

# TITLE 914 INDIANA DEPARTMENT OF VETERANS' AFFAIRS

## Final Rule LSA Document #18-475

### DIGEST

Adds 914 IAC 1 to establish qualifications and criteria to receive Grants for Veterans' Services.

#### Rule 1. Definitions

##### 914 IAC 1-1-1 Applicability

Authority: IC 10-17-13.5-5

Affected: IC 10-17-13.5

**Sec.1. The definitions in this rule apply throughout this article.** (*Indiana Department of Veterans' Affairs; 914 IAC 1-1-1*)

##### 914 IAC 1-1-2 "Department" defined

Authority: IC 10-17-13.5-5

Affected: IC 10-17-13.5

**Sec. 2. "Department" means the Indiana Department of Veterans' affairs.** (*Indiana Department of Veterans' Affairs; 914 IAC 1-1-2*)

##### 914 IAC 1-1-3 "Grant for Veterans' Services" defined

Authority: IC 10-17-13.5-5

Affected: IC 10-17-13.5

**Sec. 3. "Grant for Veterans' Services" means a grant made to a qualified entity under IC 10-17-13.5-4.** (*Indiana Veterans' Affairs Commission; 915 IAC 1-1-3*)

##### 914 IAC 1-1-4 "Homelessness" defined

Authority: IC 10-17-13.5-5

Affected: IC 10-17-13.5-4

**Sec. 4. "Homelessness" means the state of being homeless, as defined by 42 U.S.C. 11302(a).** (*Indiana Department of Veterans' Affairs; 914 IAC 1-1-4*)

##### 914 IAC 1-1-5 "Job search assistance" defined

Authority: IC 10-17-13.5-5

Affected: IC 10-17-13.5-4

**Sec. 5. "Job search assistance" means training, education, coaching, or other assistance designed to help a veteran find stable, long term employment. It includes assistance with interview techniques, resume writing, or verbal communications skills.** (*Indiana Department of Veterans' Affairs; 914 IAC 1-1-5*)

##### 914 IAC 1-1-6 "Near-term homelessness" defined

Authority: IC 10-17-13.5-5

Affected: IC 10-17-13.5-4

**Sec. 6. "Near-term homelessness" means a circumstance when a veteran experiences an unforeseen event that is highly likely to result in homelessness within forty-five (45) days of the event occurring.** (*Indiana Department of Veterans' Affairs; 914 IAC 1-1-6*)

**914 IAC 1-1-7 "On-the-job training" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5-4**

**Sec. 7. "On-the-job training" means training or education designed to help a veteran enhance his or her skills and knowledge to help the veteran increase his or her compensation or be promoted to a higher position within the veteran's current employment. It can include on-site employment enhancement services. (Indiana Department of Veterans' Affairs; 914 IAC 1-1-7)**

**914 IAC 1-1-8 "Public housing assistance program" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5-4**

**Sec. 8. "Public housing assistance program" means a federal, state, or local program that provides housing, or money to defray the costs of housing, to individuals or families. (Indiana Department of Veterans' Affairs; 914 IAC 1-1-8)**

**914 IAC 1-1-9 "Qualified entity" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 9. "Qualified entity" has the meaning set forth in IC 10-17-13.5-2. (Indiana Department of Veterans' Affairs; 914 IAC 1-1-9)**

**914 IAC 1-1-10 "Safe and secure living conditions" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5-4**

**Sec. 10. "Safe and secure living conditions" means stable housing that can be reasonably assumed to establish conditions that will keep the veterans free from harm and is capable of providing a long term residence for the veteran to live independently or with required assistance. (Indiana Department of Veterans' Affairs; 914 IAC 1-1-10)**

**914 IAC 1-1-11 "Stable, long term rental status" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5-4**

**Sec. 11. "Stable, long term rental status" means a state where a veteran secures rental housing that is reasonably likely to provide safe and secure living conditions for at least one (1) year. (Indiana Department of Veterans' Affairs; 914 IAC 1-1-11)**

**914 IAC 1-1-12 "Therapeutic services" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5-4**

**Sec. 12. "Therapeutic services" means services designed to assist a veteran with physiological, psychological, physical, or relational needs. These services may include, but are not limited to the following:**

