

	Department of Human Services CHILDREN, ADULTS & FAMILIES CLIENT SERVICES MANUAL I ISSUED BY: Office of Prevention & Child Safety EFFECTIVE DATE: January 7, 2003	NUMBER: I-C.6 OAR: 413-050-0500 / 0585
		SECTION: C. Supportive Services
		SUBSECTION:
SUBJECT: Domestic Violence Fund - Oregon Administrative Rules		

Responsible Manager: Manager,
Protective Services

Approval: _____
Administrator, Office of
Prevention and Child
Safety

Interpretation: Program Coordinator,
Protective Services

REFERENCES: ORS 418.005
ORS 108.610

POLICY

413-050-0500 OAR 413-050-0500 through 413-050-0590 provide procedures for the 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 grants or contracts with public agencies or private non-profit organizations to provide intervention and support services to victims of domestic violence.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

DEFINITIONS

413-050-0510 (1) "Applicant" means public agency or private non-profit organization that meets the minimum criteria outlined in 413-050-0515 and applies to the Department for funding from the Domestic Violence fund to operate qualified programs as described in 413-050-0570.

(2) **“Contractor”** means an Applicant/s that has been selected to provide services, to victims of domestic violence and their families through a grant or contract with the Department under these rules.

(3) **“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.

(4) **“Cultural Competency”** means a set of congruent behaviors, attitudes, and policies that come together in a system, organization or among professionals and enable that system or those professions to work effectively in cross cultural situations. It refers to a program’s ability, at the levels of policy, administration and practice, to honor and respect those beliefs, interpersonal styles, attitudes and behaviors of culturally diverse clients and the diverse staff who are providing services.

(5) **“CAF”**: means Children, Adults and Families, a policy and program area of the Department of Human Services (DHS).

(6) **“Department”** : means Department of Human Services.

(7) **“Domestic and Sexual Violence Fund Advisory Committee (DSVFAC)”**: means the Domestic and Sexual Violence Fund Advisory Committee established in OAR 413-050-0530.

(8) **“Domestic Violence Fund”** means the fund established by ORS 108.660 within the Department’s Account of the State General Fund.

(9) **“Domestic Violence”** means Family Violence, defined by ORS 108.610 to mean 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. Domestic violence includes a pattern of assaultive and/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.

(10) **“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.

(11) “Grantee(s)” means an Applicant/s that has been selected to provide services, to victims of domestic violence and their families through a grant or contract with the Department under these rules.

(12) “Safe house” means a place of temporary refuge, offered on an as needed basis to survivors of domestic violence and their families.

(13) “Shelter home or shelter facility” means a place of temporary refuge, offered on a 24-hour, seven-day per week basis to survivors of domestic violence and their children.

(14) “Underserved Populations” are communities or groups of people who face additional barriers to accessing services due to race, ethnicity, color, disability, primary language other than English, National origin, immigration status, geographic location, gender, age, sexual orientation, or poverty.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

QUALIFIED SERVICES

413-050-0515 (1) The Department shall use the Domestic Violence Fund to make grants to and enter into contracts with nonprofit private organizations or public agencies to fund programs and projects designed to prevent, identify and treat domestic violence. Grants or contracts under this subsection may be made to:

- (a)** Fund shelter homes for victims of domestic violence,
- (b)** Fund crisis lines providing services to victims of domestic violence and their families;
- (c)** Fund safe houses for victims of domestic violence and their families;
and
- (d)** 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.

(2) A program providing crisis lines, safe homes or shelter homes funded under this administrative rule, shall provide or coordinate with other agencies to provide the following related services:

- (a) Crisis Line;
- (b) Emergency Housing;
- (c) Intake and referral services;
- (d) Safety planning, domestic violence information and assistance with basic needs;
- (e) Resource advocacy and case management;
- (f) Age appropriate services for children and adolescents;
- (g) Transportation;
- (h) Peer Support; and
- (i) Community Collaboration, Education, and Training.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

ORGANIZATIONS ELIGIBLE FOR CONTRACT PROPOSALS OR GRANT APPLICATIONS

413-050-0525 Organizations that are eligible to apply for grants or contracts to provide services described in 415-055-0515 must:

- (1) Meet independent contractor status as defined in ORS 670.600.
- (2) Operate as a public agency or private non-profit organization;
- (3) Maintain accurate and complete financial records;
- (4) Provide support and intervention services, as described in 415-055-0515;
- (5) Operate under a governing board;

- (6) Network with other community resources;
- (7) Process criminal history checks as described in OAR 413-055-0135;
- (8) Provide employee and volunteer training as described in OAR 413-050-0540.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 108.610-.660

ADVISORY COMMITTEE

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

(2) The Department shall consult the advisory committee regarding ongoing administration of the Family Violence Prevention Program and any proposed change that substantially affects the program's operation.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 108.610-.660

Criminal History Checks

413-050-0535 (1) The Grantee/Contractor shall obtain a criminal history record check on any potential employee or volunteer that will work with victims of domestic violence.

