



## State Board of Civil Legal Aid

**Category:** Finance  
**Policy Number:** 204(a)  
**Title:** Outgoing Grant Management  
**Effective Date:** July 1, 2025  
**Revision Date(s):**

### Outgoing Grant Management

#### **I. APPLICABILITY**

These procedures apply to all State Board of Civil Legal Aid employees who are involved in any aspect of administering and monitoring outgoing grants. These procedures apply to all grant agreements with the Board.

#### **II. PURPOSE**

These procedures implement the Board Policy 204 Grants by establishing uniform guidelines for the Board for administering outgoing grants.

#### **III. DEFINITIONS**

- A. **Applicant:** An individual or organization (private or nonprofit) who applies for grant funds from the Board.
- B. **Conflict of Interest:** A conflict of interest, actual or perceived, occurs when a person has actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties.
- C. **Grants:** Funding provided to an individual or organization (private or nonprofit) to be used for a public purpose. There are three types of grants:
1. **Legislatively Mandated Grant:** A legislatively mandated grant is a legislative appropriation in which the amount and purpose of a grant is named in law. In some legislatively mandated grants, the grantee organization is also named in law.
  2. **Competitive Grant:** A competitive grant is a grant that is awarded through an application process in which multiple grant applications are reviewed and grants are awarded to those applicants that most closely meet the selection criteria identified by the granting representative.
  3. **Single Sole Source Grants:** A single sole source grant is a type of non-competitive grant that is awarded to an entity because it is the only provider of a particular service.
- D. **Grant Agreement:** A legal document between grantee and grantor that defines grant terms and amounts, and is used to authorize payments.
- E. **Grant Agreement Amendment:** A grant agreement amendment is an addition, deletion or change to a grant agreement that is fully executed.

F. Grant Reviewer: A person designated based on knowledge or subject matter expertise, with the education and experience to review grant applications, interview potential grantees, recommend and award funding to grantees.

G. Grant Budget: A grant budget is a plan for all income and expenses for the grant project and is based on the grant work plan. Grant budgets typically include line items for salaries and benefits, contracted services, training, travel and transportation, equipment, office expenses, and program expenses.

H. Grant Progress Report: A grant progress report summarizes grant activities and outcomes for a given period. A progress report may have narrative, statistical and/or financial elements. Information requested in a grant progress report may include, but is not limited to: goals and objectives, activities, outcomes, challenges, lessons learned and financial information.

I. Notice of Grant Opportunity/RFP: A notice of grant opportunity or request for proposal is a document that notifies grant seekers of a competitive grant opportunity and includes information on grant requirements, selection criteria, timelines and process.

J. Pass-through Grants: Federal or state grants that are not received directly from the federal or state awarding agency, but are passed to the individual or organization through the Board.

K. Review Criteria: The review criteria for a competitive grant process are the standards by which the grant applications will be evaluated. Review criteria may include, but are not limited to the following: project need, project sustainability, soundness of approach, probability of achieving results, financial management capacity (accounting, timekeeping, and funds management), project funds raised to-date, geographic coverage, and knowledge of the community being served. The applicant's past performance as a grantee should also be considered when evaluating a grant application.

#### **IV. PROCEDURES**

The Board is responsible for ensuring that the objectives of the grant are consistent with the strategic priorities and goals of the Board and for ensuring that there is necessary staff and financial resources to issue and monitor the grant.

##### **V. Writing and Publicizing Grants Notices and Requests for Proposal**

The Board shall include sufficient information in notices of grant opportunities and requests for proposal (RFPs) so that potential applicants may make informed decisions about applying for Board grants. Notices of grant opportunities and RFPs shall include information about the grant program, application criteria, application and proposal requirements, contacts and grant reporting requirements.

Essential elements of a notice of a grant opportunity or RFP should include:

1. A description of the grant program;
2. The Board's goals and priorities in making the grants;
3. Eligibility requirements for applicants;
4. Grant outcome expectations and reporting requirements;

5. Deadlines and timelines for each step in the application and award process;
6. Amount of money for distribution;
7. Detailed application formatting instructions or an application template;
8. General information about the review process and a general overview of the composition of the review committee;
9. Requirements for in-kind or matching funds (if applicable); and
10. The name and contact information of a contact person.