**(1) Personal, marital, or family counseling.**

**(2) Integration assistance for placement into on-site substance abuse counseling, which does not provide medication.**

**(3) Meditation, yoga, and other nontraditional means of counseling that the approved organization already has established in its reintegration programs.**

**(Indiana Department of Veterans' Affairs; 914 IAC 1-1-12)**

**914 IAC 1-1-13 "Veteran" defined**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 13. "Veteran" has the meaning set forth in IC 10-17-13.5-3. (Indiana Department of Veterans' Affairs; 914 IAC 1-1-13)**

## **Rule 2. Application Procedure**

### **914 IAC 1-2-1 Application for Grant for Veterans' Services**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 1. To apply for a Grant for Veterans' Services, an organization must submit a written application on the form prescribed by the Department. The application shall include the following:**

- (1) The name, address, and contact information, including email address, of the organization.**
- (2) The name, address, and contact information of the chief executive officer or the chief financial officer of the organization.**
- (3) A detailed explanation of the organization's mission, activities, and membership.**
- (4) A detailed description of all of the services provided to veterans by the organization and a detailed explanation of how those services align with the services described in IC 10-17-13.5-4(a).**
- (5) Copies of the organization's articles of incorporation and bylaws.**
- (6) Audited financial statements of the organization from an independent auditor for the last three (3) years.**
- (7) The organization's federal and state tax returns for the last three (3) years.**
- (8) A detailed statement, describing the organization's need for a grant, a description of the services in section 4 of this rule that the organization will provide to veterans with the grant for veterans' services, and evidence that the organization is capable of addressing the need it intends to address with the grant if awarded a grant.**
- (9) A set of performance indicators that the organization will use to measure the effectiveness of the services it will provide using the grant and a detailed description of how those performance indicators will be measured, the data that will be used, and the benchmarks for success.**
- (10) A detailed work plan, including the scope of the services offered to veterans and the population of focus for such services.**
- (11) A detailed line-item budget proposal describing how any grant funds will be used.**
- (12) A letter from the Internal Revenue Service affirming the organization's tax exempt status under Section 501 of the Internal Revenue Code.**
- (13) The name, title, and signature of the chief executive officer or chief financial officer of the organization, attesting that all information submitted in the application is true and accurate.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-2-1)*

### **914 IAC 1-2-2 Application for Grant for Veterans' Services consideration**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 2. An application shall not be considered until all required documents have been received by the Department. The Department may deny an incomplete application if all required documentation is not received within sixty (60) days of the first submission. A qualified entity may submit a new application if a prior application is denied.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-2-2)*

### **914 IAC 1-2-3 Organization's notification of change in application status**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 3. A qualified entity shall notify the department of any changes in the application information in writing within ten (10) days of the change. The Department may revoke a qualified entity's eligibility for a Grant for Veterans' Services if the changes affect the applicant's eligibility for a grant and require the qualified entity to submit a new application based on any changes to the information submitted in the prior application (Indiana Department of Veterans' Affairs; 914 IAC 1-2-3)**

**914 IAC 1-2-4 Organization's services provided requirements**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 4. The organization must provide one (1) of the following services to veterans:**

- (1) A program focused on eliminating homelessness.**
- (2) A program focused on preventing near-term homelessness.**
- (3) A program focused on providing safe and secure living conditions.**
- (4) Assisting veterans in moving from public housing assistance programs, both federal and state, while transitioning toward:
  - (A) home ownership, or;**
  - (B) stable, long term rental status.****
- (5) Assisting veterans in finding and using available federal and state resources.**
- (6) Providing therapeutic services to assist the veteran in achieving long term stability and stable housing.**
- (7) Providing on-the-job training and job search assistance.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-2-4)*

**914 IAC 1-2-5 Application for Grant for Veterans' Services awarding process**

**Authority: IC 10-17-13.5-5**

**Affected: IC 4-21.5-3; IC 10-17-13.5**

**Sec. 5. (a) Grants shall be awarded annually in one (1) year increments. The grant year shall run for twelve (12) full months from the time the grant is awarded. The applications for Grants for Veterans' Services process is as follows:**

