



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

**Department of  
Health and Social Services**

OFFICE OF CHILDREN'S SERVICES  
Director's Office

P.O. Box 110630  
Juneau, Alaska 99811-0630  
Main: 907.465.3170  
Fax: 907.465.3397

May 21, 2018

Theresa E. Taylor, LMSW  
Social Services Program Specialist  
Social Services Block Grant (SSBG)  
Division of Social Services (DSS)  
U. S. Department of Health and Human Services  
Administration for Children and Families  
330 C Street, SW  
Washington, DC 2020201

Dear Ms. Taylor

Enclosed with this letter is the State of Alaska Title XX Pre-Expenditure Report for the State's 2019 fiscal year.

If you have any questions, please contact Nelia Rosales of the Office of Children's Services at (907) 465-2799.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christy Lawton".

Christy Lawton, Director  
Department of Health and Social Services  
Office of Children's Services

**STATE OF ALASKA**  
**TITLE XX - SOCIAL SERVICES BLOCK GRANT**  
**PRE-EXPENDITURE REPORT**  
**FOR STATE FISCAL YEAR 2019**

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**OFFICE OF CHILDREN'S SERVICES**

Department of Health and Social Services  
P.O. Box 110630  
Juneau, Alaska 99811-0630

June 2018

## **THE SOCIAL SERVICES BLOCK GRANT IN ALASKA STATE ADMINISTRATIVE AGENCY**

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The State of Alaska is required to submit a report of intended use of Federal Title XX Social Services Block (SSBG) funds during the state fiscal year 2019, which runs July 1, 2018 through June 30, 2019. The Department of Health and Social Services, Office of Children's Services is the administrative agency designated to administer the Alaska social services block grant program.

For Alaska's state FY2019, SSBG is estimated at \$3,625,187.00 and TANF transfers to SSBG are estimated at \$4,400,000.00. The Office of Children's Services intends to use SSBG funds and TANF transfers to SSBG flexibly for a range of social services to fulfill the division's mission to promote safe children and strong families. The division will direct SSBG funds toward social services and support systems to prevent and remedy child abuse and neglect. These include prevention services, child protective services, foster care, family support and preservation services, and permanent placements in adoptive homes or stable guardianships for children with special needs. In addition, the goals of SSBG funds in Alaska include preserving, rehabilitating and reuniting families.

In Alaska the Office of Children's Services collaborates with families and communities to support the well being of Alaska's children, youth and families. Services are designed to enhance families' capacities to give their children a healthy start, to provide them with a safe and permanent home, to maintain cultural connections and to help them realize their potential.

The responsibilities of the Office of Children's Services include the following:

- Assess allegations of abuse and neglect in order to determine whether or not a child is safe.
- Arrange out-of-home care, when appropriate and necessary.
- Provide placement options that preserve a child's connections to his/her family, culture and community and meets his/her physical and/or mental health needs.
- Provide ongoing assessment toward achieving case plan goals, initiation of legal action to protect children, monitor implementation of treatment plans, and coordinate services needed to reunify children with families.
- Educate the public regarding what is reportable, and develop and coordinate community resources and services.

- Provide education and training for Office of Children's Services child protection workers, licensing workers, supervisors, and managers to enhance their knowledge of child protection, abuse and neglect.
- Provide support to enhance and expand the capacity of the statewide network of community-based prevention services providers.
- Support education, vocational training and life skills for youth in foster care as they enter early adulthood. Services help youth gain self-sufficiency and include life skills assessment, transition learning plans, exit plans to identify educational goals, employment, housing, health care along with identification of additional resources the youth may require.
- Support Child Advocacy Center programs that furnish a safe, child friendly environment for multiple agencies to coordinate child sexual abuse investigations.
- Support the Children's Justice Act State Task Force to identify areas where improvement is needed in the statewide response to child maltreatment particularly child sexual abuse.
- Deliver support to develop, operate, expand, and enhance a network of community-based, prevention-focused, family resource and support programs.
- Provide home visitation services to families of young children who may have risk factors that might contribute to child abuse and/or neglect.
- Facilitate an alternative permanent home for children when their return to their own home is not possible.
- Strengthen and support adoptive and foster families.
- Provide comprehensive, coordinated, home-based early intervention services to families through a system of grantees across Alaska.
- Ensure young children who may have disabilities or developmental delays receive an evaluation to identify the potential need for early intervention/infant learning services.
- Promote positive development and improved health outcomes for Alaska's children prenatal to 8 years through the Early Childhood Comprehensive Systems Project.
- Strengthen families through early care and education as a child abuse prevention approach that focuses on building protective factors in families with young children.

