and further reinforce its value and the need for participation.
- 3) Reduce the intrusion of the involved systems on the child victim by lessening the number of overall contacts required due to the cooperative case management process.
- 4) Improve the rate of successful prosecutorial outcomes by increasing the number of convictions by trial and increasing the number of pleas, thus eliminating the need for trial and child witness testimony, another reduction in system intrusion on the child victim. The combination of the MDTs and subgrantee(s) could have significant impact on the prosecutorial outcomes for the counties with those joint services.
- 5) Increase provision of supportive services to child victims through early identification of need and referral to appropriate resources through the Review Team evaluation. Team members from the various fields would be exposed to cases from their origination, and could provide comprehensive assessments regarding the child victim's needs and coordinate the direct referrals for appropriate assistance. This would include beginning the process of court preparation if it appeared the child victim might have to testify in court.

J. PROGRESS TOWARD REFORM OF THE STATE'S SYSTEM FOR HANDLING CASES OF CHILD ABUSE AND NEGLECT

The continued development of a Statewide Multi-disciplinary Child Abuse Review Team Network will contribute to reform of the state system for handling cases of child abuse and neglect. The emerging, collaborative partnerships between the CJA program and agency partnerships can only strengthen and expand the possibilities for significant reform.

- 1) On a fundamental level, the basic existence of the Review Teams will result in more efficient and expeditious case management practices than were previously in place before the Team.
- 2) There will be more coordinated and standardized methods of handling cases across the State.
- 3) Greater awareness and education about how the different systems operate in child abuse cases will result from this collaborative effort and lead to a greater appreciation

of the various systems from all those involved. This collaborative effort should also reduce territoriality and conflict between systems.

- 4) Reduction in the length of time of system intrusion on the child victims and their families.
- 5) Improvement in the assessment and intervention skills of all Team members relative to their specialties. The increase in the number of competently trained professionals conducting interviews and physical examinations will gradually change the general perspective on how child abuse should be handled by the system and very likely begin to generate internal reform and improvements.
- 6) The Review Team Network will allow for the sharing of best practices among the Team members around the State so as to have all Teams operating at the highest functioning level possible.
- 7) By virtue of the make-up of the Review Teams, there will be more diverse perspectives examining the overall system that can lead to problem identification and the generation of solutions in order to improve case handling.
- 8) Systemic problems which may be identified through evaluation and data collection by the Child Abuse Review Team Network will be addressed through appropriate planning and follow-up by the CJA Task Force. Depending upon the challenge, this may involve working with agencies to address policy concerns, working with communities to address local issues, proposing legislation, etc.
- 9) Progress is being made through the implementation of the Mississippi Practice Model, which serves as the framework for best child welfare social work practice within the Division of Family and Children's Services. The Mississippi Practice Model with the accompanying Continuous Quality Improvement process incorporates the practice requirements of Mississippi's Settlement Agreement (*OliviaY*), Council on Accreditation, federal Child and Family Services Review requirements for safety, permanency, and well-being, and the resulting Program Improvement Plan. This Practice Model includes six key components, many of which will influence the quality of child abuse and neglect investigations as the components are trained and coached in each region: 1) Mobilizing Appropriate Services Timely, 2) Safety Assurance and Risk Management, 3) Involving Family Members in Decision-Making and Case Activities, 4) Strengths and Needs Assessments, 5) Preserving Connections and Relationships, and 6) Individualized and Timely Case Planning.

It is the expressed goal of all parties to continue Mississippi's efforts in the development of a model process for the expansion, maintenance and optimal operation of Review Teams around the State. Mississippi's Governor, the Mississippi Department of Human Services, the Division of Family and Children's Services, and the Children's Justice Act Task Force are strongly committed to the goals of this initiative to assure the protection, safety and well-being of every child and also to our responsibilities of the systemic changes needed to improve our handling of child abuse related issues in our state.

For the additional grant application assurances, see **Attachment C** of this document.