At a minimum, the notice of a grant opportunity or RFP must be posted on the Board's public website. The Board should also consider additional methods to reach potential applicants.

#### B. Reviewer selection and requirements

Grant reviewers will be selected by the Board. Grant reviewer teams must be a minimum number of three grant reviewers. Grant reviewers are required to be accountable, transparent, and respectful of team members. Grant reviewers will need to gain understanding of guidelines, standards, criteria and expectations of grant program. Prior to grant review, grant reviewers must review the list of grantees and/or list of applicants to ensure compliance with the conflict of interest section C.

In order to assure that a review will be carried out fairly, during the review the following must be followed by reviewer:

- You can discuss applicants with the grant program manager at any time during the review process and with the team;
- You may not discuss scores, written comments, or the grant applicants with anyone outside the grant review team before or during the review;
- You may not contact applicants during the review process under any circumstances;

After the review, notes and comments taken and associated with the review must be submitted to the Grant Program Manager for grant file document support.

#### C. Conflict of Interest

The Board must work to deliberately avoid both actual and perceived conflicts of interest related to grant-making at both the individual and organizational levels. When a conflict of interest concerning state grant-making exists, transparency shall be the guiding principle in addressing it. Every grant reviewer shall be responsible for identifying where an actual or perceived conflict of interest exists and for informing appropriate parties. Employees must take affirmative actions to avoid, minimize or otherwise mitigate the impacts of actual or perceived conflicts of interest.

All grant reviewers involved in the review of grant applications must sign a conflict of interest disclosure form for each grant review in which they have been selected to review. On the conflict of interest disclosure form, each reviewer must identify any grant applicant with which they have an actual or perceived conflict of interest.

A grant reviewer must act immediately upon any suggestion or inquiry that a conflict of interest exists at any other point in the grants process. If it is determined that an actual or perceived

conflict of interest exists, it is important that appropriate steps be taken to avoid the conflict. These steps may include:

- a. reassigning the duties associated with that particular grant or grantee to another grant reviewer and/or;
- b. requiring the grant reviewer to remove themselves from the discussion or decision that is affected by the conflict.

At a minimum, the grant program supervisor, must be made aware of the actual or perceived conflict, even if it is not serious enough to remove or reassign the grant reviewer.

#### D. Rating Criteria for Competitive Grant Review

The Board shall ensure fairness, precision and consistency in competitive grant awards. A competitive grant review process shall be conducted using set review criteria.

Grant review criteria are selected and ranked according to their importance to the purpose of the grant program. Staff develops a grant application evaluation or scoring sheet that facilitates the scoring process and the sheet are used by all grant reviewers. After the grant review team has met and the evaluations and/or scores have been finalized, reviewers may make final funding recommendations that may also be based on geographic distribution, services to special populations, and applicant's history as a grantee and/or capacity to perform the work. If applicable, the Board should consider a grant applicant's performance on prior grants before making a new grant award of over \$5,000.

#### E. Use of Grant Agreements

The Board must use a written grant agreement for all grants. This applies to competitive, legislatively-mandated, and single sole source grants.

Grant agreements must:

1. Cite the statutory authority to make grants and the authority for that particular grant program.
2. Specify the scope and timeline for the work, the grantee's duties in carrying out the grant and information about how grant payments will be made.
3. Contain standard contract language and assurances, including but not limited to clauses regarding liability, data privacy and intellectual property, worker's compensation, and provisions concerning federal funds. If lengthy grant requirements are incorporated into the grant agreement by reference, it should be done in such a manner that the requirement can be easily identified and located by the grantee.
4. Contain the name and phone number of the grant manager as well as the grantee's authorized representative.
5. Incorporate all attachments.

Grant funds must be encumbered prior to the execution of the grant agreement. The grant agreement must be signed by all parties. Grant agreements are not considered to be in effect until they are signed by the authorized representatives of the Board and the grantee.