## **OFFICE OF CHILDREN'S SERVICES PROGRAMS RELATED TO SSBG FUNDING USES**

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### **CHILD WELFARE**

The Office of Children's Services provides the following child welfare services to meet the mandates of Alaska's child protection and child welfare statutes. These statutes state that the Department shall "arrange for the care of every child committed to its custody" and "pay the costs necessary to ensure adequate care of the child." The Office of Children's Service works to prevent and remedy physical abuse, sexual abuse, neglect, mental injury, and the exploitation of children.

### **CHILD PROTECTIVE SERVICES**

For child protective services, primary activities include investigation of protective services reports; crisis intervention; assessment of the risk of future harm in the absence of intervention; family strength and needs assessment; and case planning. Additional functions include ongoing assessment toward achieving case plan goals, initiation of legal action to protect children, monitoring implementation of treatment plans, and the coordination of services needed to reunify children and families.

### **PERMANENCY PLANNING FOR CHILDREN**

The continued growth in the foster care system and the corresponding costs along with the possible undesirable effects of long stays in foster care increase the significance of quickly finding permanent placements for children. These placements can range from reunification with parents to relative placements to adoptive homes. The Office of Children's Services case workers conduct a comprehensive case planning process directed toward the goal of a permanent, stable home for every child. These case planning activities are directed toward assuring that every child in the state's care has a permanent family, capable of providing them with nurturance and protection. Determining an appropriate placement option for children quickly is critical to ensure the child's overall well-being. Concurrent permanency planning allows case workers to work toward family reunification while at the same time to develop an alternate permanency plan if the reunification efforts are not successful.

### **FAMILY PRESERVATION AND SUPPORT SERVICES**

Family preservation and support services help children at risk of foster care placement remain safely with their families, ensure after care once a child has been returned from foster care, and provide respite care to families where a child is at risk of being abused or neglected. Family Support services are community-based preventive activities designed to increase the strength,

stability, and well being of children and families including adoptive, foster and extended families. These services also serve to increase parents' confidence in their parenting abilities, to afford children a stable and supportive family environment, and to enhance child development.

#### **SUBSIDIZED ADOPTION & GUARDIANSHIP**

The Subsidized Adoption & Guardianship program facilitates permanent placements in adoptive homes or stable guardianships for the increasing number of children in state custody whose special needs make them hard to place. These children have been removed from situations of abuse or neglect which place them at high risk for subsequent abuse or neglect and are unlikely to be adopted without a subsidy. The adoption or guardianship subsidy covers the costs for the child's special needs and is available to the family until the child reaches age 18.

## **SOCIAL SERVICE BLOCK GRANT PLANNING AND BUDGETING PROCESS**

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The State of Alaska's fiscal year begins July 1 and ends June 30 of the following year. The Federal fiscal year begins October 1 and ends the following September 30. Alaska's fiscal year then encompasses the last quarter of one federal fiscal year and the first three quarters of the following federal fiscal year. Accordingly, Alaska's SSBG receipts for state FY2019 will include the final quarterly allotment for federal FY2018 and the first three quarterly allotments for federal FY2019.

Planning for the provision of Title XX social services in the State of Alaska is an integral part of the state budget process. This process begins approximately one year in advance of the start of the fiscal year with preparation of the Governor's Budget. Based on statutory mandates and policies of the Governor, service programs are developed to address the social needs of Alaskans. Goals and objectives are developed within statutory and policy guidelines and are presented in budget documents, along with descriptions of the service programs, the projected numbers of persons to be served, the funding necessary to provide the services, and measures and standards by which program performance is judged.

The Governor's Budget is submitted to Alaska's Legislature when it convenes each January and is the subject of public and legislative review, as well as legislative hearings prior to enactment by the legislature and approval in final form by the Governor.

