

OFFICE OF THE ATTORNEY GENERAL

Support Adoption Grant Program

FY 2024-2025 Grant Application Kit

**APPLICATION DEADLINE:
5:00 p.m. CDT
Friday, September 1, 2023**

This Kit contains the following:

- I. General Instructions**
- II. Definitions**
- III. Specific Instructions for Excel Workbook**
- IV. Certifications and Assurances**
- V. Required Documents for Submission of the Application**

I. GENERAL INSTRUCTIONS

Support Adoption Grant Program

How to Obtain an Application Kit

The Office of the Attorney General (OAG) will post the Application Kit on the OAG's official agency website at <https://www.texasattorneygeneral.gov/divisions/grants>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicant Organizations are encouraged to refer to this site regularly.

This Application Kit provides the information and forms necessary to prepare an Application for funding through the OAG. An Applicant Organization may only submit one application under this application cycle.

Applicant Registration

In order to register, an Applicant must designate one person as the point of contact to submit its grant application. To request to apply for an application, the Applicant must email the following point of contact information to Grants@oag.texas.gov:

- First Name
- Last Name
- Email Address
- Organization Legal Name

The point of contact will receive a response from the Grants@oag.texas.gov email address. If the Organization Legal Name provided is a Non-Profit with 26 U.S.C. § 501(c)(3) status, in good standing with the Comptroller of Public Accounts, and “in existence” with the Secretary of State, the point of contact will receive the FY 2024-2025 Support Adoption Excel Grant Application to complete and submit to Grants@oag.texas.gov by the deadline. If a request is received from an individual (not representing an organization) or an agency which is not a Non-Profit, the requester will receive notice that they did not meet the criteria to receive a grant application.

If an Applicant does not receive an application, or a response that they did not meet the criteria for an application, from Grants@oag.texas.gov within two business days of requesting an application, it is the responsibility of the Applicant to follow-up with Grants@oag.texas.gov or call 512-936-0792 to inquire about their status.

The OAG strongly encourages Applicants to register by Friday August 18, 2023 in order to have sufficient time to complete the application.

Application Submission – Deadline is 5:00pm CDT on Friday September 1, 2023

The Application consists of an Excel workbook, Attachment A and Attachment B.

The Applicant Organization must submit, via e-mail, an Application for Support Adoption Grant Program funding to be received by the OAG no later than 5:00 p.m. CDT on Friday September 1, 2023, to be considered for funding. **To meet the deadline, the application must be submitted via e-mail.**

Required E-mail Submission:

- The Applicant Organization must submit:
 - One (1) Application (Excel workbook)
 - Attachment A
 - Attachment B

The Excel workbook must be sent to the following e-mail address: Grants@oag.texas.gov.

- An auto-reply message will be generated by the OAG for e-mail received at this address.

The OAG accepts no responsibility for delays in submission, electronic or otherwise. Applicants are strongly advised to allow for and anticipate any such delays by submitting the Application as early as possible.

Please contact the OAG at Grants@oag.texas.gov or (512) 936-0792 if there are any questions about the method of delivery. To better assist Applicants with their questions, the preferred method of contact is email. The OAG will not consider or fund an Application if it is not submitted by the due date and in the manner required.

Required Software

Microsoft Excel 97 or newer version as well as the *Internet* is required to create an on-line account, complete the Application, and apply for a grant. It is recommended to use the latest version of Google Chrome or Mozilla Firefox. Please note that not all versions of Microsoft Excel are the same. If an error message is received, save the Excel document as *.xls*, instead of *.xlsx*. *Adobe Reader* is required to access the Application Instructions. *Adobe Reader* can be downloaded for free at www.adobe.com.

Availability of Funds

The Support Adoption account is authorized by Chapters 504.662 and 521.015 of the Transportation Code, and Chapter 402.036 of the Government Code, and is funded by fees collected for the purchase of a Support Adoption License Plate, as well as gifts, grants, donations, and legislative appropriations. The OAG is authorized to administer grants to eligible organizations. The OAG makes no commitment that an Application, once submitted, or a grant, once funded, will receive subsequent funding.

