

OCRA Policy Notice 2023-01

Related to: CDBG Grant Administrator Certification Policy.

Subject: Certification requirements

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Effective date: September 5th, 2023.

CDBG Grant Administrator Certification Policy

Section 1

Definitions:

As used in this policy:

- 1) "HUD" means the U.S. Department of Housing and Urban Development
- 2) "OCRA" means the Office of Community and Rural Affairs
- 3) "CDBG" means the HUD State Small Cities Community Development Block Grant program administered through the Office of Community and Rural Affairs
- 4) "Executive Director" means the Executive Director of OCRA
- 5) "Grant Administrator" means any individual who is required by CDBG program to obtain and hold an administrator's certificate in order to administer CDBG grants
- 6) "Grantee" means the community or municipality that is awarded a CDBG grant
- 7) "Debarment" or "debarred" is a process by which an administrator's certificate is revoked permanently.

Section 2

Policy:

The efficient and consistent administration of CDBG grants is important for the growth and vitality of economic and community development initiatives in Indiana. Well-trained grant administrators are critical to the proper functioning of CDBG grant programs, therefore OCRA establishes the following policy for certification, continuing education and debarment of grant administrators. This policy insures the stewardship of federal block grant funds used in CDBG grant programs administered by OCRA and in compliance with federal, state, and program regulations. This policy also ensures that CDBG grants are administered with the highest standard of conduct and ethics supporting the communities they serve.

Section 3

Certification:

The Grant Administrator Certification curriculum consists of four (4) course levels (101, 201, 301, and 401), with each serving as a prerequisite for the next. The target audience to complete all four course levels are individuals interested in obtaining certification to write and/or administer CDBG grants. CDBG 101 and 201 have an additional focus on elected/appointed local government

officials, engineers, community planners and others interested in CDBG grant programs without the goal of certification. CDBG 301 and 401 are recommended only for those seeking certification. All the days of each course must be attended to count as completed. If an individual does not complete the entire certification process within twenty-four (24) months, he/she will be required to start the certification process over

CDBG 101 - CDBG OVERVIEW,

For all persons interested in learning about the CDBG program: this course will consist of a one (1) day overview of OCRA's programming and eligible projects, as well as a brief overview of relevant CDBG regulations and requirements, including important cross-cutting federal regulations and state policies.

- May be attended by city, town or county elected officials, engineers, architects, or others who desire a basic knowledge of the CDBG program;
- Required by anyone who wants to become a certified grant administrator, as a prerequisite to additional required training; and
- Completion of this course in and of itself will NOT entitle the recipient to provide Grant Administration professional services.

CDBG 201 – GRANT WRITING AND PROJECT DEVELOPMENT

For candidates that have successfully completed the CDBG 101 training, a three (3) day 201 course will be offered covering all aspects of project development and grant writing. The course will cover the initial grant planning meeting with a community through grant award.

- May be attended by city, town or county elected officials, engineers, architects, or others; especially those involved in project development.
- Required by anyone who wants to become a certified grant administrator, as a prerequisite to additional required training;
- Candidates must pass the end-of-course assessment with a score of seventy-five percent (75%) or higher to pass the course;
- Completion of this course in and of itself will NOT entitle the recipient to provide Grant Administration professional services.

CDBG 301- GRANT ADMINISTRATION

Once the CDBG 201 course is successfully completed, candidates may attend a three (3) day 301 course devoted to explaining the steps necessary to administer a federally funded project. The course will cover a grant from award to closeout.

- May be attended by city, town or county elected officials, engineers, architects, or others; primarily those who plan to pursue grant administration certification.
- Required by anyone who wants to become a certified grant administrator, as a prerequisite to additional required training;
- Candidates must pass the end-of-course assessment with a score of seventy-five percent (75%) or higher to pass the course; and
- Completion of this course in and of itself will NOT entitle the recipient to provide Grant Administration professional services.

CDBG 401 – EXAM OR CASE ASSESSMENT

For candidates who have successfully completed CDBG 101, 201, and 301 courses, the 401 **Exam or Case Assessment** is the last step before certification. The course **is designed to** test the candidates' knowledge and ability to complete the entire CDBG grant process; from grant writing to award to closeout. Candidates must pass seventy-five percent (75%) **or higher on the exam or the case assessment** to pass the course. The **401 course** may be attempted a maximum of two (2) times prior to being required to restart the certification process.

