

**2016 Specific Terms and Conditions for
Martin Luther King Day of Service Grants**

Effective October 1, 2015

These Corporation for National & Community Service (CNCS) Grant Program Specific Terms and Conditions and the General Terms and Conditions ([found at: https://egrants.cns.gov/termsandconditions/FinalGeneralTermsandConditions20151201.pdf](https://egrants.cns.gov/termsandconditions/FinalGeneralTermsandConditions20151201.pdf)) are binding on the recipient.

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I. Changes from the 2015 MLK Day of Service Terms and Conditions

This year, 2016, is the first year that the MLK Day of Service Grants are subject to both general terms and conditions and MLK of Service specific terms and conditions. Since this is the first time program-specific terms and conditions have been published there are no changes in comparison to prior year program specific terms and conditions. We reiterate the importance of reviewing all award terms and conditions, because recipients are responsible for knowing, understanding, and complying with all award general and specific terms and conditions.

II. DEFINITIONS

- A. **Recipient** means the direct recipient of this award. The recipient is legally accountable to CNCS for the use of award funds and is bound by the terms and conditions of the award. The recipient is responsible for ensuring that subrecipients or other organizations carrying out activities under this award comply with all applicable Federal requirements, including the CNCS General Terms and Conditions, these specific terms and conditions, and regulations applicable to the program, and the NCSA.
- B. **Subrecipient** refers to an organization receiving CNCS grant funds from a recipient of CNCS funds. See 2 CFR § 200.93.
- C. **Program** refers to the activities supported under the award.
- D. **NCSA** means the National and Community Service Act of 1990, as amended. See 42 U.S.C. §§ 12501 et. seq.

III. BUDGET AND PROGRAMMATIC CHANGES

All budget and programmatic changes must comply with 2 CFR §200.308 – Revision of budget and program plans.

2 CFR §200.407 Prior written approval (prior approval) – provides an exhaustive list of those other items requiring CNCS’s advance approval. CNCS does not waive any of the prior written approvals required under that section. In addition to the required prior approval for changes in key personnel identified in the budget, the recipient must also notify CNCS of any changes in any positions which are not included in the approved budget, but which involve leadership oversight of the activity under this award. The recipient must also notify CNCS of any change in the senior leadership of the recipient.

A. **Programmatic Changes.** The recipient must first obtain the prior written approval of the Program Office before making any of the following changes:

1. Changes in the scope, objectives or goals of the program, whether or not they involve budgetary changes.
2. Entering into subawards or contracts for activities funded by the award, but not identified or included in the approved application and/or award.

B. **Budgetary Changes.** The recipient must obtain the prior written approval of CNCS’s Office of Grants Management before deviating from the approved budget in any of the following ways:

Specific Costs Requiring Prior Approval before Incurrence under the uniform administrative requirement, cost principles, and audit requirements for Federal awards at 2 CFR Parts 200 and 2205.

1. Certain cost items in 2 CFR Parts 200 and 2205 require approval of the awarding agency for the cost to be allowable. Examples of these costs are overtime pay, rearrangement and alteration costs, and pre-award costs.
2. Purchases of Equipment over \$5,000 unless specified in the approved application and budget.
3. Unless the CNCS share of the award is \$50,000 or less, changes to cumulative and/or aggregate budget line items that amount to 10 per cent or more of the total budget must be approved in writing in advance by CNCS. The total budget includes both the CNCS and recipient shares. Recipients may transfer funds among approved direct cost categories when the cumulative amount of such transfers does not exceed 10 per cent of the total budget.

C. **Approvals of Programmatic and Budget Changes.** CNCS’s Grants Officers are the only officials who have the authority to alter or change the terms and conditions or requirements of the award. Grants Officers will execute written amendments, and recipients should not assume approvals have been granted unless documentation from the Grants Office has been received. Programmatic changes also require final approval of CNCS’s Office of Grants Management after written recommendation for approval is received from the Program Office.