Grant Period – Up to Two Years

The term of this grant is up to two years from November 1, 2023 through August 31, 2025, subject to and contingent on funding and approval by the OAG. If the grant period extends for more than one state fiscal year, the grantee will be required to submit additional documentation relating to the second fiscal year of the grant period, including an updated budget. The OAG may base its decision for the

second fiscal year funding amounts on the grantee's first year performance, including but not limited to: the timeliness and thoroughness of reporting, effective and efficient use of grant funds, and the success of the project in meeting its goals.

Eligible Applicant Organizations

An Applicant Organization must be a Non-Profit, as well as either an 1) adoption agency, 2) as defined by Family Code Section 162.402; an authorized agency, as defined by Family Code Section 162.402; or 3) be an eligible organization, as defined by Government Code Section 402.036(g)(1), to apply for the Support Adoption Grant Program. Non-profit Applicants with 26 U.S.C. § 501(c)(3) status must be in good standing with the Comptroller of Public Accounts and "in existence" with the Secretary of State.

- An adoption agency is a person, other than a natural parent or guardian of a child, who plans for the placement of or places a child in the home of a prospective adoptive parent. *See* Texas Family Code section 162.402(4).
- An authorized agency is a public agency authorized to care for or to place children for adoption or a private entity approved for that purpose by the Department of Family and Protective Services (DFPS) through a license, certification, or other means. The term includes a licensed child-placing agency or a previously licensed child-placing agency that has ceased operations and has transferred its adoption records to the vital statistics unit or an agency authorized by the DFPS to place children for adoption and a licensed child-placing agency that has been acquired by, merged with, or otherwise succeeded by an agency authorized by the DFPS to place children for adoption. *See* Texas Family Code section 162.402(7).
- Other eligible organizations must meet all of the following requirements:
 - An organization that provides services in this state and is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt charitable organization under Section 501(c)(3) of that code;
 - Provides counseling and material assistance to pregnant women who are considering placing their children for adoption or to prospective adoptive parents;
 - Does not charge for services provided, except for adoption-related costs or fees;
 - Does not provide abortions or abortion-related services, or make referrals to abortion providers;
 - Is not affiliated with an organization that provides abortions or abortion-related services or makes referrals to abortion providers; and
 - Does not contract with an organization that provides abortions or abortion-related services or makes referrals to abortion providers.

Eligible Budget Categories

The following are the only eligible budget categories. However, allocations to any of these categories are dependent upon the sole discretion of the OAG. Refer to program purpose areas and budget detail items.

- Personnel
- Fringe Benefits
- Professional and Consultant Services
- Travel
- Supplies
- Other Direct Operating Expenses

Ineligible Costs

Ineligible costs include, but are not limited to:

- Paying for overtime, out-of-state travel, dues, or lobbying
- Purchasing or leasing vehicles
- Purchasing promotional items or recreational activities
- Paying for travel that is unrelated to the direct delivery of services that support the OAG-funded program
- Paying consultants or vendors who participate directly in writing a grant application
- Purchasing any other products or services the OAG identifies as inappropriate or unallowable
- Any unallowable costs set forth in any applicable state or federal cost principles
- Administrative (this includes, but is not limited to equipment and office supplies), legal or capital expenses
- Indirect Costs

Ineligible Activities

Ineligible activities include, but are not limited to:

- Activities related to providing abortions or abortion-related services, or making referrals to abortion providers

Funding Level

The minimum grant request the OAG will consider is \$2,500. Applications requesting an amount below the minimum will not be considered.

As of the date this Application Kit is published, the amount available for award in the Support Adoption account is approximately \$30,000. If an application is awarded, the budget may be adjusted by the OAG.

Match Requirements

There are no match requirements for the Support Adoption Grant Program.

Volunteer Requirements

There are no volunteer requirements for the Support Adoption Grant Program.

State and Federal Requirements

All Applicant Organizations should review and be familiar with the [OAG administrative rules Chapter 54, Subchapter A](#), which governs this grant program.

In addition to the OAG's administrative rules, Applicants should be familiar with the [Texas Grant Management Standards \(TxGMS\)](#) and relevant Code of Federal Regulations (CFR) that relate to state, and if applicable, federal grant funding.

- The relevant Code of Federal Regulations are the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards under [2 CFR 200](#).