Passage of 101, 201, 301, and of the 401 **exam or** case assessment, and acceptance of the Grant Administrator Code of Conduct certifies the candidate to provide grant writing and administration services on all state CDBG grant programs.

GRANT ADMINISTRATOR INSTRUCTOR STATUS

"Instructor Status" allows a Grant Administrator to offer trainings to other Grant Administrators that count towards continuing education hours required for certification renewal. Note that each training that is offered must still be reviewed and approved by the CDBG Program Director to count for continuing education hours.

A Grant Administrator may apply for Instructor Status after five (5) years as a certified Grant Administrator with active involvement in the CDBG program by either submitting grant applications or administering awarded grants and:

- Must have obtained timely close-out on all CDBG grant projects administered, with no findings or findings resolved within a reasonable length of time;
- Must have no violations of the Grant Administrator Code of Conduct; and
- Must have the support of communities, other Grant Administrators, etc.

Applications are accepted on a rolling basis and reviewed monthly. To apply for Instructor Status, the Grant Administrator must submit the following to the CDBG Program Director:

- Application for Instructor Status;
- List of all CDBG grants the Grant Administrator administered or was involved in within the past five (5) years; and
- Letters of Recommendation from communities, other Grant Administrators, etc.

Once all application materials are received the CDBG Program Director will chair a committee of three (3) OCRA staff members to review the application and approve or deny Instructor Status.

To maintain Instructor Status, the Grant Administrator must attend the annual Grant Administrator Instructor meeting and offer at least one (1) training in the past two (2) calendar years and adhere to the Code of Conduct and remain in good standing as defined in Section 6, below.

Section 4

Recertification:

Recertification will be required if a Grant Administrator does not comply with all continuing education requirements set out in Section 5 or is not in good standing per Section 6 at the time his or her current certification expires. In such cases, the Grant Administrator will no longer be considered certified and must complete and pass the CDBG 201, 301, and 401 courses, and address the issue(s) that led to a “not in good standing” status. Recertification must be completed within one (1) year of the prior certification’s expiration. Failure to complete recertification will result in the loss of certification and the individual will have to start the certification process from CDBG 101.

Section 5

Renewal and Continuing Education (CE):

Six (6) credits of continuing education (CE) are required each calendar year to renew the Grant Administrator certification. Two (2) of the six (6) credits must be from an official OCRA Grant Administrator Update. A Grant Administrator that completed the required Continuing Education will be eligible to renew his/her certification. Renewals will be issued on December 31 of the year the certification expires and be valid for two (2) full calendar years.

The CDBG Program Director, OCRA staff, OCRA partner organizations and Grant Administrators with Instructor Status will present at or offer continuing education trainings each year. A list of approved trainings will be posted on a continual basis on the OCRA website. The CDBG Program Director must approve any continuing education training in order for it to count toward this requirement. As part of the approval process, the CDBG Program Director will determine the number of Continuing Education credits a Grant Administrator can earn at each training.

Section 6

Administrator in Good Standing:

It is of utmost importance to OCRA, that Grant Administrators maintain the highest level of integrity, proficiency and professionalism when serving Indiana cities, towns and counties. Certified Grant Administrators are therefore required to remain in good standing as determined by the Executive Director in consultation with the CDBG Program Director. An administrator is considered in good standing by having no or very few “Findings of Program Deficiency” on the grant projects they have administered, having no formal complaints from Grantees reported to OCRA for failure to perform and/or having no violations of the Grant Administrator Code of Conduct as documented by OCRA. Grant Administrators not in good standing are subject to probation or disbarment based on the number or severity of the issues.

Section 7

Monitoring and Administration Deficiencies:

OCRA is required to ensure compliance with federal guidelines for all grants awarded through the agency. Any failures to meet the CDBG federal guidelines are noted as “Findings of Program

Deficiency” when HUD conducts an annual monitoring of OCRA. Such “Findings” reflect adversely

on the state CDBG program and may jeopardize allocation of future CDBG funds.