#### F. Policy on Grant Amendments

Fully executed grant agreements and grant agreement amendments are legally binding documents for enforcing the terms of a grant and any changes made to the terms of the grant agreement must be made via a fully-executed amendment or other legally-approved method. Grant agreements may be amended only when the purpose of the amendment is similar to the purpose of the grant agreement and when the grantee duties are within the scope of the original request for proposal or notice of grant opportunity. Grants agreements must be amended whenever there are changes to the total obligation, compensation or the expiration date. The grant amendment must clearly indicate what is being added, deleted or changed. Grant agreement attachments and exhibits may also be revised as part of a grant amendment. All amendments must be numbered and approved in the same manner as the original grant agreement.

#### G. Single Sole Source Grants

Single sole source grants are to be used when only one entity or organization is reasonably able to meet a grant's intended purpose and objectives, due to their geographic location, specialized knowledge, relationships or specialized equipment. If more than one entity is reasonably able to meet the grant's purpose and objectives, a competitive process must be used. If a single sole source grant of over \$5,000 is made, the Board must document research and justification why a single sole source process was the only reasonable option by completing the Single Sole Source Grant Justification Form. The completed and approved justification form should be kept in the corresponding grant file.

#### H. Grant Payments

The Board shall specify the method and schedule of payments for each grant in the grant agreement. Grant payments may not be issued until the funds are encumbered and the grant agreement is fully executed.

Reimbursement is the preferred method for making grant payments. Grantee requests for reimbursement must correspond to the line items in the approved grant budget (i.e. personnel costs, indirect costs, equipment costs). The Board's authorized representative or their successor, named in the grant agreement, shall review each request for reimbursement against the approved grant budget, grant expenditures to-date and the latest grant progress report before approving payment.

Although they are not preferred, advance payments on grants may be allowed in certain situations. Before making an advance grant payment, staff must be confident that the grantee will be able to account for the grant funds and abide by the terms of the grant agreement, based on their past performance as a grantee of the Board. Advance payments must have written justification or include a justification in the grant agreement that details the specific need to utilize advance payments. The written justification must be approved by the Program Administrator. A copy of the signed justification must be maintained in the grant file.

#### V. Policy on Grant Progress Reports and Monitoring

The staff shall monitor progress on all grants by requiring grantees to submit written progress reports at least semi-annually until all grant funds have been expended and all of the terms in the grant agreement have been met. Staff shall determine content requirements that best meet their

needs in evaluating the outcomes of the grant program. Grant payments shall not be made on grants with past due progress reports. Grant reporting requirements are detailed in the grant agreement. Staff will review submitted grant progress reports and follow-up with the grantee if there are questions or concerns.

A financial reconciliation should be conducted quarterly. The reconciliation should contain the support documentation for the request for payment for a given period. Such support will consist of payroll register reports, expenditure detail reports or reports that provide sufficient information to satisfy a reconciliation and review from grant staff. Spot checks of purchase orders, receipts, and other support documentation will be performed on a periodic basis, determined by grant staff, to ensure adequate documentation is maintained and that accurate and appropriate payments/purchases are being made by the grantee. The documentation of financial reconciliation must be kept in the grant file.

Staff shall conduct at least monitoring visits on grants of over \$250,000 at least once per biennium. Staff may conduct monitoring visits in person or by telephone; it is recommended that the visits occur in person whenever possible. Documentation from monitoring visits must be kept in the grant file. Staff shall schedule monitoring visits, giving grantees adequate notice and preparation time.

**J. Legislatively Mandated Grants**

The Board must manage legislatively mandated grants with the same level of oversight applied to other grants, while respecting and maintaining the legislative intent. The Board must require grantee organizations that are named in legislation to submit a grant work plan and budget. The grant agreement shall be based on the legislation, the grant work plan and budget submitted by the grantee, and negotiations between the Board and the grantee. Legislatively mandated grants shall be monitored using the same standards applied to other types of grants.

In situations in which the purpose and amount of a grant is stated in law, but the grantee organization is not stated, the Branch must use either a single sole source or competitive process to select the grantee.

**V. RECORDS RETENTION:**

Grant contracts and related documents, after the end date of an agreement, should be retained for seven fiscal years plus the current fiscal year. All documents must be kept in a secure location.

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State Board of Civil Legal Aid, Chair

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Date