Contact Information

Assistance with technical questions about registration, the Application Kit, or application submission is available via:

- Email: Grants@oag.texas.gov
- Phone: (512) 936-0792

Email is the preferred method for submitting questions. Each person submitting a question should include his/her name, the name of the organization, an email address, a phone number, and if applicable, the Reference ID Number. Please note that OAG staff cannot assist with writing Applications.

Support Adoption Grant Program Requirements and Definitions

The purpose of the Support Adoption Grant Program is to provide funds as described in Chapter 402 of the Government Code.

Support Adoption Grant Program Purpose Areas: Grant contracts awarded under this Support Adoption Grant Program Application Kit may be used to:

- provide for the material needs of pregnant women who are considering placing their children for adoption, including the provision of clothing, housing, prenatal care, food, utilities, and transportation,
- provide for the needs of children who are awaiting placement with adoptive parents,
- provide training and advertising relating to adoption,
- provide pre-adoption counseling, and
- provide post-adoption counseling.

Funding for Applications may be prioritized for pre-adoption counseling, post-adoption counseling, and advertising relating to adoption. Applicants are encouraged to prioritize their needs and explain the reason for their funding request.

Required Training

Applicants awarded grants will be required to complete training on cyber security within the first six months of the award. The Texas Department of Information Resources currently offers a free training ([Statewide Cybersecurity Awareness Training](#)) which will meet this requirement.

Review and Scoring Process

The OAG will review each timely, completed Application filed by an eligible Applicant Organization.

- At any time during the review process, an OAG staff member may contact the Applicant Organization for additional information.
- All areas of the budget are subject to review and approval by the OAG. Decisions related to the budget are based on both eligibility and reasonableness.
- The information provided by the Applicant Organization in the Application may be scored or reviewed.

- The OAG may check or verify any information submitted by the Applicant Organization.

Grant Decisions

All grant decisions including, but not limited to, eligibility, evaluation and review, and funding rest completely within the discretionary authority of the OAG. The decisions made by the OAG are final and are not subject to appeal.

The OAG is not obligated to award a grant at the total amount requested and/or within the budget categories requested. The OAG reserves the right to make awards at amounts above and/or below the stated funding levels.

Funding Priority

The OAG reserves the right to consider all other appropriations or funding an Applicant Organization currently receives when making funding decisions. The OAG may give priority to programs that provide services in certain geographic or programmatic areas or other factors considered important by the OAG.

Grant Award Notification

The Applicant shall be notified in writing of the OAG's decision regarding a grant award. The OAG may utilize a grant contract document and/or a notice of grant document once a decision is made to award a grant. The Applicant will be given a deadline to accept the grant award and to return the appropriate document to the OAG within the time prescribed by the OAG. An Applicant's failure to return the signed document, via DocuSign, to the OAG within the prescribed time period will be construed as a rejection of the grant award, and the OAG may de-obligate funds.

Special Conditions

The OAG may assign special conditions at the time of the award. Until satisfied, these special conditions may affect the Applicant Organization's ability to receive funds. If special conditions are not resolved, the OAG may de-obligate funds up to the entire amount of the grant award.

Reporting Requirements

If an Application is funded, grantees will be required to report to the OAG in the manner and schedule as determined by the OAG. If Reports are not submitted by the set dates, this may affect the Applicant Organization's ability to receive funds. Reporting on grant project activities such as outputs and outcomes via semi-annual Performance Reports will be required.

Method of Payment

OAG grants are paid on a cost-reimbursement basis. Grantees will be required to submit invoices monthly no later than 20 calendar days after the end of the month being reported. All requests for reimbursement must be supported with documentation (timesheets for Personnel billed to the grant, invoices for services/products, contracts with providers, or other written agreements, etc.).

II. DEFINITIONS

The following are definitions pertaining to the Support Adoption Application Kit:

Adoption Agency: A person, other than a natural parent or guardian of a child, who plans for the placement of or places a child in the home of a prospective adoptive parent. *See* Texas Family Code Section 162.402(4).

Adoption-Related Advertising: To promote or publicize information directly related to adoption as it pertains to the Support Adoption Grant Program, via print, broadcast, or social media; direct mail or e-mail; or other appropriate methods of disseminating information.

