

Flexible Funding Program Questions and Answers

All questions received via email to flexfunds@opdv.ny.gov by 10/25/23 or asked in the chat during our 10/20/23 webinar were recorded and answered below, grouped by topic area. Where questions are duplicative, they are listed together and answered once.

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Program Eligibility & Award Information

Q1. We are a 7-bed domestic violence program licensed by OCFS. Would we be able to apply or is it strictly for non-residential DV programs?

Pending approval by the Office of the State Comptroller (OSC), this grant is a non-competitive allocation to each eligible non-residential service domestic violence program. All Office of Children and Family Services (OCFS) recognized non-residential domestic violence programs as of August 16, 2023, were informed of their eligibility for this funding. Please visit OCFS' website at <https://ocfs.ny.gov/programs/domestic-violence/> for more information on OCFS recognized non-residential domestic violence programs by county.

Funding will be distributed to each eligible contractor based on the counties served by the program and the population of the county. In any county served by multiple contractors, the allocation for the county based on its total population will be equally divided among the programs serving the county.

Q2. Is the amount allocated the same for all NYC programs and can you let us know that amount?

Pending approval by OSC, funding for this program will be distributed to each eligible OCFS recognized non-residential domestic violence services program based on the counties served by the program and the population of the county. In any county served by multiple contractors, the allocation for the county based on its total population will be

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equally divided among the programs serving the county. Since all 5 counties of New York City are treated as one social services district by OCFS, OPDV is treating New York City as one region as well, and all New York City recognized programs have received an equal share of the allocation. If all eligible programs accept the invitation to participate, it is anticipated that each New York City provider's award will be approximately \$111,111. In the event some programs reject the funding, total awards may increase accordingly with the funding available, consistent with the distribution formula.

Q3: Will the same organizations that received it last time, be able to get it again?

The Flexible Funding program is a new program, utilizing state funding that OPDV received in the FY 2024 budget for the first time. We are not yet aware of whether or not there will be funding in future budgets for this program.

Q4: Is there a difference between OCFS recognized and OCFS licensed?

OCFS licenses residential domestic violence facilities. OCFS-recognized or approved providers is a term for non-residential domestic violence programs, which are designated by each county and recognized by OCFS.

Q5. As a County government office, we have certain restrictions which make it difficult to use these types of funds directly. Would it be possible to subcontract the funds?

The terms of these contracts will allow accepting programs to enter subcontracts with prior written approval by OPDV. We will consider subcontracts entered by county government offices that accept the funding if those subcontracts help facilitate the goal of distributing the funding to eligible survivors. In such cases, we will require the County itself to maintain sufficient internal controls and processes for reporting on the distribution of the funding, as they are ultimately accountable for ensuring the funds are distributed appropriately to eligible survivors for eligible purposes. Additionally, we would require that any administrative and programmatic expenses charged to the contract be expenses incurred by the subcontractor as it is the entity taking on the workload of assisting survivors directly.

Contracting & Administrative

Q6. Is this contracted directly with OPDV? OCFS? Is there any role for HRA?

Accepting programs will contract directly with OPDV.

Q7. Are there any requirements for when the funding is spent down (other than by the end of CY24)? In other words, could a program spend all the funding over the first few months or is there an expectation that the funds would be apportioned to last through the year?

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There is no requirement for when the funding is spent down other than by the end of the contract period. Utilizing quarterly reporting and regular check ins, OPDV will monitor spending progress and offer technical assistance to support programs in ensuring they are able to distribute as much of their allocated funding as possible by the end of the contract period.

Q8. It is great that you were able to allow 15% for overhead program and admin expenses. Are you requiring a budget for that portion or is that just a flat percentage up to 15%? And how did you get to that number?

In recognition of the work required in disbursing the funding, programs may charge up to 15% of the contractual budget to administrative and programmatic expenses. We will require a budget for these expenses. Consistent with the intent of the appropriation, OPDV is committed to ensuring that the focus of this funding is dedicated to direct assistance for survivors of domestic violence. However, we recognize the work done by providers in setting up and administering a funding program. As such, we are allowing up to 15% in administrative and programmatic expenses, a percentage that is consistent with practices by other state and federal funders in this field.

Q9. Is the funding State \$ only?

Yes, this program is 100% State funding.

Q10: Is it supplanting when a program has other funds for similar client needs?

Supplanting is the deliberate reduction of funding otherwise available for victim assistance. For instance, a program may have one million dollars for flexible funding from another funding source, add \$100,000 of flexible funding to the total amount, and then dedicate \$1.1 million for flexible funding total. This is not supplanting. In this example, supplanting would be reducing the amount of the other funding utilized for flexible funding by \$100,000 and redirecting it to an unrelated purpose.

Q11: Do you require itemized receipts for gift cards distributed to clients for purchasing groceries?