**(b) The Department shall notify applicants in writing whether the applicant will receive a grant. If an applicant is awarded a grant, the notice shall specify the amount of the grant, the duration of the grant, and the performance indicators that the award recipient shall use to measure the effectiveness of the services provided using the grant. If the Department denies an application for a grant award, the notice shall include the Department's determination, the reasons the applications was denied, and a description of the applicant's right to appeal the determination.**

**(c) An applicant whose application for a grant is denied may appeal the decision by filing a written notice of appeal with the Department within fifteen (15) days of receiving notice of the denial. *(Indiana Department of Veterans' Affairs; 914 IAC 1-2-5)***

**Rule 3. Eligibility Criteria**

**914 IAC 1-3-1 Eligibility criteria and organization expectations**

**Authority: IC 10-17-13.3-5**

**Affected: IC 10-17-13.5**

**Sec. 1. To be eligible to receive a Grant for Veterans' Services, an organization must meet the following requirements:**

- (1) The organization must be exempt from taxation under Section 501 of the Internal Revenue Code.**
- (2) The organization must be a nonprofit organization.**
- (3) The organization must provide to veterans services described in IC 10-17-13.5-4(a).**
- (4) The organization must be financially able to provide the services proposed in its application and must be able to utilize the grant funds during the grant year.**
- (5) The organization must be in compliance with all state and federal laws and taxes.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-3-1)*

**914 IAC 1-3-2 Application for Grant for Veterans' Services veteran eligibility**

**Authority: IC 10-17-13.3-5**

**Affected: IC 10-17-12-2; IC 10-17-13.5**

**Sec. 2. A grant for veteran services may only be used to provide services to veterans who satisfy all of the following criteria:**

- (1) The veteran receiving services must reside in the state of Indiana.**
- (2) The veteran receiving services must have served in any of the United States armed forces as defined in IC 10-17-13.5-3**
- (3) The veteran receiving services must not have received a dishonorable discharge as evidenced by the veteran's Department of Defense Form 214, National Guard Bureau (NGB) Form 22 as issued by the United States Department of Defense, or other official discharge papers.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-3-2)*

#### **Rule 4. Selection Procedures**

##### **914 IAC 1-4-1 Selection procedures and point grading system**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 1. An application that meets the eligibility criteria set forth in 914 IAC 4 shall be assessed using the selection procedures specified in this rule. The Department retains the right to determine each grant award at its discretion. In determining the amount of a particular grant, the Department shall consider the need for services in the geographic area where the award recipient intends to offer services. *(Indiana Department of Veterans' Affairs; 914 IAC 1-4-1)***

##### **914 IAC 1-4-2 Department's organization point grading system**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 2. The Department shall make a determination on selection of applicants based on a point grading system. The Department shall award points for each factor as follows:**

**(1) The applicant shall be appointed a number between zero (0) and five (5) based on the revenue generated by the organization. The higher the revenue, the lower the score, and vice versa. The points for this section of the grading system are as follows:**

- (A) 0 points: Extreme revenue of \$500,000 or more**
- (B) 1 point: High revenue of \$400,000 to \$499,999**
- (C) 2 points: Above average revenue of \$300,000 to \$399,999**
- (D) 3 points: Average revenue of \$200,000 to \$299,999**
- (E) 4 points: Below average revenue of \$100,000 to \$199,999**
- (F) 5 points: Little to no revenue up to \$99,999**

**(2) The organization shall be appointed a number between zero (0) and five (5) indicating geographic diversity and the need for services. Points are awarded based on the needs of the area the organization is serving. The more underserved the population the organization is serving and the needier the population is, the higher the points. The points for this section of the grading system are as follows:**

- (A) 5 points: Candidate works in an underserved population with high needs.**
- (B) 3-4 points: Candidate does not work in underserved population, but there is a high need for services.**
- (C) 1-2 points: Candidate works in a highly served and low need population.**

**(3) For applicants that have previously received a Grant for Veterans' Services, performance will be based, in part, on the performance indicators used for that grant. Applicants that have not previously received a grant should provide performance data for their programs and services, including any data relating to the services proposed for grant funding. The points for this section of the grading system are as follows:**