Adoption-Related Training: Providing training sessions and conferences related to adoption, as well as providing materials, books, manuals, pamphlets, or electronic media about adoption.

Authorized Agency: A public agency authorized to care for or to place children for adoption or a private entity approved for that purpose by the Department of Family and Protective Services (DFPS) through a license, certification, or other means. The term includes a licensed child-placing agency or a previously licensed child-placing agency that has ceased operations and has transferred its adoption records to the vital statistics unit or an agency authorized by the DFPS to place children for adoption and a licensed child-placing agency that has been acquired by, merged with, or otherwise succeeded by an agency authorized by the DFPS to place children for adoption. *See* Texas Family Code section 162.402(7).

Clothing: Garments, apparel, shoes, and other attire.

Housing: Shelter, lodging or dwelling place for pregnant women who are considering placing their children for adoption.

Material Needs: Includes the provision of clothing, housing, prenatal care, food, utilities, and transportation for pregnant women who are considering placing their children for adoption.

Needs of Children: Health, medical, food, clothing, shelter, and other related necessities for a child who is awaiting placement with adoptive parents.

Post-Adoption Counseling: Specialized area of counseling to strengthen and assist in the adjustment process after placement.

Pre-Adoption Counseling: Specialized area of counseling that offers education, guidance, assistance with decision-making and relational issues, and support for the journey prior to placing a child for adoption.

Prenatal Care: Any health-related care given to women while they are pregnant and considering placing their children for adoption.

Transportation: The act or means of traveling from one place to another for women who are considering placing their children for adoption.

Utilities: Service provided by a public service, including electricity, gas, or water for pregnant women who are considering placing their children for adoption.

III. Specific Instructions for Excel Workbook

Section 1: Organization Identification and Operating Budget

- Provide the Legal Name of the Applicant Organization and mailing address, including city and zip code.
- Enter the Applicant Organization Contact name, email address, title and phone number in the event the OAG has any questions about the Application.
- Enter the current annual budget total for the Applicant Organization.

Section 2: Eligibility

Input “Yes” or “No” next to each of the items listed. Do not leave any blanks. Note: If you cannot answer in the affirmative to an eligibility group criterion, you are not an eligible Applicant Organization.

Section 3: Organization Detail, Grant Narrative and Grant Budget Related Questions

All responses must fit in the text boxes provided when the Application is printed. Any information that does not appear in the text box (in print preview) may not be reviewed or scored. It is highly recommended that you write your responses on a separate document, then cut and paste it into the Excel document. If you are uncertain whether a response fits in the space provided, use the “print preview” function of your computer, or print out the respective page to confirm.

IV. OAG Certifications and Assurances

THE OAG HAS ADOPTED THE FOLLOWING CERTIFICATIONS AND ASSURANCES AS APPLICABLE TO ALL RECIPIENTS OF SUPPORT ADOPTION FUNDS.

The Applicant agrees to:

(1) Comply with Texas Government Code, Chapter 573, (Prohibitions on Nepotism), by ensuring that no officer, employee, or member of the Applicants governing body or of the Applicant's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two (2) years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

(2) Comply, as applicable, with Texas Government Code, Chapter 552, ("Texas Public Information Act") which requires the public information that is collected, assembled, or maintained by the Applicant to be available to the public during normal business hours.

(3) Comply, as applicable, with Texas Government Code, Chapter 551, ("Texas Open Meetings Act") which requires all regular, special, or called meeting of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

(4) Comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.

(5) If Applicant is a health and human services agency or public safety or law enforcement agency, it may not contract with or issue a license, certificate, or permit to the owner, operator, or administrator of a facility if the license, permit, or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.

(6) If Applicant is a law enforcement agency regulated by Texas Occupations Code, Chapter 1701 ("Law Enforcement Officers"), it must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer pursuant to Chapter 1701 or must provide the OAG with a certification from the Texas Commission on Law Enforcement that the agency is in the process of achieving compliance with such rules.

(7) Agrees that when incorporated into a grant award or contract, these standard assurances become terms or conditions for receipt of grant funds and that the Applicant shall maintain an appropriate contract administration system to ensure that all terms, conditions, and specifications are met.

(8) Comply with the Texas Family Code, Section 261.101 which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Family and Protective Services. Applicant shall also ensure that all program personnel are properly trained and aware of this requirement.

