



## Office for Victim Programs

### CVS Grants Policy

**Title:** VOCA Matching Funds Requirement and Waiver Policy

**Date Adopted:** April 2, 2019

**Revised As Of:** August 30, 2023

### I. Policy Background

Of the four funding sources administered by the Division of Criminal Justice (DCJ), Office for Victims Programs (OVP), only the federal Violence Against Women Act (VAWA) and the federal Victims of Crime Act (VOCA) grant programs have grantee match requirements. This policy addresses VOCA matching requirements and how to request a waiver of the requirement.

VOCA requires all funded agencies, except federally recognized tribes or projects that operate on tribal lands, to provide match (28 CFR 94.118). Common sources of match are cash match, such as a program/project staff position (not paid by VOCA or other federal funding) or non-VOCA funded victim assistance activities; volunteer services; materials and equipment; donated space and facilities (rent); and discounts provided to the grantee for goods and services. The match requirement is no less than twenty percent of the **total cost of the VOCA-funded project** through cash or in-kind match; new agencies not previously funded with Crime Victim Services (CVS) funds are required to provide 25% match. Matching funds are restricted to the same uses as federal VOCA grant funds and must be expended within the grant period.

In addition to the exceptions above, the federal Office for Victims of Crime (OVC) allows match waiver requests to be made directly to OVP.



## II. Definitions (If Applicable)

**CVSA Board - Crime Victim Services Advisory Board.** This board advises and makes funding recommendations to the DCJ and the Colorado Department of Public Safety (CDPS) concerning the award of VOCA grants.

**DCJ - Division of Criminal Justice.** This is one of five divisions within the CDPS.

**Emergency Situations -** Unforeseen situations that impact the normal operations of a funded agency. For example, natural disasters, epidemics, and/or pandemics.

**Mass Violence/Terrorism Events -** Intentional violent criminal acts that result in physical, emotional, or psychological injury to a large number of people.

**Match Waiver Determination -** Formal decision made by the OVP to approve or deny a Request for Match Waiver.

**Match Waivers for a Class of Subrecipients -** Match waivers that apply to more than one subaward at a time. Also known as “multi-subaward match waivers” or “blanket match waivers.” This can include, but is not limited to, a match waiver for a subset of subrecipients that have expressed a need for the match waiver or a match waiver for all subrecipients that fall under a designated funding opportunity.

**National Emergency Mandatory Match Waiver -** Match waivers issued for any matching requirement, in its entirety, for all eligible crime victim assistance programs subrecipients contracted to provide services starting on the date from the date a national emergency is declared under the National Emergencies Act with respect to a pandemic and ending on the date that is one year after the date of the end of such national emergency.

**OVC - Office for Victims of Crime.** This is the office within the U.S. Department of Justice that oversees programs and grants for service providers and other professionals who assist victims of crime.

**OVP - Office for Victims Programs.** This is the office within the DCJ assigned to administer the federal VOCA grant. Also known as the State Administering Agency (SAA).



Request for Match Waiver - Form submitted by subrecipients to request a partial or full waiver of match requirements.

Unique/Unforeseen Situations - Unforeseen situations that impact the normal operations of a funded agency. For example, sudden or significant loss of funding or staff turnover and/or increases in VOCA funding where local funding availability has not increased to the same degree.

VOCA - Victims of Crime Act Victim Assistance. Refers to the federal formula grant funds awarded to the state of Colorado to be granted to programs that provide services to victims of crime.

### III. The Policy

The OVP requires VOCA applicants to meet the matching requirements outlined in the VOCA rule (94.118). However, there may be instances when an applicant needs to request a match waiver. OVP will consider partial or full match waiver requests.

Match waiver requests are generally only considered during the application process. However, there may be times, such as emergency situations or unique or unforeseen situations, when OVP will consider full or partial match waivers for a class of subrecipients or all subrecipients during an active grant cycle. If a program wants to request a match waiver outside of the regular application period, programs should contact their Grant Program Manager.

In the event that OVP issues match waivers to individuals or a class of subrecipients during an active grant cycle, OVP will provide a streamlined process for requesting and providing match waivers that may be different from the process as outlined in [Section III.A Request for VOCA Match Waiver Form](#) and [Section III.B Match Waiver Review](#) in order to expedite the approval process. [Section III.D Match Waivers for a Class of Subrecipients](#) below provides details regarding this process.

In Mass Violence situations, agencies that receive VOCA funds to respond to these incidents will not be required to provide matching funds, as responding to these incidents naturally requires agencies to provide services in an urgent and unanticipated manner and thus will not be held to matching requirements. In these instances, subrecipients will be notified in writing that match is not required. Additionally, a *Request for VOCA Match Waiver Form* will not be required, though a



*Match Waiver Determination* form, or other appropriate documentation, will be provided to the agency and included in their grant file.

For times when the National Emergency Mandatory Match Waiver mandate is in effect by OVC, OVP will follow the guidance as outlined in the [National Emergency Pandemic Mandatory VOCA Match Waiver Process](#). This mandate is only active for awards with a beginning period prior to May 11, 2024. Programs with start dates after this date will follow the regular match waiver policy as outlined in this document.

Regardless of the type or manner in which a waiver is given, OVP will follow all other processes regarding reporting approved waivers to OVC as outlined in [Section III.E OVP Responsibilities](#) of this policy.

OVP will ensure that all policies and forms related to the Match Waiver process will be made public and available online for anyone to access at any time.