- (A) 5 points: Excellent program performance as demonstrated by verifiable data.**
- (B) 4 points: Good program performance as demonstrated by verifiable data.**
- (C) 3 points: Average program performance as demonstrated by verifiable data.**
- (D) 2 points: Below average program performance as demonstrated by verifiable data.**
- (E) 0-1 points: Poor program performance as demonstrated by verifiable data or incomplete performance data provided.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-4-2)*

**914 IAC 1-4-3 Department's point awarding to organization**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 3. The applicants receiving the most points under the point grading system shall be given priority for grants, subject to available funding. In the event that funds have become limited, and two (2) or more organizations receive the same amount of points, the Department shall consider the following in addition to the points awarded under the point grading system:**

**(1) Letters of support on behalf of the qualified entity.**

**(2) Further examination of the key performance indicators outlined in section 2 of this rule.**

**(3) Extent to which a qualified entity has used assistance available from other assistance programs and sources such as donations, previous grants awarded for similar services, gifts, bequests, and appropriations.**

*(Indiana Department of Veterans' Affairs; 914 IAC 1-4-3)*

**914 IAC 1-4-4 Department and organization's agreement**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 4. Applicants selected to receive grant awards must submit a signed grant agreement to the Department before any funds can be released.** *(Indiana Department of Veterans' Affairs; 914 IAC 1-4-4)*

**914 IAC 1-4-5 Withdraw or future ineligibility of organization to receive a Grant for Veterans' Services**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 5. If a grant recipient withdraws from, or declines a grant award, or the Department determines that a grant recipient is no longer eligible to receive a grant award, the Department may award the funds to the applicant receiving the next highest amount of points under the point grading system who was not selected originally.** *(Indiana Department of Veterans' Affairs; 914 IAC 1-4-5)*

**Rule 5. Department Oversight and Verification of Use of Funds Received by Qualified Entities**

**914 IAC 1-5-1 Department oversight and verification of use of funds received by qualified entities**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 1. (a) A grantee shall account for all grant funds received under this program using generally accepted accounting principles. A grantee shall track all assets, expenses, cost of goods, and use of funds.**

**(b) A grantee shall submit quarterly financial reports to the Department that detail how grant funds have been spent. A grantee shall also submit a comprehensive financial report of the grant at the end of the grant period. Financial reports shall utilize the department's model report.**

**(c) The Department will create a model for the approved organization to utilize for case management and financial reviews.**

**(d) As it deems necessary, the Department may audit or inspect any and all books, accounting records, or other documents related to the grant at any time. The Department may require a grantee, at grantee's expense, to obtain an independent audit from an auditor approved by the Department.** *(Indiana Department of Veterans' Affairs; 914 IAC 1-5-1)*

**914 IAC 1-5-2 Performance reporting**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 2. A grantee shall submit a detailed performance report at the end of the grant period detailing the outcomes achieved by the organization using the grant. The report must include the performance data and metrics identified in the grant application. The report must also include a detailed analysis comparing the outcomes achieved to the benchmarks for success identified in the grant application. (Indiana Department of Veterans' Affairs; 914 IAC 1-5-2)**

**914 IAC 1-5-3 Noncompliance of terms of grant agreement**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 3. If the Department determines that a grantee is not in compliance with the terms of the grant agreement or has failed to maintain compliance with the eligibility requirements of this rule or IC 10-17-13.5, the Department shall terminate the agreement and notify the grantee in writing. A grantee that has been terminated for noncompliance is not eligible to reapply for any grants provided by the Department for a period of twelve (12) months from the date of termination of the agreement. (Indiana Department of Veterans' Affairs; 914 IAC 1-5-3)**

**914 IAC 1-5-4 Unobligated funds from a Grant for Veterans' Services**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 4. All funds that are not obligated within the one (1) year time period shall be returned to the Department. (Indiana Department of Veterans' Affairs; 914 IAC 1-5-4)**

**914 IAC 1-5-5 Failure to comply with requirements of this rule or grant agreement**

**Authority: IC 10-17-13.5-5**

**Affected: IC 10-17-13.5**

**Sec. 5. A grantee that fails to comply with the requirements of this rule or the grant agreement may be deemed ineligible to receive funding through any other Department grant. (Indiana Department of Veterans' Affairs; 914 IAC 1-5-5)**