(9) Comply with federal statutes relating to nondiscrimination. These include, the following: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis

of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps, and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. 6101- 6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which Application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the Application.

(10) Comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction sub-agreements.

(11) Comply, as applicable, with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P. L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

(12) Comply with the provisions of the Hatch Political Activity Act (5 U.S.C. 7321-29) which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

(13) Comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

(14) Insure, as applicable, that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities, and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA, (EO 11738).

(15) Comply, as applicable, with the flood insurance purchase requirements of 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102(a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

(16) Comply, as applicable, with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

(17) Comply, as applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

(18) Comply, as applicable, in assisting the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

(19) Comply, as applicable, with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm-blooded animals held for research, teaching, or other activities supported by this award of assistance.

(20) Comply, as applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.

(21) Comply, as applicable, with Public Law 103-277, also known as the Pro-Children Act of 1994 (Act), which prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

(22) Comply, as applicable, with all federal tax laws and are solely responsible for filing all required state and federal tax forms.

(23) Comply, as applicable, with all applicable requirements of all other federal and state laws, executive orders, regulations, and policies governing this program.

(24) Certifies, as a signatory party to the grant contract, that it is not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs or other state grant programs.

(25) Comply, by adopting and implementing the applicable provisions of the model HIV/AIDS workplace guidelines of the Texas Department of State Health Services, as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

B. Other Certifications and Assurances

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM CERTIFICATION

The Applicant certifies that if it is required to file an Equal Employment Opportunity Plan (EEOP), the Applicant will do so in compliance with the applicable federal requirements.

DISCLOSURE AND CERTIFICATION REGARDING LOBBYING

The Applicant certifies:

1. No federal/state appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with the awarding of any federal/state contract, the making of any federal/state grant, the making of any federal/state loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal/state contract, grant, loan, or cooperative agreement; and
2. If any non-federal/state funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress or the Texas Legislature, an officer or employee of Congress or the Texas Legislature, or an employee of a member of Congress or the Texas Legislature in connection with this federal/state contract, grant, loan, or cooperative agreement, the undersigned shall contact the Grants Administration Division of the OAG for the "Disclosure Form to Report Lobbying."

NON-PROCUREMENT DEBARMENT CERTIFICATION

The Applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from participation in this transaction by any federal department or state agency;
- (b) Have not within a three-year period preceding this Application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this Application had one or more public transactions (Federal, State, or local) terminated for cause or default.

If Applicant is unable to certify to any of the statements in this Non-procurement Debarment certification, the Applicant shall attach an explanation. Funding is contingent upon OAG review of this explanation.

CERTIFICATION REGARDING ABORTION

The applicant certifies that it neither contracts with, nor utilizes any grant-funding or grant-funded resources or personnel to provide abortion services or referrals for abortion services. Additionally, the applicant certifies that it is not an abortion provider or an affiliate of an abortion provider under Texas Government Code section 2273.003 (“Abortion Provider and Affiliate Transactions Prohibited”).

DRUG-FREE WORKPLACE CERTIFICATION

The Applicant certifies that it will provide a drug-free workplace by:

A. Publishing a statement notifying employees/assignees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant’s workplace and specifying the actions that will be taken against employees for violation of such prohibition.

B. Establishing a drug-free awareness program to inform employees/assignees about:

1. The dangers of drug abuse in the workplace;
2. The Applicant’s policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees/assignees for drug abuse violations.

C. Making it a requirement that each employee/assignee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (A).

D. Notifying the employee/assignee in the statement required by paragraph (A) that, as a condition employment/assignment under the grant, the employees/assignee will:

1. Abide by the terms of the statement, and
2. Notify the Applicant and OAG, of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.

E. Notifying the agency within ten days after receiving notice under subparagraph (D)(2) from an employee/assignee or otherwise receiving actual notice of such conviction.

F. Taking one of the following actions with respect to any employee/assignee so convicted:

1. Taking appropriate personnel action with respect to any employee/assignee so convicted.
2. Requiring such employee/assignee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

G. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of paragraphs (A), (B), (C), (D), (E), and (F).