Attachment A



STATE OF MISSISSIPPI
Phil Bryant, Governor
DEPARTMENT OF HUMAN SERVICES
Richard A. Berry
Executive Director

May 6, 2013

The Honorable Phil Bryant
Governor of Mississippi
550 High Street
Sillers Building, 19th Floor
Jackson, Mississippi 39201

Dear Governor Bryant:

The Children's Justice Act (CJA) Task Force is responsible for meeting the mandates of sections 107 (b)(2) and (c)(1) of the Child Abuse Prevention and Treatment Act. Under the advisement of the active board members on the CJA Task Force, the Division of Family and Children's Services has compiled a list of qualified individuals for your consideration as prospective board members.

I am recommending the current board members and prospective members listed and to request your approval so that we may move forward in our endeavor to assemble a proactive and stable CJA Task Force. Biographical information for each individual is attached along with the bylaws for the CJA Task Force.

Leslie Lee, State Defender, Office of State Public Defender, Jackson, MS

Category: Defense Attorney

- Served three years on active duty as a military attorney in the United States Army
- Worked ten years at the Attorney General's Office in the division of Consumer Protection, Public Integrity, Medicaid Fraud, and Capital Litigation.
- An adjunct professor of criminal procedure at Mississippi College School of Law.

Honorable Tom Broome, County Court Judge, Rankin County, MS
Category: Criminal Court Judge

- Currently in third term as a County Court Judge for Rankin County, Mississippi.
- Served as the founding Director and Attorney for the Family Violence and Victim Services Department of the MS Band of Choctaw Indians.
- Serves as Co-Chair of the Legislation Committee on the State Advisory Group on Juvenile Justice.

Kay Burt, Executive Dir. of MS Court Advocacy and Justice Institute, Jackson, MS
Category: CASA Representative/Child Advocacy

- Current Executive Director, MS Court Advocacy
- Worked for Ray Mabus as an Education Specialist
- Worked at Richland High School, Education

Cindy Dittus, Associate Director-Arc of Mississippi, Jackson, MS

Category: Individuals experienced in working with children with disabilities

- Served as a board member and board president of the Arc of Lancaster County in Pennsylvania
- Served as a partner to work for better services for people with disabilities
- Is a parent to daughter who was born with Down Syndrome

Matt Nalker, Director-Arc of Mississippi, Jackson, MS

Category: Individuals experienced in working with children with disabilities

- A member of the State Special Education Advisory Council
- Serves on the Steering Committee on Special Education
- Serves on the Deaf/Blind Advisory Council

Rico Buckhaultner, Asst. Director of Federal Programs-Rankin Co. School District

Category: Parent Group Representative

- Served as State Director for Special Populations, MS Department of Education
- Former State Coordinator for Comprehensive School Reform, MS Department of Education
- Served as the Coordinator of Student Services, Piney Woods School

Kim Henderson, Juvenile Investigator, Madison, MS
Category: Law Enforcement

- Serves as Deputy Sheriff of Madison County
- Currently a Special Victims Investigator
- Certified in Finding Words/Child First Interviewing

Jean Vaughan, Cybercrime Center-Attorney General's Office, Jackson, MS
Category: Child Protective Services Professional

- Currently practicing with the MS Attorney General's Office in criminal appeals, gaming, consumer protection, and cyber crime
- Serves as a MS Internet Crimes Against Children Commander
- Speaks to parent, teachers, and children on Internet safety and online victimization

Honorable Vernon Cotten, Circuit Court Judge, Place II 8th, Carthage, MS
Category: Circuit Court Judge

- 32 years of service in the general practice of law in both Chancery and Circuit courts.
- Served as 23 years as Attorney for the Town of Walnut Grove, MS.
- Served 18 years as Leake County Prosecuting Attorney.