IV. REPORTING REQUIREMENTS

The recipient is responsible for timely submission of periodic financial and progress reports during the project period and a final financial report and for setting submission deadlines for its respective subrecipients that ensure the timely submission of recipient reports.

- A. **Progress Reports.** The recipient shall complete and submit progress reports in eGrants semiannually and annually to report on progress toward achievement of its approved performance targets.

<u>Due Date</u>	<u>Reporting Period Covered</u>
04/30/2017	09/15/2016 - 03/31/2017 - Semiannual
12/31/2017	09/15/2016 - 09/30/2017 – Annual

- B. **Federal Financial Reports.** The recipient shall complete and submit financial reports in eGrants. The recipient must submit timely cumulative financial reports in accordance with CNCS guidelines according to the following schedule:

<u>Due Date</u>	<u>Reporting Period Covered</u>
04/30/2017	9/15/2016 - 03/31/2017 - Semiannual
12/31/2017	4/1/2017 - 09/30/2017 – Semiannual

A recipient must set submission deadlines for its respective subrecipients that ensure the timely submission of recipient reports.

The recipient must submit the Federal Financial Report (FFR) - Cash Transactions Report on a quarterly basis to the Department of Health and Human Services Payment Management System per the Electronic Funds Transfer Agreement.

- C. **Requests for Extensions.** Each recipient must submit required reports by the given dates. Extensions of reporting deadlines will be granted only when 1) the report cannot be furnished in a timely manner for reasons, in the determination of CNCS, legitimately beyond the control of the recipient, and 2) CNCS receives a written request explaining the need for an extension before the due date of the report.

Extensions of deadlines for Federal Financial Reports submitted in eGrants may only be approved by the Office of Grants Management, and extensions of deadlines for Progress Reports may only be approved by the CNCS Program Office.

- D. **Final Financial Reports.** A recipient must submit, in lieu of the last semi-annual financial report, a final financial report. This final report is due no later than 90 days after the end of the project period.
- E. **Final Progress Reports.** A recipient must submit, in addition to the last semi-annual project report, a final project report. This final progress report is due no later than 90 days after the end of the project period.

V. AWARD PERIOD

For the purpose of the award, the project period is the complete length of time the recipient is proposed to be funded to complete approved activities under the award. A budget period is a specific interval of time for which Federal funds are being provided to fund a recipient's approved activities and budget.

Unless otherwise specified, the award covers a one-year project period. The project period and the budget period are noted on the award document.

VI. PROGRAM INCOME

- A. **General.** Gross income, including fees for service earned as a direct result of the award-funded program activities during the award period, must be retained by the recipient and used to finance the award's non-CNCS share under 2 C.F.R. 200.307(e)(3).
- B. **Excess Program Income.** Program income earned in excess of the amount needed to finance the recipient share must follow the appropriate requirements of 2 CFR Part 200 and be deducted from total claimed costs as outlined in 2 C.F.R. 200.307. Recipients that earn excess income must specify the amount of the excess on the financial report.
- C. **Fees for Service.** When using assistance under this award, the recipient may not enter into a contract for or accept fees for service performed under the grant when:
 - 1. The service benefits a for-profit entity,
 - 2. The service falls within the other prohibited activities set forth in these award terms and conditions, or
 - 3. The service violates the terms and conditions of 42 U.S.C. § 12637 – Nonduplication and Nondisplacement.

VII. NATIONAL SERVICE CRIMINAL HISTORY CHECK TRAINING

All recipients and subrecipients **must** complete CNCS NSCHC training every year. The CNCS designated e-course provides a thorough overview of the requirements and can be found at: <http://cncstraining.articulate-online.com/4240214797>. Each recipient must identify at minimum one relevant staff person to fulfill this requirement on behalf of the program. The program must retain the certificate of completion and assign staff to retake the course annually prior to the expiration of the certificate. Programs should save certificates of completion from each year as part of grant record. For 2016, recipients and subrecipients should complete this requirement and be certified by December 31, 2016.