Because the state's budgeting process is completed in May, well before the federal budget and the SSBG funding level is determined, the uncertainty in SSBG funding levels has made budgeting difficult. To cope with this uncertainty, the Office of Children's Services proposed, and the Alaska Legislature adopted, an approach that appropriates sufficient state funds at the levels required to support services qualified under Title XX. The Office of Children's Services then utilizes SSBG funds as they are received to offset these state funds. This mitigates the uncertainty and simplifies the budgeting process by providing a steady funding stream while making use of SSBG funds to their full potential. It also helps eliminate the risk of inconsistency in service levels based on changes in federal funding.

## PUBLIC PARTICIPATION IN THE PLANNING AND BUDGET PROCESS

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Alaskan citizens have an opportunity to participate in planning the use of SSBG funds and are able to review and comment on the budget proposal in several ways.

Consistent with state law, the public notice and comment opportunities of Alaska's annual operating budget proposal begins December 15, with the release of the operating budget proposal to the public and legislature. This public notice is achieved through newspaper advertisement and posting notices in communities. Other methods of informing citizens may include radio advertisements, public service announcements and information posted on State websites. Legislative hearings are held annually during the legislative session to accept formal testimony from citizens on the proposed uses of SSBG funds. These opportunities for public comment and testimony occur during House and Senate committee and subcommittee hearings.

The FY2019 SSBG pre expenditure report will be posted on the Alaska Department of Health and Social Services, Office of Children's Services website by 07/01/2018. The public can access the report at <http://hss.state.ak.us/ocs/> . The Office of Children's Services will also provide copies of the division's proposed use of SSBG funds upon request.

Alaskans are afforded the opportunity to comment on the use of SSBG funds, social service needs and delivery, and other related issues throughout the year by writing to any the following Office of Children's Services offices:

*State Central Office*  
Office of Children's Services  
P.O. Box 110630  
Juneau, AK 99811-0630  
(907) 465-3191

*Northern Regional Office*  
751 Old Richardson Highway, Suite 300  
Fairbanks, AK 99701  
(907) 451-2650

*Southcentral Regional Office*  
695 E Parks Hwy., Unit 3  
Wasilla, AK 99687  
(907) 357-9797

*Southeastern Regional Office*  
9107 Mendenhall Mall Road, Suite 300  
Juneau, AK 99801  
(907) 465-1650

*Anchorage Regional Office*  
323 E. 4<sup>th</sup> Avenue  
Anchorage, AK 99501  
(907) 269-4000

*Western Regional Office*  
P.O. Box 328  
Bethel, AK 99559  
(907) 543-3141



## **SERVICES AND TARGET POPULATIONS SUPPORTED WITH SSBG FUNDS**

### **UNIFORM DEFINITION OF SERVICES**

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The Office of Children's Services has identified the services and activities listed below as those to be provided using the SSBG funds in the State's fiscal year 2019. The attached Part A, Estimated Expenditures and Proposed Provision Method form, identifies the projected level of services that will be supported by the Social Services Block Grant, TANF transfers to SSBG and other funding sources during SFY 2019. The attached Part B, Estimated Recipients form, identifies the anticipated number of recipients for services.

For federal SSBG reporting purposes, the uniform definition for "child" is a person under 18 years of age and a person 19 years of age if that person was under 18 years of age at the time that services commenced (AS.47.10.990).

#### **ADOPTION SERVICES**

The Office of Children's Services provides services under this category to furnish permanent adoptive or guardianship homes a subsidy for children with special needs that are in state custody. This program has been successful due to an increased emphasis on permanency planning and the commitment to move children from foster care to a placement where permanency is assured in a safe and timely manner.

Adoption services are provided by four regional adoption specialists as well as by social service workers in all offices of the state. All children who are in need of permanent homes and whose parental rights have been relinquished or terminated are eligible for adoption services. Services include counseling the biological parent(s), preparing the child for adoption and working with the adoptive family, including offering pre and post adoption services. Adoption subsidies are available for hard-to-place children with special needs who have been in foster care for not less than one year and who would be prevented from finding a permanent home if a subsidy were not available.

#### **CASE MANAGEMENT SERVICES**

The Office of Children's Services' case management activities require child protective workers to assemble applicable social data on the family, assess its strengths and weaknesses, develop case plans, motivate and engage the family in problem solving, and assist the family in assessing community services and resources. The Office of Children's Services case workers conduct case reviews, develop goals and service plans and participate in case conferences intended to help prevent the removal of a child from his own home.