Lauren Harless, Asst. District Attorney, 15th Circuit Court of Appeals, Purvis, MS
Category: Attorney who represents children

- Currently prosecutes all felony crimes against children and women
- Experience includes participating in annual conferences addressing prosecution in each county to facilitate prosecution of violent crimes
- Received the Multidisciplinary Team Award for Marion and Jefferson Davis Counties in 2003 and for Lamar County in 2004

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Janet Kennedy, Director, MS Attorney General's Office, Jackson, MS
Category: Adult former victims of child abuse and neglect

- Currently review and adjudication of crime victim's compensation claims
- Coordinated Family and Consumer Sciences and Career Discovery Programs
- Coordinated the Safe and Drug-Free Schools Programs

Tuwanna Williams, MS State Coord. for National Center on Family Homelessness

Category: Individual experienced in working with homeless children and youths

- Currently increase public awareness about children and family homelessness through media relations
- Secured more than \$3,000,000.00 in housing related fundraising efforts
- Experienced in addressing homelessness, providing homebuyer education training and housing program development

Timmy Pickett, Crisis Specialist-Region 8 Mental Health, Canton, MS

Category: Mental Health

- Has been a Crisis Specialist for Region 8 Mental Health for over twenty years
- For several years worked at the Madison County Human Resources Agency
- Currently the Chairman of Board of Directors for Madison County Citizens Services Agency

Lelani Tynes, Prosecuting Attorney, Gulfport, MS

Category: Prosecuting Attorney

- Currently the new Assistant District Attorney for Jackson County
- Served a prosecutor in Lafayette County for several years
- Currently a member of the Mississippi Bar Association, Mississippi Prosecutors Association, and Southern Trial Lawyers Association

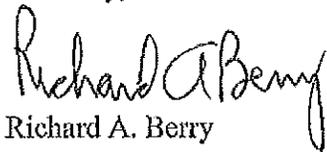
Governor Bryant
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Page 5

Wendy Altieri, MS Health Department, Jackson, MS
Category: Health Professional Representative

- **Currently a Social Worker at the MS Health Department**
- **Current member of the MS Children's Justice Act Task Force**
- **MPHA, Judy Barber Social Worker of the Year, 2010**

Please contact Ms. Tasha Smith at 601-359-4696 if you should have any questions or need additional details.

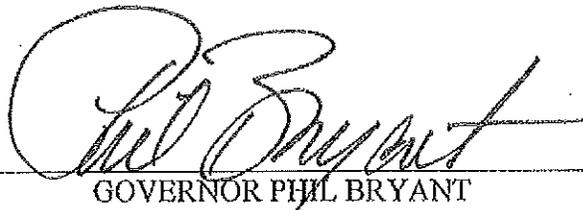
Sincerely,



Richard A. Berry

RAB:MG:TG:TS:qc

Enclosure



GOVERNOR PHIL BRYANT

5-15-13
DATE

Attachment B

**STATE OF MISSISSIPPI
EIGHTH CIRCUIT COURT DISTRICT**

205 MAIN STREET
CARTHAGE, MISSISSIPPI 39051
TELEPHONE: (601) 267-5615
FAX: (601) 267-5616
EMAIL: J.VRCOTTEN@GMAIL.COM



COUNTIES SERVED:
LEAKE
NESHOMA
NEWTON
SCOTT

**VERNON R. COTTEN
CIRCUIT JUDGE, PLACE II**

MEMORANDUM

From: Children's Justice Act (CJA) Task Force

To: Mr. Mike Gallarno
Director, Division of Family and Children's Services

Date: April 22, 2013

RE: 2013 Task Force Recommendations

The Mississippi Children's Justice Act (CJA) Task Force has reviewed previous recommendations, policies, practices, and trainings regarding the handling of child abuse cases in Mississippi. In response to this comprehensive review, the Task Force submits the following recommendations to the Division of Family and Children's Services. It is the Intent of the Task Force that these recommendations will encourage continuous improvement of the State's child abuse case handling.

1. Mississippi should examine our systems and address cultural competence in practice and service delivery
2. Mississippi should improve coordination between the criminal justice system and civil child protection system.
3. Mississippi will review data and explore ways to improve our state's ability to meet our target.
4. All pertinent state and local agencies and elected officials should continue to take a more active role in adopting and promoting the concept of inter-agency participation in a comprehensive approach to child abuse/neglect investigation and management at the most local levels of involvement. Further, the state should seek to remove any barriers to such an approach that are amenable legislative, judicial or executive action.
5. Mississippi should continue efforts to develop and/or expand statewide membership in multi-disciplinary child abuse review teams for the cooperation and collaboration

among agencies and professionals involved in the investigation, assessment, and disposition of child abuse/neglect cases in the state.