ANNUAL SINGLE AUDIT CERTIFICATION

The Applicant certifies to the best of its knowledge and belief that one of the following applicable requirements will be met:

1. The Applicant currently expends \$750,000 or more, in combined federal funds during the fiscal year; and, therefore, is required to submit an annual Single Audit by an independent auditor made in accordance with the Single Audit Act Amendments of 1996 and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200.
2. The Applicant currently expends \$750,000 or more in combined state funds during the fiscal year; and, therefore, is required to submit an annual Single Audit by an independent auditor made in accordance with the Texas Grant Management Standards (TxGMS).
3. The Applicant currently expends less than \$750,000 in either federal or state funds during the fiscal year; and therefore, is exempt from the Single Audit Act. Applicant agrees that the OAG may require a limited scope audit as defined in Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200.

If the Applicant is unable to certify the above statements, the Applicant has attached an explanation to this Application.

COMPLIANCE WITH ANNUAL INDEPENDENT FINANCIAL AUDIT FILING REQUIREMENT

Applicants that are required to undergo a Single Audit must complete and submit the Single Audit of the complete program and/or organization and management letter of the audit findings within nine months of the end of the fiscal year of the agency. The audit will meet Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 and TxGMS requirements. Applicants whose expenditures require the completion of a Single Audit, must submit a Single Audit to the OAG, an Annual Independent Financial Audit will not satisfy the audit requirement. In the event an Applicant does not meet the expenditure threshold for a Single Audit, but is required to undergo an Annual Independent Financial Audit by statute, regulation, or organizational policy, the OAG reserves the right to request a copy of this audit at any time. Additionally, the Annual Independent Financial Audit will meet Generally Accepted Government Auditing Standards in the event a Single Audit is not required.

Funded Applicants who are required to submit an audit, must submit an audit for previous fiscal year for each year of the grant cycle. Example: For FY 2024, the 2023 audit must be submitted.

COMPLIANCE WITH TxGMS AND THE APPLICABLE 2 CFR 200

The Applicant assures that it will follow the guidelines in the TxGMS. Both governmental entities as well as non-profit entities are required to follow TxGMS guidelines.

The Applicant assures compliance with all federal/state statutes, regulations, policies, guidelines, and requirements, including, but not limited to, TxGMS as well as 2 CFR 200 titled Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

RETURN OF GRANT FUNDS IN THE EVENT OF LOSS OR MISUSE

The Applicant agrees that in the event of loss or misuse of the OAG funds, the Applicant assures that the funds will be returned to the OAG in full.

CONFLICT OF INTEREST

The Applicant assures that there is no conflict of interest that would preclude it from filing the Application or providing the services under this grant. By submitting this Application, Applicant affirms that it has neither given, nor intends to give, at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, at any time in connection with this grant Application, except as allowed under relevant state and federal law. If circumstances change during the course of the grant application process, the Applicant shall promptly notify the OAG. The Applicant further agrees that it will establish safeguards to prohibit its employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain. The Applicant shall operate with complete independence and objectivity without actual, potential, or apparent conflict of interest with respect to the activities conducted under this grant.

Without diminishing the provisions of the prior paragraph, the Applicant assures that as a grantee, grantee personnel, members of a grantee board or governing body, or other persons affiliated with the grant project shall not participate in any proceeding or action where grant funds personally benefit, directly or indirectly, the individuals or their relatives. For the purposes of this provision, “relatives” means persons related to the individual within the third degree by consanguinity or within the second degree by affinity, as determined by Chapter 573 of the Government Code. Grant personnel and officials must avoid any action that results in or creates the appearance of using their official positions for private gain; giving preferential treatment to any person; losing independent judgment or impartiality; making an official decision outside of official channels; or adversely affecting the confidence of the public in the integrity of the program or the OAG.

AUTHORITY TO FILE APPLICATION

The Applicant has the authority or will receive the appropriate authority by the Applicant’s governing body to file the Application, including the authority to agree to the assurances and certifications contained herein.

V. REQUIRED DOCUMENTS FOR SUBMISSION OF APPLICATION

The following documents must be submitted to Grants@oag.texas.gov as one email by the deadline stated in the Application Kit. The templates for Attachments A and B are included in the following pages.

