

	Department of Human Services CHILDREN, ADULTS & FAMILIES	NUMBER: I-C.6 OAR: 413-050-0500 / 0585
	CLIENT SERVICES MANUAL I	SECTION: C. Supportive Services
	ISSUED BY: Office of Safety and Permanency for Children EFFECTIVE DATE: January 1, 2005	SUBSECTION:
SUBJECT: Domestic Violence Fund - Oregon Administrative Rules		

Responsible Manager: Manager,
Protective Services

Approval: _____
Administrator, Office of
Safety and
Permanency for
Children

Interpretation:
Protective Services

Program Coordinator,

REFERENCES: ORS 418.005
ORS 108.610

413-050-0500 Policy

These rules (OAR 413-050-0500 to 413-050-0590) provide procedures for the Department of Human Services (Department) to fund programs from the Domestic Violence Fund. The 1981 Oregon Legislature established this fund to provide intervention on behalf of and support for victims of domestic violence. The Department is authorized to enter into grant contracts with public agencies or private non-profit organizations to support operation by those organizations and agencies of programs designed to prevent, identify, and treat family violence.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 108.610 to 108.660

413-050-0510 Definitions

- (1) "Crisis line" is defined in ORS 108.610(2) and means an emergency telephone service staffed by persons who are trained to provide emergency peer counseling, information, referral, and advocacy to victims of domestic violence and their families.
- (2) "Domestic and Sexual Violence Fund Advisory Committee" means the Domestic and Sexual Violence Fund Advisory Committee established in OAR 413-050-0530.
- (3)
 - (a) "Domestic violence", defined by ORS 108.610, means the physical injury, sexual abuse or forced imprisonment, or threat thereof, of a person by another person who is related by blood, marriage or intimate cohabitation at the present or has been related at some time in the past, to the extent that the person's health or welfare is harmed or threatened thereby.
 - (b) "Domestic violence" includes a pattern of assaultive or coercive behaviors including physical, sexual, psychological, and emotional abuses, as well as economic coercion that adults use against their intimate partners to gain power and control in that relationship.
- (4) "Domestic Violence Fund" means the fund established by ORS 108.660.
- (5) "Family Violence Prevention Program" means the program within the Department funded by the Domestic Violence Fund and other related funds as available to provide shelter and related services to victims of domestic violence.
- (6) "Grantee" means a proposer that has been awarded a grant by the Department from the Domestic Violence Fund to support one or more of the projects and programs described in OAR 413-050-0515.
- (7) "Proposer" means a public agency or private non-profit organization that meets the minimum criteria contained in OAR 413-050-0515 and that applies to the Department for funding from the Domestic Violence Fund to support one or more of the projects and programs described in OAR 413-050-0570.
- (8) "Safe house" means a place of temporary refuge, offered on an as needed basis to survivors of domestic violence and their families.
- (9) "Shelter home" or "shelter facility" means a place of temporary refuge, offered on a 24 hours a day, seven days a week basis to survivors of domestic violence and their children.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0515

Qualified Services

The Department uses the Domestic Violence Fund to make grants to nonprofit private organizations and public agencies to fund programs and projects designed to prevent, identify, and treat domestic violence. Grants from the Domestic Violence Fund may be made to:

- (1) Fund shelter homes for victims of domestic violence
- (2) Fund crisis lines providing services to victims of domestic violence and their families
- (3) Fund safe houses for victims of domestic violence and their families
- (4) Develop and establish programs for professional and paraprofessional personnel in the fields of social work, law enforcement, education, law, medicine, and other relevant fields who are engaged in the field of the prevention, identification, and treatment of domestic violence and training programs in methods of preventing domestic violence

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0530

Advisory Committee

- (1) The Domestic and Sexual Violence Fund Advisory Committee (DSVFAC) established in OAR 413-050-0530 serves as the advisory committee to the Domestic Violence Fund Program. Members are elected and serve terms in accordance with the bylaws established by the advisory committee. Copies of DSVFAC bylaws and other open records are available by contacting the Department.