6. Mississippi should continue to encourage the promotion and adoption of statewide standard protocols and procedures for case handling to be used by all jurisdictions, so as to ensure consistent and appropriate efforts on behalf of the child abuse victim and family.
7. Mississippi should continue to provide ongoing training for the specific professionals participating in multi-disciplinary child abuse review teams across the state, in order to achieve a consistent level of competency and service for child abuse victims no matter their location in the state. Specifically, the state should seek training opportunities for MDT members to include: Trauma Based Therapy services and Operation Passport training.
8. Mississippi Department of Human Services should promote CJA Task Force recommendations for reforms to state law as part of the Department's legislative agenda.

Should you have any questions or comments, please feel free to contact me by phone or email as shown above on letterhead.



VERNON R. COTTEN, ~~VICE~~ CHAIRMAN OF
CHILDREN'S JUSTICE ACT TASK FORCE

**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY AND CHILDREN'S SERVICES
MEMORANDUM**

TO: Mississippi Children's Justice Act Task Force

FROM: Miko Gallardo, Director, Division of Family and Children's Services

DATE: May 09, 2013

SUBJECT: DFCS Response to 2013 Recommendations

In 2013, the Mississippi Children's Justice Act Task Force made the following recommendations to encourage improvement within the Division of Family and Children's Services (DFCS), as well as other agencies represented on the Panel. DFCS appreciates the opportunity to respond to those recommendations for the upcoming year.

Recommendations to the agency for 2013-2014:

1. Mississippi should examine our systems and address cultural competence in practice and service delivery.

Response: DFCS will examine our systems and address cultural competence in practice and service delivery.

2. Mississippi should improve coordination between the criminal justice system and civil child protection system.

Response: DFCS will make efforts to improve the coordination between the criminal justice system and civil child protection system.

3. Mississippi should review data and explore ways to improve our state's ability to meet our target.

Response: Mississippi will review data and explore ways to improve our state's ability to meet goals of the Children's Justice Act grant.

4. All pertinent state and local agencies and elected officials should continue to take a more active role in adopting and promoting the concept of inter-agency participation in a comprehensive approach to child abuse/neglect investigation and management at the most local levels of involvement. Further, the state should seek to remove any barriers to such an approach that are amenable legislative, judicial, or executive action.

Response: DFCS will continue to take a more active role in adopting and promoting the concept of inter-agency participation in a comprehensive approach to child abuse/neglect investigation and management at the most local levels of involvement. Further, the state will seek to remove any barriers to such an approach that are amenable legislative, judicial, or executive action.

5. Mississippi should continue to develop and/or expand statewide membership in multi-disciplinary child abuse review teams for the cooperation and collaboration among agencies and professionals involved in the investigation, assessment, and disposition of child abuse/neglect cases in the state.

Response: DFCS will make continuous efforts to develop and/or expand statewide membership in multi-disciplinary child abuse review teams for the cooperation and collaboration among agencies and

professionals involved in the investigation, assessment, and disposition of child abuse/neglect cases in the state.

6. Mississippi should continue to encourage the promotion and adoption of statewide standard protocols and procedures for case handling to be used by all jurisdictions, so as to ensure consistent and appropriate efforts on behalf of the child abuse victim and family.

Response: DFCS will continue to encourage the promotion and adoption of statewide standard protocols and procedures for case handling to be used by all jurisdictions, so as to ensure consistent and appropriate efforts on behalf of the child abuse victim and family.

7. Mississippi should continue to provide ongoing training for the specific professionals participating in the multi-disciplinary child abuse review teams across the state, in order to achieve a consistent level of competency and service for child abuse victims no matter their location in the state. Specifically, the state should seek training opportunities for MDT members to include: Trauma Based Therapy services and Operation Passport training,

Response : DFCS will continue to provide ongoing training for the specific professionals participating in the multi-disciplinary child abuse review teams across the state, in order to achieve a consistent level of competency and service for child abuse victims no matter their location in the state. Specifically, the state will seek training opportunities for MDT members to include: Trauma Based Therapy services and Operation Passport training.