As we prepare to launch the Flexible Funding program, OPDV will provide further guidance and technical assistance to accepting programs on how to best disperse funding and keep records of assistance provided. Grantees should work closely with their Project Managers to determine the best process for how payments should be dispersed depending on the specific nature and situation associated with the request. In instances where gift cards are appropriate, important rules and guidelines exist around how to distribute them. For example, programs must ensure that the card is purchased to meet a specific need or client rather than purchasing gift cards en masse.

Q12: Do we need to provide supporting documents when submitting the quarterly voucher?

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No, supporting documentation beyond the OPDV-provided Financial Cost Report will not need to be submitted with claims, however programs are required to retain all backing and supporting documentation for any claims. Claim documents should not include any Personally Identifying Information (PII).

Q13: Can this funding count as a match for HUD funding?

This is state funded contract, and OPDV cannot speak to the specific match requirements of relevant HUD funding, but we are placing no limitations on the use of this funding for any match requirements.

Eligible Expenses

Q14: Can advocate time be built in on top of the 15% admin?

No, this is administrative or programmatic costs and must be within the 15% administrative and programmatic allowance.

Q15. Will receiving this funding affect a person's DSS Benefits? Does this effect a clients TA /SNAP case?

As stated in the Contract Guidelines, for the purposes of this Flexible Funding program, payments to eligible survivors may be made in a variety of ways, including direct payments to an eligible person via cash, gift card, check, or other method consistent with internal organizational accounting policies; as well as payments made to a third party on behalf of the eligible person.

We are working right now with our state agency partners to determine which methods of distributing assistance, and for which expenses might affect a person's eligibility for any other form of public assistance. As we prepare to launch the Flexible Funding program, OPDV will provide additional guidance and technical assistance to accepting programs throughout time so that you can make decisions about the best way we can provide assistance to clients. There are potential impacts, but it depends on the circumstance, so we will be building out some of that guidance.

Q16: Can you pay the retainer for fee for an attorney? Or help with divorces?

Yes, legal fees are allowable expense.

Q17: Is there a max amount per client?

No.

Q18: Can transportation be included for fleeing victim?

Yes, this is an allowable expense.

Q19: Is vehicle purchasing—or a portion of a vehicle purchase—allowable as transportation assistance?

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Potentially. This is a question that can be addressed in a 1:1 technical assistance communication.

Q20: If NYC non-residential provider is contracted for specific boroughs, are we restricted to use of funding for survivors of those boroughs, or can they be used to help survivors from any borough?

See answer to Q21 below.

Q21: If a victim comes from another state, are they eligible? Can that also be for those not in NYC?

This funding does not have any county-residency requirements. Regardless of the county a participating program is recognized to provide services in, we do not require programs to prove that survivor is from the same county to receive assistance.

Q22. Will survivors under 18 be eligible?

As outlined in the Contract Guidelines, eligible people are victims or survivors of domestic violence as defined in NYS Social Services Law Section 459-A, quoted here: "As used in this article:

1. "Victim of domestic violence" means any person over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, strangulation, identity theft, grand larceny or coercion; and
 - (i) such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and
 - (ii) such act or acts are or are alleged to have been committed by a family or household member."

Community Partnership Requirement

Q23. We are a population-specific program. Are we required to partner with another program?

See answer to Q24 below.

Q24: If a funded program already serves a specific underserved population, do they still need a community partner?

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OPDV is committed to supporting programs in meeting the needs of all victims, especially underserved populations. In the interest of ensuring that funding reaches underserved populations throughout New York state, all funded organizations must partner with at least one population-specific program, as defined in the Flexible Funding Contract Guidelines, that serves a population underserved in the funded organization's region.

For the purposes of this procurement, a population-specific program is a program that has experience relevant to a specific underserved population and a record of demonstrated success in culturally and linguistically responsive service delivery and has a board of directors and staffing which is reflective of the population they serve. We recognize that a number of OCFS approved non-residential domestic violence services providers may meet the above criteria themselves. The goal of this requirement in the Flexible Funding program is to help support access to this funding among as many underserved communities as we can, and to support relationship building between networks of providers.

Thus, we are requiring that all eligible programs, including those that themselves serve a specific population, partner with another population-specific program. As outlined in the Letter of Invitation and Contract Guidelines, there must be a Partnership Agreement documenting this partnership, including a description of the partnership, and demonstrating an understanding of the region's demographics as captured in the American Community Survey and explaining why the population served is an underserved demographic in their region. OPDV is committed to supporting these partnerships by offering technical assistance in the form of calls, assisting in research regarding population-specific organizations and communities in need in specific regions, and other means.

Q25. Partnership Agreement - How would this work? Would this be written that the partnering agency agrees to refer participants to the funded program who they feel would benefit from this opportunity? The participating program would then assess if the referral met the guidelines.