#### **A. Request For VOCA Match Waiver Form**

In times when match is required of subrecipients and OVP is no longer required to follow the [National Emergency Pandemic Mandatory VOCA Match Waiver Process](#), agencies will indicate in their application for funds if they intend to request a waiver of match, and will complete the *Request for VOCA Match Waiver* form at the time of application.

Requests for match waivers should include the following information:

- I. Brief description of the agency/project and the types of victims served;
- II. Amount of required match (before the waiver request);
- III. Amount of match the agency is able to provide (if any);
- IV. Amount of match the agency is requesting to be waived;
- V. Brief explanation of why the full amount of required match is a hardship for the agency and/or a brief description of any change in circumstances



of the agency that make it difficult to meet the match requirement; and how the denial of a match waiver would impact the VOCA project.

All Match Waiver requests must be well justified and must be signed by the applicant agency's signature authority.

## **B. Match Waiver Review**

Except in cases where a match waiver request is made outside of the application process, OVP staff will review requests for match waivers during the application review process and share this information with the CVSA Board during funding meetings. OVP staff will determine if an applicant's match waiver request is justified and will make a recommendation to the VOCA Administrator for approval or denial of the match waiver request. The VOCA Administrator will make the final decision as to the approval or denial of all match waiver requests. The following will be considered when deciding whether or not to approve a match waiver request:

1. Practical and/or logistical obstacles to providing match (e.g. public agencies that do not engage in private fundraising and may have limitations on soliciting contributing funds);
2. Local resource constraints (e.g. rural community with limited local funding availability or volunteer capacity);
3. For subrecipients currently funded with VOCA, the past ability to provide match (OVP and OVC generally expects subrecipients to justify a decrease in the dollar amount of match from the prior funding cycle or year - e.g., by describing a change in circumstances such as loss of funds, etc);
4. An emergency or other unique situation impacting the grantee's ability to provide match.

## **C. Match Waiver Determination**

Once a decision on the request to waive the match is made, a *Match Waiver Determination Notice* form, or other appropriate documentation, will be uploaded to the respective grant in the DCJ's grant management system. In addition, subrecipients will be notified in writing of the match waiver decision.



The match waiver determination will contain at minimum the following information:

1. A brief description of the project/services provided by the grantee;
2. Match determination - specifically state if the waiver is approved or denied. The justification for the decision to either approve or deny the waiver request will be consistent with the considerations under the applicable waiver guidance from OVC;
3. The scope of the waiver and waiver amount (unless specified otherwise by OVP, the waiver amount will indicate an equivalent match waiver percentage to be applied should the project budget change); and
4. Specific information as to the amount/percentage of match being waived outlined by each federal grant award funding the project.

Waivers that are approved are applicable only during the subgrant award period (not in perpetuity). Agencies should not assume a match waiver request will be approved by OVP and should not expend funds for which they cannot provide match. If OVP denies a match waiver request, OVP will reduce the award to the amount the agency is able to match.

#### **D. Match Waivers For A Class Of Subrecipients**

OVP reserves the right to streamline the process and accept and approve match waiver requests for all or a class of subrecipients that is different from the above outlined process. In these instances, waivers will be done via a blanket match waiver process to expedite the process. If match is waived for all or a class of subrecipients at the time of the application:

1. Subrecipients will be notified via the Funding Announcement, or other appropriate form of written communication. Information at minimum will include: the subclass of subrecipients for which match will be waived and reasons for the waivers.
2. Further written documentation, as needed or appropriate, will be kept in OVP's VOCA Grant files to further justify waivers for OVC Site visits.



3. In this instance, a *Request for VOCA Match Waiver Form* will not be required by the subclass of subrecipients at the time of application and a *Match Waiver Determination Notice* form will not be provided to the subrecipients.
4. If the subrecipient is awarded, OVP will ensure that the subrecipient's grant agreement includes language regarding the waiver of match and an approved budget that reflects match is not required.

If match waivers are given to a class of subrecipients during an active grant cycle, OVP will:

1. Provide written notification to all applicable subrecipients, or another appropriate form of communication, detailing justification for the waiver.
2. In these instances, A *Request for VOCA Match Waiver Form* will not be required by the grantee, though a *Match Waiver Determination* form and or budget modification that includes all the required information as outlined in [Section III.C Match Waiver Determination](#), will be provided to the agency and will be uploaded to the respective grant in the DCJ's grant management system.

In these instances, subrecipients have the right to decline any match waiver issued by OVP or the subrecipient may provide a voluntary match to support the VOCA-funded project.

## **E. OVP Responsibilities**

1. OVP will keep match waiver determinations with the subgrantee's file so that it's available if OVP is monitored by OVC.
2. If applicable, OVP will ensure that all Subgrant Award Reports (SAR) are updated within a reasonable time period to reflect any and all match that have been waived during an award period.
3. OVP will submit the match waiver spreadsheet to OVC via upload in JustGrants, Grant Award Modification (GAM) or other method as requested by OVC no later than 120 days after the Federal Fiscal Year



(FFY) end. Using the most recent revised OVC template, the match waiver spreadsheet will list all subrecipient match waivers approved in a FFY, for each relevant federal award.

4. Requests for match waivers submitted by subrecipients 30 days before the subaward project end date, or after that date, must receive prior approval from OVC. OVP anticipates this would only occur in the event of an emergency.
5. All match waivers must be approved and signed by the Director of the DCJ (or other designee).

For accommodations, including requesting this information in an alternate format, please contact the Office for Victims Programs at (303) 239- 5719 or [cdps.ovpconnect@state.co.us](mailto:cdps.ovpconnect@state.co.us).