

DFC Regular STANDARD TERMS OF AWARD (NEW)

Failure to comply with the remarks, terms, conditions, or reporting requirements may result in a draw down restriction being placed on your Payment Management System account or denial of future funding.

Acceptance of the Terms of an Award: By drawing or otherwise obtaining funds from the grant payment management system, the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. In doing so, your organization must ensure that you exercise prudent stewardship over Federal funds and that all costs are allowable, allocable and reasonable. If the recipient cannot accept the terms, the recipient should notify the Grants Management Officer within thirty (30) days of receipt of this award notice.

Certification Statement: By drawing down funds, the recipient certifies that proper financial management controls and accounting systems, to include personnel policies and procedures, have been established to adequately administer Federal awards and funds drawn down. Recipients must comply with all terms and conditions outlined in their Notice of Award (NoA), including grant policy terms and conditions contained in applicable HHS Grant Policy Statements, and requirements imposed by program statutes and regulations and HHS grants administration regulations, as applicable; as well as any regulations or limitations in any applicable appropriations acts.

Program Overview: The Drug-Free Communities (DFC) Support Program is a collaborative effort between the Office of National Drug Control Policy (ONDCP) and the Substance Abuse and Mental Health Services Administration (SAMHSA). ONDCP issues grant awards to community coalitions through an interagency agreement with SAMHSA. According to the Drug-Free Communities Act of 1997, the purpose of DFC funding is to address two major goals: 1) establish and strengthen collaboration among communities, public and private non-profit agencies, and Federal, state, local and tribal governments to support the efforts of community coalitions, and 2) reduce substance use among youth and, over time, among adults.

While responsibility rests with the recipient for achieving the primary goals of the program, SAMHSA shall monitor and provide continuing technical assistance, consultation, and coordination in the execution of the project during the funding period. You can find additional details about the support available to you as a recipient on the program's website at <http://www.whitehouse.gov/ondcp/Drug-Free-Communities-Support-Program>.

In addition to these Terms and Conditions and the applicable statutes and regulations, recipients are bound by the HHS Grants Policy Statement, which can be accessed at: <http://beta.samhsa.gov/grants/grants-management/policies-regulations> and all requirements in the Funding Opportunity Announcement (FOA) for the FY 2016 Drug-Free Communities (DFC) Support Program available at <http://www.samhsa.gov/grants/grant-announcements/sp-16-001>.

Role and Responsibility of the Recipient: For the purposes of the DFC Program, a recipient is either a coalition that has received a grant or is an outside agent that is serving as the grant award recipient on behalf of a community coalition. The following Statutory Eligibility Requirements must be met each year while the coalition is funded by the DFC Program. Failure to meet any one of these requirements is considered non-compliance with grant regulations. See the DFC Program's Progressive Discipline and Appeals Process at <https://www.whitehouse.gov/ondcp/information-for-current-grantees#Progressive>.

Statutory Eligibility Requirements for all DFC-funded coalitions (if you are the recipient for a separate coalition, you are still responsible for ensuring all eligibility criteria are met by the coalition):

The coalition must have at least one representative from the required 12 sectors, as outlined in the FOA and the Drug-Free Communities Act of 1997;

The coalition must maintain meeting minutes that demonstrates it is a unique entity that has substantial involvement from its members and is working toward to the two goals of the DFC Program;

The coalition must address multiple (more than one) drugs in its annual 12-Month Action Plan for each year of funding;

The coalition must have as its principal mission the reduction of youth substance use;

The coalition has not received 10 years of DFC funding; and

The coalition must capture and provide specific data as required by the DFC National Evaluation.

The recipient must be an entity eligible to receive Federal funds;

The recipient must not request more than \$125,000 per year;

The recipient must document the level of non-Federal match defined in the DFC Act; and

The recipient can only be awarded one DFC grant at a time.