#### **EDUCATION AND TRAINING SERVICES**

Education and training activities include training for the development of skills necessary for the proper and efficient administration of the Office of Children's Services programs. This includes preparation of curriculum materials and presentation of formal training to OCS staff or staff of local agencies that administer the Office of Children's Services programs under a grant or contract with the division. Education activities also include formal training to foster parents, and adoptive parents.

### **FOSTER CARE SERVICES FOR CHILDREN**

The Office of Children's Services foster care programs enable the state to find temporary homes for children who have been abused or neglected and cannot remain in their own home. Services are also provided on behalf of children who are runaways or those that the courts have determined to be in need of aid. The Office of Children's Services supports these foster care placements with services that both meet the needs of the child and the department's statutory mandate to care for them. The foster care programs reimburse foster care providers for the basic ongoing costs of raising a child as well as the extraordinary costs and higher levels of supervision required in some cases.

### **HEALTH RELATED SERVICES**

Services provided under this category include activities designed to help clients attain and maintain physical or mental health. Arranging for health services, psychiatric evaluations or admissions to medical facilities and assistance in developing and implementing health plans or regimes are examples of health related services. The Office of Children's Services also provides children and families access to out-of-home health related services to assist them to develop or preserve favorable health. These services and activities support the anti-hunger network's goal of eliminating hunger, obtaining and providing food to children and families, providing information and referral to foods and assessment of dietary needs.

### **INDEPENDENT/TRANSITIONAL LIVING SERVICES**

The Independent Living Program delivers services and some financial support to youth who are likely to exit foster care after their eighteenth birthday. The services and funds are provided to assist youth in their transition from foster care to a successful life on their own. The services include advocacy for youth in care at reviews, development of an exit plan with the youth's social worker and the youth, and provision of life skills training. These services also support education, vocational training and life skills of youth in foster care as they enter early adulthood.

### **PREVENTION AND INTERVENTION SERVICES**

Prevention and intervention programs provide services designed to help families (including adoptive and extended families) at risk or in crisis. These services include the following:

- Family Support services support community services that address the needs of families and their children who are identified as being at risk for child abuse and neglect. The intent is to keep children and families out of the state child welfare system. Services provided include solving immediate crises, budgeting, employment services, stress management, positive discipline, child development and resource referrals for basic needs.
- Service programs designed to help children, where safe and appropriate, return to families from which they have been removed; or be placed for adoption, with a legal guardian, or, if adoption or legal guardianship is determined not to be safe and appropriate for a child, in some other planned, permanent living arrangement;
- Service programs designed to provide follow-up care to families to whom a child has been returned after a foster care placement;
- Services designed to improve parenting skills (by reinforcing parents' confidence in their strengths, and helping them to identify where improvement is needed and to obtain assistance in improving those skills) with respect to matters such as child development, family budgeting, health, nutrition, and coping with stress.

- After an initial assessment of the situation, child protective workers determine if crisis intervention is necessary. Intervention may range from providing immediate counseling, to referral to a more appropriate resource in the community, to providing emergency shelter to protect the child from harm if danger to a child seems imminent. Eligibility for crisis intervention services is based on the case workers assessment of the family situation and the need for immediate assistance to prevent potential or actual harm to a child.

In addition, the Office of Children's Services protective service workers work closely with families to assess the level of risk to a child, assess the parents' protective capacities and assist parents in accessing these services to prevent removal if it is judged a child can be safe at home with services.

