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Agency Name: Hidalgo County
Grant/App: 2931309 **Start Date:** 9/1/2023 **End Date:** 8/31/2024

Project Title: Domestic Violence Specialty Prosecutor
Status: Application Pending Submission

Profile Information

Applicant Agency Name: Hidalgo County
Project Title: Domestic Violence Specialty Prosecutor
Division or Unit to Administer the Project: Hidalgo County DA's Office
Address Line 1: 100 N. Closner, RM 303
Address Line 2:
City/State/Zip: Edinburg Texas 78539-3563
Start Date: 9/1/2023
End Date: 8/31/2024

Regional Council of Governments(COG) within the Project's Impact Area: Lower Rio Grande Valley Development Council
Headquarter County: Hidalgo
Counties within Project's Impact Area: Hidalgo

Grant Officials:

Authorized Official

Name: Richard F. Cortez
Email: countyjudge@co.hidalgo.tx.us
Address 1: 100 East Cano, 2nd Floor
Address 1:
City: Edinburg, Texas 78539
Phone: 956-318-2600 Other Phone:
Fax: 956-318-2699
Title: The Honorable
Salutation: Judge
Position: Hidalgo County Judge

Financial Official

Name: Linda Fong
Email: lindac.fong@auditor.co.hidalgo.tx.us
Address 1: 2808 S Business Highway 281
Address 1:
City: Edinburg, Texas 78539
Phone: 956-318-2511 Other Phone:
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Title: Ms.
Salutation: Ms.
Position: County Auditor

Project Director

Name: Toribio Palacios
Email: terry.palacios@da.co.hidalgo.tx.us
Address 1: 100 East Cano Street, 2nd Floor
Address 1:
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Title: The Honorable
Salutation: Mr.
Position: Criminal District Attorney

Grant Writer

Name: Toribio Palacios

Email: terry.palacios@da.co.hidalgo.tx.us

Address 1: 100 East Cano Street, 2nd Floor

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Title: The Honorable

Salutation: Mr.

Position: Criminal District Attorney

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Grant Vendor Information

Organization Type: County

Organization Option: applying to provide services to all others

Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17460007176041

Unique Entity Identifier (UEI): LHACK1UL6NR3

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Narrative Information

Introduction

The purpose of this funding is to solicit applications for projects that promote a coordinated, multi-disciplinary approach to improve the justice system's response to violent crimes against women, including domestic violence, sexual assault, dating violence, and stalking.

The funding announcement, located on the [eGrants Calendar](#) page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's [eGrants User Guide to Creating an Application](#) guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the PSO's Guide to Grants, located on the [PSO Resource for Applicants and Grantees webpage](#).

Program-Specific Questions

Culturally Competent Victim Restoration

Victim service providers must have the ability to blend cultural knowledge and sensitivity with victim restoration skills for a more effective and culturally appropriate recovery process. Cultural competency occurs when: (1) cultural knowledge, awareness and sensitivity are integrated into action and policy; (2) the service is relevant to the needs of the community and provided by trained staff, board members, and management; and (3) an advocate or organization recognizes each client is different with different needs, feelings, ideas and barriers.

Provide information in this section regarding how your organization is culturally competent when providing services to victims.

Culturally Specific and Underserved Populations

Following are relevant definitions needed to answer this question.

- Underserved populations means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.
- Culturally specific means the program is primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).
- Racial and ethnic minority group means American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics.
- Hispanic means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country.

Does your program have a primary focus on serving a culturally specific population? (The organization must do more than merely provide services to an underserved population or culturally specific group; rather, the organization's primary focus must be on providing culturally competent services designed to meet the specific needs of the target population in order to justify a YES response in the section below.)

- Yes
- No

If you answered '**YES**' above, you must explain in the box below how your organization's program is specifically designed to focus on and meet the needs of culturally specific populations. If this item does not apply enter '**N/A**'.

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Grant Eligibility Regarding Compelling Victim Testimony:

In accordance with 34 USC § 10454, in order for a prosecutor's office to be eligible to receive grant funds under this subchapter, the head of the office shall certify to the State receiving the grant funding that the office will, during the 3-year period beginning on the date on which the grant is awarded, engage in planning, developing and implementing—

- (1) training developed by experts in the field regarding victim-centered approaches in domestic violence, sexual assault, dating violence, and stalking cases;
- (2) policies that support a victim-centered approach, informed by such training; and
- (3) a protocol outlining alternative practices and procedures for material witness petitions and bench warrants, consistent with best practices, that shall be exhausted before employing material witness petitions and bench warrants to obtain victim-witness testimony in the investigation, prosecution, and trial of a crime related to domestic violence, sexual assault, dating violence, and stalking of the victim in order to prevent further victimization and trauma to the victim.

Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Forensic Medical Examination Payments

Health care facilities shall conduct a forensic medical examination of a victim of an alleged sexual assault if the victim arrived at the facility within 120 hours after the assault occurred and the victim consents to the examination. The victim is not required to participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination, nor pay for the forensic examination or the evidence collection kit. Crime Victim Compensation funds may be used to pay for the medical portion of the exam unless the victim of sexual assault is required to seek reimbursement for the examination from their insurance carrier. If a health care facility does not provide diagnosis or treatment services for sexual assault victims, the facility is required to refer the victim to a facility that provides those services.

Confidentiality and Privacy

Applicant agrees to maintain the confidentiality of client-counselor information and research data, as required by state and federal law. Personally identifying information or individual information collected in connection with services requested, utilized, or denied may not be disclosed; or, reveal individual client information without informed, written, reasonably time-limited consent of the person about whom information is sought. If release of information is compelled by statutory or court mandate, reasonable attempts to provide notice to victims affected by the disclosure of information will be made and steps necessary to protect the privacy and safety of the persons affected by the release of information will be taken.

Activities that Compromise Victim Safety and Recovery

Applicant agrees to not engage in activities that jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions.

Polygraph Testing Prohibition

A peace officer or attorney representing the state may not require an adult or child victim of an alleged sex offense to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. In addition, the refusal of a victim to submit to a polygraph or other truth telling examination will not prevent the investigation, charging, or prosecution of an alleged sex offense or on the basis of the results of a polygraph examination.

Protection Orders

Victims applying for a protective order or their attorney may not bear the costs associated with the filing of an order of protections.

Offender Firearm Prohibition

The applicant certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 18 USC § 992(g)(8) and (g)(9).

Criminal Charges

In connection with the prosecution of any misdemeanor or felony domestic violence offense, the victim may not bear the costs associated with the filing of criminal charges against a domestic violence offender, issuance or service of a warrant, or witness subpoena.

Cybersecurity Training Requirement

The Hidalgo County Criminal District Attorney's Office (HCCDA) has developed a victim centered approach to address the prosecution and victim services for domestic violence cases submitted to our office. Domestic violence cases are among the most difficult to prosecute and require specialty trained prosecutors. Special areas for the HCCDA include: 1) children exposed to domestic violence; 2) reduction of the number of affidavits of non-prosecution filed by victims, 3) increased participation by the victim in the criminal justice process, 4) the lack of physical evidence during the investigation of a crime by law enforcement, 5) the change in the viewpoints of the community about domestic violence victims; and 6) decreased victim blaming while holding perpetrators accountable. The assigned specialty prosecutor will assess the program through input from police, victims, and other members of the DVU. The prosecutor will also determine how many of the domestic violence referrals lead to indictments by the Grand Jury for prosecution in Hidalgo County District Courts. The prosecutor will serve all cities, municipalities and unincorporated areas in Hidalgo County, Texas. The services will target victims of domestic violence while focusing on keeping said victims safe and holding perpetrators accountable.

Problem Statement :

In domestic violence cases, the victim and defendant share a common relationship which poses a serious barrier to successful prosecution. Victims often recant or refuse to testify about the crime due to fear or a state of denial. This is one of the reasons these cases continue to be extremely difficult to successfully prosecute. Many jurors may be less likely to believe or be sympathetic to a victim of domestic violence who recants or returns to the abuser. Due to the difficulties in prosecution and the unique circumstances that exist in the lives of domestic violence victims, law enforcement investigators and prosecutors need to be specially trained to ensure the safety of both the victim and the community. One of the areas of focus of the Hidalgo County Criminal District Attorney's Office (HCCDA) is to address the safety of children that are exposed to domestic violence at home. This HCCDA has implemented a safety planning program that follows guidelines found in the Evidence-Based Practices for Children Exposed to Violence of the U.S. Department of Justice and the U.S. Department of Health and Human Services. These guidelines use a set of key principles to address children's exposure to domestic violence such as safety focused victim services, culturally appropriate victim services, and referrals to community based agencies for children. The HCCDA understands that in cases of domestic violence ensuring the safety of the victim and their children is paramount. The Safety Planning program to ensure that every domestic violence victim that comes to our office to submit an Affidavit of Non Prosecution (ANP) must meet in person with a Victim Advocate. The advocates inform victims about resources available to them and discuss a Safety Plan with them in a language they can read and understand. If the victim states that he/she wishes to continue with the ANP process, he/she be advised that the case will still be reviewed by the Domestic Violence Specialty Prosecutor (DVSP) and that the outcome of the case is not the victim's responsibility. Furthermore, victims are provided assistance in applying for a protective order if needed. The advocates will educate them on the criminal justice process and explain that the HCCDA is prosecuting a violation of the law and the defendant will be held accountable. The primary concern the HCCDA is to ensure victim safety. The DVSP will work with all the DVU staff to ensure this concern is always addressed.