(2) The Grantee/Contractor shall develop a written policy or procedure that governs the review of the criminal history record of potential employees or volunteers and the determination of whether the potential employee or volunteer, based upon the criminal history, poses a risk to working safely with victims of domestic violence. The policy or procedure shall provide that the review includes an examination of:

- (a) The severity and nature of the crime;
- (b) The number of criminal offenses;
- (c) The time elapsed since commission of the crime;
- (d) The circumstances surrounding the crime;
- (e) The subject individual's participation in counseling, therapy, education or employment evidencing rehabilitation or a change in behavior, and
- (f) The policy or arrest report and whether that report confirms the employee's or volunteer's explanation of the crime.

(3) If the Grantee/Contractor 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/Contractor shall explain in writing the reasons for hiring the individual. The written explanation shall 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 (2). The written explanation shall be placed in the personnel file of the employee or volunteer along with the employee's or volunteer's criminal history record.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

STAFF AND VOLUNTEER TRAINING

413-050-0540 Grantees/Contractors providing services under these rules shall train employees and volunteers prior to staff or volunteers having direct contact with victims.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

BOARD MEMBER ORIENTATION AND TRAINING

413-050-0545 Grantees/Contractors shall provide training to members of the Grantee's/Contractor's Board of Directors on domestic violence and Board responsibilities and liabilities.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 108.610-.660

CULTURALLY APPROPRIATE SERVICES

413-050-0550:The Grantee/Contractor shall offer culturally, racially and ethnically diverse groups and other underserved populations services like those offered to other groups and populations. Services shall be delivered in ways that are appropriate to the group or population served.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 108.610-.660

SHELTER STANDARDS

413-050-0555 Grantees or contractors that provide shelter homes or shelter facilities shall:

- (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; and

(10) Maintain liability and fire insurance.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

ALLOCATION OF FUNDS

413-050-0560: The Department shall use an equitable distribution method for funding programs throughout the state. The distribution method shall be reviewed by the Domestic and Sexual Violence Fund Advisory Committee.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

DEPARTMENT SELECTION CRITERIA AND RULES

413-050-0565 In making grants or contracts, CAF shall consider the geographic area of the state that will be served by the Applicant. CAF is committed to fund programs to assist victims of domestic violence in all geographic areas of the state. CAF shall also:

(1) Follow Department of Administrative Services business services policies and procedures to award grants or contracts including public notification of funding opportunities.

(2) Issue Requests for Applications no less than every 5 years.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

APPLICATIONS FOR FUNDING

413-050-0570 The Applicant shall provide the following information in their Application:

(1) Official business name;

(2) Business address;

(3) Name of the person(s) authorized to represent the Applicant in any negotiations and to sign grant agreement documents;

(4) Geographic area(s) the Applicant proposes to serve;

(5) A statement that no attempt has been made or will be made by the Applicant to

induce any other person or firm to submit or not submit an application, except through efforts to submit collaborative proposals;

(6) A statement that any submitted response and pricing shall remain valid for sixty (60) days after the application due date or until a grant agreement is approved, whichever comes first;

(7) A statement that the Applicant accepts all of the terms and conditions contained in the Request for Applications;

(8) A statement that the Applicant is public agency or a private non-profit organization; and

(9) A written narrative describing how the applicant will provide the services listed in the Qualified Services in OAR 413-050-0515 and meet the requirements of these rules.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

EVALUATION PROCESS

413-050-0575: Applications shall be reviewed by an evaluation committee. The Department shall approve or reject each application received within 60 days after the submission deadline. Written notification shall be mailed to the applicant no later than five working days after the final actions are taken on the applications.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 108.610-.660

CONTRACT MONITORING

413-050-0580: (1) The Department shall provide the forms to be used by the Grantees/Contractors in both statistical reports and financial reports.

(2) Grantees/Contractors shall submit statistics on services provided through the funded program(s). Statistics shall include the numbers of victims of domestic violence who have been served.

(3) Grantees/Contractors shall submit financial reports on the use of the funds granted by CAF.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 108.610-.660

CONFIDENTIALITY

413-050-0585: (1) The location of premises used to provide services under these rules shall be kept confidential.

(2) Grantees/Contractors shall keep all individual information relating to people served by programs operating under these rules confidential.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 108.610