As stated in the Contract Guidelines, funded organizations must partner with at least one population-specific program in the county(ies) served to ensure funding is made available to the community served by the partner program. In a Partnership Agreement documenting this partnership, the program must include a description of the partnership and demonstrate an understanding of the region's demographics as captured in the American Community Survey and explain why the population served is an underserved demographic in their region. The Agreement should describe how this partnership will be executed to ensure that Flexible Funding will be made available by the program to victims and survivors of domestic violence served by Partner Agency.

We defer to programs and their partner agencies on the best structure for such partnership. However, funded programs are ultimately accountable for designating the

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funds to eligible survivors for eligible purposes. As such, an agreement between a partnering agency to refer participants to the funded program for assessment would be an advised structure for the Partnership Agreement.

Q26: Is there a specific % of the funds that will need to be provided to clients of the population-specific program?

No.

Q27: Is partnership with DSS acceptable under the community partnership?

No.

Q28: Would the United Way serve as a partner agency?

For the purposes of this procurement, a population-specific program is a program that has experience relevant to a specific underserved population and a record of demonstrated success in culturally and linguistically responsive service delivery and has a board of directors and staffing which is reflective of the population they serve.

Q29: What data should we use to identify what is considered an underserved population in our area?

See answer to Q28 below.

Q30: Is the American Community Survey (ACS) the only resource we can use for capturing the region's demographics for the partnership agreement with programs serving underserved populations? We are interested in partnering with an LGBTQ+ provider, but the ACS survey does not really capture relevant data on this population. However, this population is underserved.

As outlined in the Contract Guidelines, Partnership Agreements should generally demonstrate understanding of the region's demographics as captured in the American Community Survey and explaining why the population served is an underserved demographic in their region. However, OPDV is aware that the American Community Survey doesn't capture every underserved population. Therefore, if there are other sources programs can utilize to identify an underserved population, OPDV may consider them and encourages programs to reach out for specific technical assistance related to potential partnerships.

Q231: Can the underserved population organization partner with a non-underserved populations organization to satisfy the requirement?

No. We are looking for partnerships with other population-specific providers, as defined in the Contract Guidelines.

Q32: What must the partnership consist of? Are we giving that agency money or are they identifying survivors that we can provide the money to?

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Partnership Agreements should describe how partnerships will be executed to ensure that Flexible Funding will be made available by the program to victims and survivors of domestic violence served by Partner Agency. We defer to programs and their partner agencies on the best structure for such partnership. However, funded programs are ultimately accountable for designating the funds to eligible survivors for eligible purposes. As such, an agreement between a partnering agency to refer participants to the funded program for assessment would be an advised structure for the Partnership Agreement.

Q33: What services does the partner need to provide?

Partners do not need to be gender-based violence service providers. For example, OPDV would accept a partnership with a community-based organization that provides other important community or social services and reaches a community that is not often reached with this type of funding or assistance.

Q34: Does the population-specific program need to be an OCFS licensed/approved program?

Any non-residential domestic service provider that is recognized by OCFS has been invited to participate in the Flexible Funding program directly already. The focus of the required partnerships should be programs that are not OCFS recognized.

Q35: If an organization is serving individuals in a rural or geographically isolated area as per US census data, is that considered a population specific program?

See answer to Q36 below.

Q36: We cover Seneca and Yates counties and are rural. Is rural considered an underserved population for us?

OPDV is looking for partnerships that reaches those identified as disproportionately underserved in your region in particular. So, if your whole region is rural, then it is unlikely that a rural community is disproportionately underserved relative to the region.

Q37: Is there a % requirement for community partner and do they also need to be DV?

There is no percentage requirement of funding that needs to be reserved for a community partner, and the partner does not need to be a DV provider.

Q38: May elderly (65 and older) be considered a specific population?

This question depends on the specific information about your region and the partner being considered, and thus can be answered on a 1:1 technical assistance communication.

Q39: Can the organization partner with a population specific shelter?

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This question depends on the specific information about your region and the partner being considered, and thus can be answered in a 1:1 technical assistance communication.

Q40: Is the partnership agreement needed at the time of acceptance or during contracting?

OPDV will work with programs during contracting to fulfill this requirement. It is not required to be completed at the time of accepting the award.

Reporting and Timeline

Q41: What are the deadlines for budgets, reporting, etc.?

Programs will be required to submit a claim for payment at the end of each quarter for reimbursement as well as a program report to summarize the work completed, pursuant to directions that will be provided by OPDV to all accepting programs. The program report may include data such as how many clients served, the types of services provided, and other high-level aggregate data as well as how the funding is being utilized, how it impacts the program and the individuals the program serves. Requests for reimbursement and programmatic reports will be due 30 days after the end of each quarter (please see the chart below).

Program Quarter	Reporting Due Date
January - March	April 30
April – June	July 31
July – September	October 31
October – December	January 31

Q42: What are next steps after submitting our interest by Nov. 3rd?

OPDV will confirm all acceptances and will contact programs individually with final award information and to prepare for contract execution.