Supporting Data :

The Hidalgo County Criminal District Attorney's Office provided victim assistance to 9720 victims of domestic violence in 2021, an increase of 34% from the previous year, which provided assistance to 6,320 victims. According to the Texas Crime Report of 2020 of the Texas Department of Public Safety there were a total of 5,876 family violence cases reported in Hidalgo County, 581 Sexual Assaults, 35 Murders, 271 Robberies, and 1,585 Assaults. In 2020 The Texas Uniform Crime Reporting (UCR), stated that law enforcement officers in Texas responded to 218,950 incidents of family violence, a 10% increase from 2019 where 198,899 incidents were reported; approximately 60,000 of these incidents were identified as intimate partner violence. The Honoring Texas Victims Report of the Texas Council of Family Violence reported a total of 183 Texas women were killed by their male intimate partners in 2020. In Hidalgo County, 5 homicides attributed family violence. In addition, the Texas Department of Family & Protective Services for Region 11 Statistics Report shows that Hidalgo County received 3,675 reports of child abuse and 1,119 reports of elder abuse.

Project Approach & Activities:

The Domestic Violence Specialty Prosecutor (DVSP), the Victim Advocates and Administrative Assistant that comprised the Domestic Violence Unit will work together to effectively prosecute domestic violence cases. The DVSP will review, investigate, and prosecute cases of family violence, stalking, dating violence, trafficking and sexual assault. Victim Advocates, which are paid through another funding source, will provide victims

information on resources available, referrals, a Safety plan, translation services, and assist them through the judicial process. The Domestic Violence Unit staff will interact with other community-based organizations, including the local domestic violence shelter, and the Hidalgo County Family Violence Task Force. The DVU staff will also coordinate community responses to domestic violence and work directly with victims throughout the criminal justice process to help ensure victims' rights are afforded and the victim's voice is heard in proceedings. The Investigator, who is also paid through another funding source, will work with local law enforcement agencies to provide guidance, training and develop victim centered responses to domestic violence incidents. The advocates will also be responsible for referring victims to community-based agencies. The investigator will work closely with the HCDA Victims Unit to ensure that victims receive a Safety Plan, protective order assistance and other victim services. Together this will ensure that the prosecution process and victim's rights needs are effectively met.

Capacity & Capabilities:

The Hidalgo County Criminal District Attorney Office (HCDA) represents the State of Texas as the prosecutorial agency in all criminal cases in Hidalgo County. This grant is administered by HCDA, all required reports and justification for the grant are provided on a yearly basis. In addition, HCDA oversees the Domestic Violence Unit and ensures that the grant monies are adequately expended and budgeted properly. HCDA also works closely with the County Auditor's Office to ensure the proper use of grant funds. Victim services are tracked by the use of the Victim Services (VS) Tracking software to ensure accurate data collection. The Domestic Violence Specialty Prosecutor must maintain a current law license with the State of Texas and have a minimum of 7 years of prosecutorial experience in domestic violence cases. The DVSP will attend continuous specialized education on domestic violence, sexual assault, stalking, trafficking and crimes against women.

Performance Management :

The Hidalgo County Criminal District Attorney's Office (HCCDA) has developed a victim centered approach to address the prosecution and victim services for domestic violence cases submitted to our office. Domestic violence cases are among the most difficult to prosecute and require specialty trained prosecutors. Special areas for the HCDA include: 1) children exposed to domestic violence; 2) reduction of the number of affidavits of non-prosecution filed by victims, 3) increased participation by the victim in the criminal justice process, 4) the lack of physical evidence during the investigation of a crime by law enforcement, 5) the change in the viewpoints of the community about domestic violence victims; and 6) decreased victim blaming while holding perpetrators accountable. The assigned specialty prosecutor will assess the program through input from police, victims, and other members of the DVU. The prosecutor will also determine how many of the domestic violence referrals lead to indictments by the Grand Jury for prosecution in Hidalgo County District Courts. The prosecutor will serve all cities, municipalities and unincorporated areas in Hidalgo County, Texas. The services will target victims of domestic violence while focusing on keeping said victims safe and holding perpetrators accountable. The objectives are to provide victim advocacy through victim education on victims' rights, victim impact statements, the prosecution process, restitution, post sentence services, safety planning, and community organizational services and to assist victims in obtaining protective orders. This will allow them to leave abusive relationships and live a life free of violence. The DVSP will perform targeted prosecution and case reviews for domestic violence cases. He/she will also provide training to law enforcement officers to improve the physical evidence collection which will aid the prosecution of domestic violence cases. This programs success will be measured by a service evaluation that will be filled out by victims that have been serviced by HCCDA. The service evaluation will measure the effectiveness of the services offered. This will allow HCCDA to understand if the information being provided to the victim is effective at addressing he/she needs. In addition, HCCDA will use the VS Tracking data system to have accurate data collection and track the number of victims to which services are being provided. This will allow HCCDA to determine what type of service is being requested most frequently so that the HCCDA can adjust accordingly to fulfill those needs. All trainings will also require a training evaluation to measure the success and learning objectives for attendees.