Other Requirements for all DFC Recipients (coalitions or outside agents):

The recipient must continue implementing the specific goals and objectives outlined in their approved application for DFC funding. The recipient must develop a funding plan that ensures (1) the required match of requested Federal funds and (2) to solicit substantial financial support from non-Federal sources for sustainability purposes.

The key personnel, Grant Recipient, (Program Director, and Project Coordinator of the DFC-funded coalition must participate in DFC *Me* (<https://dfcme.ondcp.eop.gov/>).

The recipient must use the Strategic Prevention Framework (SPF), a five step evidence based process for community planning and decision making.

The recipient must plan and implement the appropriate environmental strategies as part of their 12-Month Action Plans.

Requirements for Recipients in Year 3 and 7: The coalition must submit via DFC *Me* a Strategic Plan for Sustainability with the February Progress Report in the start of years 3 and 7 of DFC funding.

Administrative and National Policy Requirements: Awards issued through SAMHSA

Funding Opportunity Announcements are subject to the uniform administrative requirements and cost principles of 45 CFR Part 75 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards.

An application funded with the release of federal funds through a grant award does not constitute, or imply, compliance with federal regulations. Funded organizations are responsible for ensuring that their activities comply with all applicable federal regulations.

Progressive Discipline and Appeals Process: If for any reason you do not comply with the applicable terms, conditions, rules and regulations for the DFC Program, your grant will be subject to the Progressive Discipline and Appeals Process developed by ONDCP and SAMHSA. There are three progressive discipline actions that can be taken: 1) Addition of special terms or conditions, 2) Suspension, and 3) Termination. Failure to comply with special Terms and Conditions may also result in a financial drawdown restriction on your Payment Management System account or denial of funding in the future.

An overview of this plan and the complete explanation and procedures are posted on the Drug-Free Communities Support Program website at <http://www.whitehouse.gov/ondcp/Drug-Free-Communities-Support-Program>

Restrictions on Recipient Lobbying: (c) Title 18 > Part I > Chapter 93 > Section 1913: No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his/her request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute as a violation of section 1352 (a) of title 31.

SPECIAL TERMS OF AWARD:

1. The recipient must receive and expend non-Federal matching funds as required in the Funding Opportunity Announcement (FOA) and the Drug-Free Communities Act. In-kind support (i.e., donations, volunteer time, etc.) may also be used to satisfy the match requirement.
2. The recipient must comply with the DFC National Evaluation requirements. ONDCP requires all recipients to collect core measures data specific to the geographic area designated in

the approved application. The core measures data collection size must be sufficient to provide an accurate and meaningful statistical representation of the people being surveyed in each of the geographical areas served by the coalition.

Data for the following four core measures must be collected and reported every two years on alcohol, tobacco, marijuana, and prescription drugs for three grades (6th-12th) with a recommended combination of at least one middle school grade and at least one high school grade:

1. Past 30-day use
2. Perception of risk or harm
3. Perception of parental disapproval of use
4. Perception of peer disapproval of use

The recipient is responsible for providing these core measures data every two years on or before the deadline established for each reporting period as highlighted on the program website at <http://www.whitehouse.gov/ondcp/information-for-current-grantees>.

Failure to meet established deadlines could result in the GPO imposing Special Conditions, which could lead to an eventual suspension or termination of the grant for failure to comply with reporting requirements. ONDCP reserves the right to change measures for effective and meaningful evaluation of the program.