#### **PROTECTIVE SERVICES FOR CHILDREN**

- Child Neglect, Abuse Investigation, Problem Identification and Assessment of Client Needs- This direct service provided by the Office of Children's Services child protection workers begins with an investigation of a family situation and an assessment of immediate or potential danger to a child. Once a child protection worker receives a report of suspected abuse or neglect, the caseworker determines the validity of the child maltreatment report, assesses the risk of maltreatment, determines if the child is safe, develops a safety plan if needed to assure the child's protection, and determines services needed. This includes activities such as petitioning the court for the protection of the child. Office of Children's Services require case workers to gather essential facts for the court's consideration, provide assistance to the Attorney General's office to prepare petitions, other legal documents and related material as well as to prepare witnesses and testimony. The Office of Children's Services case workers frequently prepare petitions to take custody of a child, prepare or present of predisposition reports, supplemental reports and other reports to the court. Case workers appear in court when the division is seeking custody of a child or the status of a child is being reviewed. Child protection workers also provide documentation for the court as well as participate in court reviews and hearings.
- Permanency Planning - Social workers in the state have received training to provide intensive social work services to children who have been in foster care for more than one year, and who are likely to remain in long-term foster care unless intensive social work services are provided without regard to income. The objective of this service is specifically to preserve, rehabilitate, or re-unite families. When it is clear that even with intensive casework services the family will be unable to provide adequate care to their children, efforts are directed toward freeing the children for adoptive placement or arranging the best permanent alternative living situation. The goal in each case is to achieve a permanent home for each child in jeopardy.
- Family Preservation - These critical services are designed to lessen the number of out-of-home placements and ease the process for families where there has been an out-of-home placement. Services include intensive preventive services designed to help children at risk of foster care placement remain safely with their families. Other services include follow-up care to families where a child has been returned after a foster care placement or after a child abuse and neglect investigation has been substantiated.

### **SUBSTANCE ABUSE SERVICES**

Alaska child protection workers refer women and their children to primary substance abuse treatment services in Anchorage and the Yukon Kuskokwim region. The Office of Children's Services clients receive priority access to services or activities that are designed to deter and treat substance abuse. Services in Anchorage are provided by the Alaska Women's Resource Center and may include counseling, treatment or detoxification services. Services provided in the Yukon Kuskokwim region are designed and implemented as a collaborative effort between the Yukon Kuskokwim Health Corporation, the Office of Children's Services and the Alaska Department of Health and Social Services, Division of Behavioral Health.

## **METHOD OF DELIVERY AND LOCATION OF SSBG SERVICES**

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The Office of Children's Services purchases services through grants with nonprofit community-based agencies. The State of Alaska's Grant Procurement regulations require the office's grant solicitation to include the legal authority for services, the description of services, assessment of need for services, service area along with the duration of the grant, estimate of funding and funding sources and the proposed method of procurement.

Child welfare services are managed regionally throughout Alaska:

- The Anchorage Regional Office is located in Anchorage and covers the Anchorage area.
- The Northern Regional Office is located in Fairbanks and includes Barrow, Kotzebue, Nome, and surrounding towns and villages.
- The Southcentral Regional Office is located in Wasilla and includes the Mat-Su Valley, the Kenai Peninsula, Valdez, Kodiak, Dillingham, the Aleutian Islands, and surrounding areas.
- The Southeast Regional Office is located in Juneau and includes Juneau, Haines, Sitka, Petersburg, Ketchikan, Craig and surrounding communities.
- The Western Regional Office is located in Bethel and includes St. Mary's and Aniak.

## REQUIRED CERTIFICATIONS:

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Anti-Lobbying  
Drug-free Work Requirements  
Debarment and Suspension  
Environmental Tobacco Smoke

# **SSBG Legislation Certifications**

## **CERTIFICATION REGARDING LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal 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, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature:

A handwritten signature in black ink, appearing to be "D. H." followed by several horizontal strokes.

Title: Administrative Operations Manager II  
Organization: Alaska Office of Children's Services

## **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

### **Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-



Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

#### Certification Regarding Drug-Free Workplace Requirements Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about --
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee'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 for drug abuse violations occurring in the workplace;
- c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute

occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a 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 implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

Signature: 

Title: Administrative Operations Manager II

Organization: Alaska Office of Children's Services

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

### **Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions**

#### **Instructions for Certification**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant

in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal 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 (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

##### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or

voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature:

A handwritten signature in black ink, appearing to be "Q.11" followed by a stylized flourish.

Title: Administrative Operations Manager II

Organization: Alaska Office of Children's Services

## CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any sub awards which contain provisions for the children's services and that all sub grantees shall certify accordingly.

Signature:

A handwritten signature in black ink, appearing to be "D. H. L.", written over a horizontal line.

Title:

Administrative Operations Manager II

Organization:

Alaska Office of Children's Services