Target Group :

The target group will be Victims that reside in Hidalgo County with a population of 870,781 as of 2020. Hidalgo County has a 92.5% Hispanic population and 23.9 % of the population live in poverty. The HCCDA will serve crime victims of all age groups, all sexes, multiple languages, and undocumented individuals.

Evidence-Based Practices:

The Hidalgo County District Attorney's Office implemented the Victims Unit to comply with Chapter 56 of the Texas Code of Criminal Procedure (TCCP) that states the Attorney representing the state has the duty to

ensure to the extent practicable that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted in said chapter. The Hidalgo County District Attorney's Office uses the "CRIME VICTIM ASSISTANCE STANDARDS" that were developed and distributed by the Texas Department of Criminal Justice Victim Services Division Texas Crime Victim Clearinghouse, in accordance with the Texas Code of Criminal Procedure Article 56A.604, to law enforcement officers and attorneys representing the state to aid those officers and prosecutors in performing their duties imposed by the Texas Code of Criminal Procedure Chapters 56A - Rights of Crime Victims, 56B - Crime Victims' Compensation, and 58 - Confidentiality of Identifying Information and Medical Records of Certain Crime Victims.

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Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Violence Against Women Justice and Training Program

In the space below, briefly explain how your project will address one or more of the state priority areas listed below:

a) Law Enforcement

- Victim-Centered/Trauma-Informed Training
- Regional Sexual Assault Response Teams: Law Enforcement participation
- Specialized Investigators/Units
- Coordination between Law Enforcement and Victim Service Providers

b) Prosecution

- Victim-Centered/Trauma-Informed Training
- Regional Sexual Assault Response Teams: Prosecution participation
- Specialized Prosecutors/Units

c) Victim Services

- Trauma-Informed, Professional Mental Health Therapy and Counseling
- Address Rural Needs
- Transportation and Emergency Housing
- Implementation of Telehealth/Tele-Advocacy Technology
- Language access plans
- Victim-Centered/Trauma-Informed Training

d) Courts

- Legal Advocacy (protective order assistance, legal rights & options, court accompaniment, etc.)
- Access to Court Hearings

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
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CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
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Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
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Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
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Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
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Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
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Budget Details Information
Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
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Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a resolution that contains the following:

1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:

- Yes
 No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds 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 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?

Select the appropriate response:

- Yes
 No
 N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds 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 in connection with this federal contract, loan, or cooperative agreement?

Select the appropriate response:

- Yes
- No
- N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

Enter the End Date [mm/dd/yyyy]:

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (in Whole Dollars \$) of Federal Grant Funds expended:

Enter the amount (in Whole Dollars \$) of State Grant Funds expended:

Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Select the appropriate response:

- Yes
- No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

Equal Employment Opportunity Plan

Compliance

The EEOC certification information must be submitted to the Office of Civil Rights, Office of Justice Programs through their on-line [EEOC Reporting Tool](#). For more information and guidance on how to complete and submit the federal EEOC certification information, please visit the US Department of Justice, Office of Justice Programs website at <https://ojp.gov/about/ocr/eoop.htm>.

Type I Entity

Defined as an applicant that meets one or more of the following criteria:

- has less than 50 employees;
- is a non-profit organization;
- is a medical institution;
- is an Indian tribe;
- is an educational institution, or
- is receiving a single award of less than \$25,000.

Requirements

- The applicant agency is exempt from the requirement to prepare an EEOC because it is a Type I Entity as defined above, pursuant to 28 CFR 42, subpart E;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must submit EEOC Certification information the Office for Civil Rights (OCR) to claim the exemption from developing an EEOC.