8. Mississippi Department of Human Services should promote CJA Task Force recommendations for reforms to state law as part of the Department's legislative agenda.

Response: DFCS will continue to seek to promote CJA Task Force recommendations for reforms to state law as part of the Department's legislative agenda.

Attachment C



PHIL BRYANT
GOVERNOR

May 6, 2013

Mr. Bryan Samuels, Commissioner
Administration on Children, Youth and Families
1250 Maryland Avenue, S. W.
Washington, DC 20024

Dear Mr. Samuels:

As the Chief Executive Officer of the State of Mississippi, I hereby designate the Mississippi Department of Human Services, Division of Family and Children's Services, as the recipient agency for the Children's Justice Act Grant Program (CJA) pursuant to Section 107 (a), (b), (c), (d), (e), and (f) of the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5106c et seq.) as amended by Public Law (P.L.) 111-320 enacted December 20, 2010; and the Victims of Crime Act of 1984 as amended (42 U.S.C. 10603 et seq.) I hereby certify that:

The State received the FY 2012 Child Abuse and Neglect Basic Grant and continues to comply with requirements stipulated in Section 106 (b) of the Act; and

The State will maintain a State Multidisciplinary Task Force on children's justice; and

The State has adopted or continues to progress in adopting recommendations of the State Task Force; and

The State will make such reports to the Secretary as may reasonably be required, including an annual report; and

The State will maintain and provide access to records relating to activities under CJA; and

The State will participate in at least one federally initiated CJA meeting each year that the grant is in effect and are authorized to use grant funds to cover travel and per diem expenses for two CJA representatives (CJA Coordinator and Task Force Chairperson) to attend the meeting.

STATE OF MISSISSIPPI • OFFICE OF THE GOVERNOR

POST OFFICE BOX 139 • JACKSON, MISSISSIPPI 39205 • TELEPHONE: (601) 359-3150 • FAX: (601) 359-3741 • www.governorbryant.com

Mr. Bryan Samuels
May 6, 2013
Page 2

The state appreciates the opportunity afforded by the amended Act to better anticipate and meet the needs of our families and children.

Sincerely,

A handwritten signature in cursive script that reads "Phil Bryant". The signature is written in black ink and has a long, horizontal flourish extending to the right.

Phil Bryant, Governor
State of Mississippi

PB:dc



<http://www.acf.hhs.gov/grants/certification-regarding-lobbying>

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Richard A. Berry

Title

Executive Director

Organization

Mississippi Dept. of Human Services



<http://www.acf.hhs.gov/grants/certification-regarding-debarment-suspension-and-other>

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (PRIMARY)

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.



<http://www.acf.hhs.gov/grants/certification-regarding-environmental-tobacco-smoke>

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

The Pro-Children Act of 2001, 42 U.S.C. 7181 through 7184, imposes restrictions on smoking in facilities where Federally-funded children's services are provided. HHS grants are subject to these requirements only if they meet the Act's specified coverage. The Act specifies that smoking is prohibited in any indoor facility (owned, leased, or contracted for) used for the routine or regular provision of kindergarten, elementary, or secondary education or library services to children under the age of 18. In addition, smoking is prohibited in any indoor facility or portion of a facility (owned, leased, or contracted for) used for the routine or regular provision of federally funded health care, day care, or early childhood development, including Head Start services to children under the age of 18. The statutory prohibition also applies if such facilities are constructed, operated, or maintained with Federal funds. The statute does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, portions of facilities used for inpatient drug or alcohol treatment, or facilities where WIC coupons are redeemed. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per violation and/or the imposition of an administrative compliance order on the responsible entity.



<http://www.acf.hhs.gov/grants/certification-regarding-drug-free-workplace-requirements>

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart F, Sections 76.630(c) and (d) (2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

1. The dangers of drug abuse in the workplace;
2. The grantee's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

1. Abide by the terms of the statement; and
2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --

1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

750 North State Street
Jackson, Mississippi, 39202, Hinds County.

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21890, 21702, May 25, 1990]

Attachment D

Division of Family & Children's Services Regions
 Family Resource Center of North East MS