3. When requested, the recipient must develop a Corrective Action Plan (CAP) and complete the approved plan within the designated timeframe designated by the GPO. The Corrective Action Plan must be designed to address identified deficiencies in performance and/or in the conditions contributing or causing the identified unsatisfactory performance.
4. Recipients are required to adhere to all the sections of the Roles and Responsibilities of Grantees as outlined in earlier sections of the Notice of Award (NoA).
5. The recipient must continue to meet the Statutory Eligibility Requirements, as required by the original Request for Applications and the Drug-Free Communities Act during each year of funding.
6. Requests to carryover funds from one fiscal year to another are due to the GMO by the first Monday in February. All such requests must include a copy of the coalition meeting minutes showing coalition approval of the request.
7. The lead "key" personnel (Program Director/Project Coordinator) of the DFC-funded coalition must participate in the DFC Me system (<https://dfcme.ondcp.eop.gov/>), so that he/she receives information from ONDCP DFC Staff on a regular basis. This includes submitting the lead paid staff's contact information, as well as the contact information of one member from each of the required 12 sectors. The lead paid staff should discuss the use of the DFC Me system with sector members chosen to represent each sector, so that they understand their role in distribution of information sent to them. Information sent to specific sectors will always be

sent to the "key" personnel.

8. The DUNS number recipients use on their application must be registered and active in the System for Award Management (SAM) which can be accessed at <https://www.sam.gov>. Recipients must update their SAM information at least every 12 months to maintain an active account.

9. Financial Capability Review (FCR): The Office of Financial Advisory Services (OFAS), SAMHSA is currently conducting a review of your organization's financial management system. If the review discloses material weaknesses or other financial management concerns, grant funding may be restricted in accordance with 45 CFR 75/ 2 CFR 200, as applicable. The restriction will affect the draw-down of funds from your organization's Payment Management Services account; subject to the review of the Office of Financial Advisory Services (OFAS) and the approval of the applicable grants Management Specialist and Government Project Officer.

10. DOMA: On June 26, 2013, in United States vs. Windsor, the Supreme Court held that section 3 of the Defense of Marriage Act (DOMA), which prohibited federal recognition of same-sex spouses/marriages, was unconstitutional. As a result of that decision, SAMHSA is no longer prohibited from recognizing same sex marriages. Consistent with HHS policy and the purposes of SAMHSA programs, same-sex spouses/marriages are to be recognized in DFC. This means that, as a recipient of SAMHSA funding, you are required to treat as valid the marriages of same sex couples whose marriage was legal when entered into. This applies regardless of whether the couple now lives in a jurisdiction that recognizes same-sex marriage or a jurisdiction that does not recognize same-sex marriage. Any same-sex marriage legally entered into in one of the 50 states, the District of Columbia, a U.S. territory or a foreign country will be recognized. However, this does not apply to registered domestic partnerships, civil unions or similar formal relationships recognized under state law as something other than a marriage.

STANDARD TERMS OF AWARD:

1. This award is subject to The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 45 CFR Part 75, as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this 2016 award, 45 CFR Part 75 requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

For more information on 45 CFR Part 75 Requirements, see <https://cfo.gov/cofar/>. For specific, award-related questions, recipients should contact their SAMHSA Grants Manager Office promptly for clarification.

2. This award is subject to the following additional regulations and requirements:

28 CFR Part 69 – “New Restrictions on Lobbying”

2 CFR Part 25 – “Universal Identifier and System of Award Management”
Conflict of Interest and Mandatory Disclosure Requirements
Non-profit Certifications (when applicable)

3. Recipients must adhere to all applicable requirements of the Consolidated and Further Continuing Appropriations Act, 2015, Pub. L. No. 114-113, signed into law on Dec 18, 2015, which can be found in the Funding Opportunity Announcement (FOA).
4. Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of part 382, which adopts the Government wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707).
5. Recipients must comply with the implementation, monitoring, and evaluation of the accepted goals, milestones, and expected outcomes as reflected in both the 12-Month Action Plan and the RFA. All requirements specified around grant implementation and four core measures data collection must be followed.
6. Recipients must receive and expend non-Federal matching funds as required in the FOA and the Drug-Free Communities Act. In-kind support (i.e., donations, volunteer time, etc.) may also be used to satisfy the match requirement.
7. Recipients must comply with the DFC National Evaluation requirements. ONDCP requires all recipients to collect core measures data specific to the geographic area designated in the approved application. The core measures data collection size must be sufficient to provide an accurate and meaningful statistical representation of the people being surveyed in each of the geographical areas served by the coalition.
8. Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR 2) are applicable to any information about alcohol and other drug abuse patients obtained by a program (42 CFR 2.11) if the program is Federally-assisted in any manner (42 CFR 2.12b). Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with (42 CFR 2). The recipient is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.
9. Accounting Records and Disclosure: Awardees and sub-recipients must maintain records which adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to grant or sub-grant awards matching funds and in-kind support, and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The awardee, and all its sub-recipients, should expect that SAMHSA, or its designee, may conduct a financial compliance audit and on-site program review of grants with significant amounts of Federal funding. Please reference the Reporting Requirements section for Audit Requirements.
10. Recipients must disclose, in a timely manner, in writing to the Federal awarding agency or

pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180 and 31 U.S.C. 3321).

11. Grant funds cannot be used to supplant current funding of existing activities. Under the HHS Grants Policy Directives, 1.02 General-Definition: Supplant is to replace funding of a recipient's existing program with funds from a Federal grant.

12. The recommended future support as indicated on the NoA reflects total costs (direct plus indirect). Funding is subject to the availability of Federal funds, the demonstration of matching funds, and acceptable documentation of the progress of the grant.

13. As required by the Federal Funding Accountability and Transparency Act of 2006, this new award is subject to the subaward and executive compensation reporting requirement of 2 CFR Part 170. Although the full text of this regulation is attached, you may access the language online at <https://www.fsrc.gov/>.

14. Per (45 CFR 75) and the HHS Grants Policy Statement, any copyrighted or copyrightable works developed under this shall be subject to a royalty-free, non-exclusive and irrevocable license to the government to reproduce, publish, or otherwise use them and to authorize others to do so for Federal government purposes. Income earned from any copyrightable work developed under this grant must be used as program income.

15. Program Income accrued under the award must be accounted for in accordance with (45 CFR Part 75.307) as applicable. Program income must be reported on the Federal Financial Report, Standard Form 425.

16. No HHS funds may be paid as profit (fees) per (45 CFR Part 75.215 (b)).

17. This award is subject to the requirements of Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104). For the full text of the award term, go to: <http://www.samhsa.gov/grants/grants-management/policies-regulations/additional-directives>.

18. Items that require prior approval from the awarding office as indicated in 45 CFR Part 75 must be submitted in writing to the Grants Management Officer (GMO), SAMHSA. Only responses to prior approval requests signed by the GMO are considered valid. Recipients who take action on the basis of responses from other officials do so at their own risk. Such responses will not be considered binding by SAMHSA. Post Award Changes and instructions may be found at www.samhsa.gov then click on "grants", then "grant".

19. The recipient is required to notify the Government Program Official (GPO) in writing if the Program Director (PD) or key personnel specifically named in the NoA will withdraw from the project entirely, be absent from the project during any continuous period of 3 months or more, or reduce time devoted to the project by 25 percent or more from the level that was approved at the time of award (for example, a proposed change from 40 percent effort to 30 percent or less

effort). SAMHSA must approve any alternate arrangement proposed by the recipient, including any replacement of the PD or key personnel named in the NoA.

Key staff (or key staff positions, if staff has not been selected) are listed below:

TBD, Project Director @ TBD level of effort
TBD, Project Coordinator @ TBD level of effort

20. Where a conference is funded by a grant or cooperative agreement the recipient must include the following statement on all conference materials (including promotional materials, agenda, and Internet sites): Funding for this conference was made possible (in part) by (insert grant or cooperative agreement award number) from ONDCP and SAMHSA. The views expressed in written conference materials or publications and by speakers and moderators do not necessarily reflect the official policies of the Executive Office of the President, the Office of National Drug Control Policy, or the Department of Health and Human Services; nor does mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government.