Excel Application (fully completed)

Attachment A is the “CERTIFICATION OF ELIGIBILITY”

- This Attachment must be signed and included in the submission email at the time the Application is submitted to the OAG.
- Applications that are received by the OAG without this Attachment will not be considered or funded by the OAG.

Attachment B is the “RESOLUTION OF GOVERNING BODY”

- Please note that the Authorized Official must be designated by signature of the governing body. If the Authorized Official is also a member of the governing body, the Authorized Official must be designated by another member’s signature. The Authorized Official cannot sign the Resolution designating him/herself as the Authorized Official.
- This Attachment must be signed and included in the submission email at the time the Application is submitted to the OAG, unless the timing of the Application due date and requirements of the governing body prevent it from reviewing and approving the Resolution, in which case it may be submitted to the OAG at a later date.
- Applicant Organization may use the form provided or a form with the same components included.

JOB DESCRIPTIONS (IF REQUESTING PERSONNEL) are required for each position requested in the proposed budget.

- Job descriptions (if applicable) must be attached to the application submission email. Should the Applicant request funding for Personnel, missing job descriptions may impact the Applicant’s funding.

ATTACHMENT A — REQUIRED

REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 5:00 P.M CDT, FRIDAY SEPTEMBER 1, 2023, OR THE APPLICATION WILL NOT BE CONSIDERED.

CERTIFICATION

LEGAL NAME OF APPLICANT:

REFERENCE ID NUMBER:

THE UNDERSIGNED DOES HEREBY CERTIFY AS FOLLOWS:

- (1) I am authorized to submit the foregoing application on behalf of _____ [Name of Applicant Organization] for a grant under the Support Adoption Grant Program.
- (2) I have read and understand the Certifications and Assurances contained in the Application Kit.
- (3) I understand that a Resolution of the Governing Body of _____ [Name of Applicant Organization] as described in ATTACHMENT B must be submitted before this application for a grant may be approved.
- (4) _____ [Name of Applicant Organization] is one of the following (place an “x” on the applicable eligibility category for your entity);
 - An Adoption Agency as defined in the FY 2024 - 2025 Support Adoption Grant Application Kit.
 - An Authorized Agency as defined in the FY 2024 - 2025 Support Adoption Grant Application Kit.
 - Other Eligible Organization as defined in the FY 2024 - 2025 Support Adoption Grant Application Kit
- (5) To the best of my knowledge and belief all information contained in the foregoing application for a grant under the Support Adoption Program is true and correct.
- (6) I understand that failure to comply with the requirements of the Support Adoption Grant Program may result in the cancellation of any grant that may be awarded.

Authorized Official Signature

Authorized Official Printed Name

Authorized Official Title

Date

ATTACHMENT B —REQUIRED

REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 5:00 P.M CDT, FRIDAY SEPTEMBER 1, 2023.

IF THE TIMING OF THE APPLICATION DUE DATE PREVENTS THE GOVERNING BODY FROM REVIEWING AND APPROVING THE RESOLUTION, THEN IT MAY BE SUBMITTED TO THE OAG AFTER THE DUE DATE. THE AUTHORIZED OFFICIAL IS NOT PERMITTED TO SIGN THE FORM ON BEHALF OF THE APPLICANT.

RESOLUTION OF GOVERNING BODY

LEGAL NAME OF APPLICANT ORGANIZATION: _____

Be it known as follows:

WHEREAS, the _____, [Name of Applicant Organization] has applied or wishes to apply to the Office of the Attorney General, (OAG) for the following grant program:

- Support Adoption Grant Program

WHEREAS, the _____, [Name of Governing Body of Applicant Organization, such as Board of Directors], has considered and supports the Application filed or to be filed with the OAG;

WHEREAS, the _____, [Name of Applicant Organization] has designated or wishes to designate the following individual as the “Authorized Official” who is given or has been given the power to apply for, accept, reject, alter, or terminate that certain grant with the OAG, as well as given the authority to sign all grant adjustment requests, inventory reports, progress reports and financial reports or any other official documents related to the grant on behalf of the grantee:

Name of Person Designated as “Authorized Official”: _____

Position Title: _____

NOW THEREFORE, BE IT RESOLVED that this governing body approves the submission of the Application to the OAG as well as the designation of the Authorized Official.

Signature

Printed Name

Date