- (2) The Department will consult with the advisory committee regarding the administration of the Family Violence Prevention Program and each proposed change that substantially affects the program's operation.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0535

Criminal History Checks

- (1) A grantee must obtain a criminal history record check on each potential employee or volunteer who will work with victims of domestic violence.
- (2) A grantee must develop a written policy or procedure that governs the review of the criminal history record of potential employees and volunteers and the determination of whether a potential employee or volunteer, if there is a criminal history, poses a risk to working safely with victims of domestic violence. The policy or procedure must provide that the review include an examination of—
 - (a) The severity and nature of crime that appears in the criminal history;
 - (b) The number of criminal offenses;
 - (c) The time elapsed since commission of each crime;
 - (d) The circumstances surrounding each crime;
 - (e) The subject individual's participation in counseling, therapy, education, or employment evidencing rehabilitation or a change in behavior, and
 - (f) The police or arrest report and whether that report confirms the employee's or volunteer's explanation of the crime.
- (3) If the grantee determines that the potential employee or volunteer does not pose a risk to working safely with victims of domestic violence and chooses to hire the employee or volunteer, the grantee must explain in writing the reasons for hiring the individual. The written explanation must address how the potential employee or volunteer is presently suitable or able to work with victims of domestic violence in a safe and trustworthy manner, based on the policy or procedure described in

section (2) of this rule. The grantee must place the written explanation in the personnel file of the employee or volunteer along with the employee's or volunteer's criminal history record.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0555

Shelter Standards

Grantees that provide shelter homes or shelter facilities must:

- (1) Comply with applicable zoning, fire, sanitary and safety regulations
- (2) Post emergency instructions in English and other primary languages used in the geographic area where the shelter home is located
- (3) Maintain an operating telephone
- (4) Provide drinking water that meets Health Division standards
- (5) Maintain medicines in locked cabinets or areas
- (6) Have first aid supplies available
- (7) Protect children from items of potential danger
- (8) Have kitchen and emergency food supplies available reflective of the cultures present in the community
- (9) Have emergency clothing available
- (10) Maintain liability and fire insurance

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 - ORS 108.660

413-050-0560

Allocation of Funds

The Department uses an equitable distribution method for funding programs throughout the state. The distribution method must be reviewed by the Domestic and Sexual Violence Fund Advisory Committee.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0565

Department Selection Criteria and Rules

The Department will conduct periodically, at least once every five years, an application process for grant from the Domestic Violence Fund. The Department may conduct the application process jointly with other agencies of the State of Oregon that also award grants or provide financial assistance to nonprofit organizations that provide intervention and support services to victims of domestic violence. The application process includes but is not necessarily limited to—

- (1) Public notification of the availability of financial assistance from the Domestic Violence Fund;
- (2) Issuance of a request for grant proposals; and
- (3) Evaluation of the proposals and the award of grants from the Domestic Violence Fund in accordance with the process and criteria set forth in the request for grant proposals and this division of administrative rules.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0570

Applications for Funding

To be considered for funding, a proposer must include the following minimum information in its proposal:

- (1) Official business name of the proposer
- (2) Business address of the proposer
- (3) Name of the persons authorized to represent the proposer in any negotiations and to sign grant contract documents
- (4) Geographic areas the proposer is proposing to serve
- (5) A statement that no attempt has been made or will be made by the proposer to induce any other person or firm to submit or not submit a proposal, except through efforts to submit collaborative proposals
- (6) A statement that the proposer accepts all of the terms and conditions contained in the request for grant proposals
- (7) A written narrative describing how the proposer will provide services and meet the requirements of these rules
- (8) All other information required by the request for grant proposals

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 409.270 to 409.285

413-050-0575

Evaluation Process

- (1) An evaluation committee of the Department reviews proposals in accordance with the process and criteria set forth in the request for grant proposals and this division of administrative rules. Because the State of Oregon wishes to fund programs to deal with victims of domestic violence offenses in all geographic areas of the state, the Department considers, as part of the evaluation process, the geographic area of the state that will be served by the proposer.

- (2) The Department will approve, approve in part and reject in part, or reject each received proposal within 60 days after the submission deadline.
- (3) The Department will provide written notification by mail to each proposer no later than five working days after the final action is taken on its proposal.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610 to 108.660

413-050-0585

Confidentiality

- (1) If a grantee keeps the location of premises used to provide services under these rules confidential, the Department will not release that information.
- (2) Grantees must keep all individual information relating to people served by programs operating under these rules confidential.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 108.610