21. Recipients must comply with the requirements of the National Historical Preservation Act and EO 13287, Preserve America. The HHS Grants Policy Statement provides clarification and uniform guidance regarding preservation issues and requirements (pages I-20, "Preservation of Cultural and Historical Resources). Questions concerning historical preservation, please contact SAMHSA's Office of Program Services, Building, Logistics and Telecommunications Branch at 240-276-1001.

22. Executive Order 13410: Promoting Quality and Efficient Health Care in Federal Government Administered or Sponsored Health Care Programs promotes efficient delivery of quality health care through the use of health information technology, transparency regarding health care quality and price, and incentives to promote the widespread adoption of health information technology and quality of care. Accordingly, all recipients that electronically exchange patient level health information to external entities where national standards exist must: (refer recipient to link to access information)

Use recognized health information interoperability standards at the time of any HIT system update, acquisition, or implementation, in all relevant information technology systems supported, in whole or in part, through this agreement/contract. Please consult <http://www.hhs.gov/healthit> for more information; and

Use recognized health information interoperability standards at the time of any Health Information Technology (HIT) system update, acquisition, or implementation, in all relevant information technology systems supported, in whole or in part, through this agreement/contract. Please consult <http://www.healthit.gov> for more information.

REPORTING REQUIREMENTS:

DFC Management and Evaluation (DFC *Me*) System:

DFC *Me* is the Drug-Free Communities (DFC) Support Program's new interactive system designed to improve communication and help your coalition better manage its DFC grant.

DFC *Me* is also your one-stop shop for submitting Semi-Annual Progress Report, sharing best practices, receiving the latest program and training updates, and also provides you with the ability to request technical assistance.

DFC recipients are required to provide data every two years on the following core measures for alcohol, tobacco, marijuana, and prescription drugs for three grades (6th – 12th):

Past 30-day use

Perception of risk or harm

Perception of parental disapproval of use

Perception of peer disapproval of use

All DFC recipients, Program Directors and Project Coordinators identified on the DFC grant application will be provided access to the DFC *Me* system. Access to the DFC *Me* system will be provided in the next few months. For more information on the DFC *Me* system, please contact your GPO (identified on your Notice of Grant Award) or the DFC National Evaluation Team at dfc_evaluators@icfi.com.

Reporting Deadlines:

Semi-Annual Progress Reports for all FY 2016 DFC Grant recipients are on the following dates:

Friday, February 17, 2017

Friday, August 18, 2017

All Year 1 recipients will report baseline core measure data on Friday, February 20, 2017. This is the data provided in your initial application to the DFC Program or the most recent core measure data available to you.

Year 6 recipients who received continuous funding between Years 5 and 6 will remain on the core measure reporting schedule established in the first five years of DFC funding. Year 6 recipients who have not had sequential years of DFC funding will need to speak with the DFC National Evaluation Team to determine when to report core measures. Please contact the DFC National Evaluation Team at dfc_evaluators@icfi.com for more information.

Annual Coalition Classification Tool:

In addition, all DFC recipients must complete the Coalition Classification Tool (CCT) once per year:

Friday, August 18, 2017

Financial Reports:

Federal Financial Report (FFR) – (Standard Form 425) is required on an annual basis and must be submitted no later than 90 days after the end of the budget period. The FFR should only include those funds authorized and disbursed during the timeframe covered by the report.

Failure to comply with the above stated terms and conditions may result in suspension, termination of this award or denial of funding in the future. See the DFC Program's Progressive Discipline and Appeals Process at

<https://www.whitehouse.gov/ondcp/information-for-current-grantees#Progressive>.

All responses to special terms and conditions of award and post award requests may be Electronically mailed to the Grants Management Specialist and to the Program Official as identified on your Notice of Award.

It is essential that the Grant Number be included in the SUBJECT line of the email.

ALL PREVIOUS TERMS AND CONDITIONS REMAIN IN EFFECT UNTIL SPECIFICALLY APPROVED AND REMOVED BY THE GRANTS MANAGEMENT OFFICER.