In order to ensure that Grantees perform the administration of federally assisted projects in accordance with the appropriate guidelines, OCRA requires Grantees to engage a certified Grant Administrator, who has completed required training and continuing education. Such administrators will be designated as the Grant Administrator of Record and will be responsible for the administration of the project from start to finish unless written notification from the Chief Elected Official of the Grantee that the Grant Administrator of Record has been changed. OCRA will confirm the Grant Administrator of Record as part of the FEEPS process after a grant is awarded. At project closeout, the Grantee's performance is monitored and failure to meet the federal, state or program regulations of the CDBG program are noted as "Findings".

As the Grant Administrator of Record is responsible for advising and consulting the Grantee throughout the grant process, "Findings" that occur due to lack of administration oversight reflect on the Grant Administrator. Each such "Finding" will be recorded in the Grant Administrator's record when issued and it shall be automatically deleted from the Grant Administrator's record five (5) years later from the date of said "Finding".

Excessive "Findings" serve as a justifiable cause for probation or debarment of the Grant Administrator of Record. Excessive "Findings" will be determined based upon the number of projects administered vs. the number of "Findings" issued during the twelve (12) month rolling period. More severe deficiencies may prompt corrective action regardless of the total number of "Findings" issued during the twelve (12) month period. Grant Administrators will be advised of any "Findings" accrued to them by OCRA.

When a Grant Administrator abandons a project without completing the contract agreement, such action will result in automatic probation for that Grant Administrator.

Findings of Program Deficiency

All requirements for the administration of a federally assisted project through the CDBG program are available on OCRA's website. "Findings" will be issued when any regulatory requirement is not found to be in compliance. The CDBG Monitoring Manual is available on OCRA's website at www.in.gov/ocra/2617.htm and should be referred to when the Grant Administrator of Record is preparing documents for project monitoring.

Section 8

Leaving the Certification Program, either by Choice, Failure, or by Debarment:

Should a Grant Administrator leave the certification program and be the Grant Administrator of Record for a project that is not complete, the contract with the current administrator must be terminated and the services of another certified administrator obtained. If a grantee plans to terminate any contract due to loss of an administrative certification, the project will be subject to an interim monitoring by the OCRA staff. The interim monitoring will include a review of activities to date, and the resolution of all monitoring findings made during the time that administrator was under contract. An organization under contract with a grantee may not be subject to this

requirement if the project can be assigned to another certified administrator on staff at the time of loss of the certification by the first grant administrator.

Section 9

Administrative Probation:

The Executive Director may place a certified administrator on administrative probationary status for a period of up to one (1) year if the certified administrator has violations per Sections 6, 7, 8, or 12. OCRA staff shall document reasons for the probationary status. Probationary notification will be made by certified mail and shall be effective from date of receipt of such certified mail.

During the probationary period, OCRA will dictate the continuing education that must be taken by the Grant Administrator, any additional oversight and reporting requirements, and any restrictions from working on CDBG grants. After the probationary period, the Grant Administrator may be fully reinstated if there are no further documented violations within that period. If other violations are documented, OCRA will determine if the probationary period should be extended or if they should be processed through the debarment process. The Grant Administrator will be allowed to participate in Continuing Education classes to maintain his/her certification during the probationary period.

Section 10

Causes for Debarment:

A Grant Administrator may be debarred if any of the following have occurred within a reasonable period of time before institution of debarment proceedings:

- (1) Serious or repetitive violation of any federal or state law or program regulation or instruction.
- (2) Serious or repetitive failure to perform contractual obligations or carry out representations or warranties to OCRA or to any grantee under any program administered by OCRA.
- (3) Acts of misconduct indicating a lack of business integrity directly affecting responsibility to participate in OCRA programs, including but not limited to, the following:
 - (A) False representation; (B) Embezzlement; (C) Theft; (D) Forgery; (E) Fraud; (F) Negligent service; (G) Bribery; (H) Falsification of record; (I) Receiving stolen property.
- (4) Serious or repetitive violations of any nondiscrimination or equal opportunity requirements in connection with any program.
- (5) Debarment from any agency of the federal government or of any state government.

(Office of Community and Rural Affairs; 17 IAC 1-2-1)

Section 11

Procedure for Debarment:

Initial Determination:

The initial determination by OCRA, entitled Notice of Recommended Debarment, shall be mailed to the grant administrator against whom debarment is recommended, in writing and signed by the Executive Director, or his or her designee, and shall include the following:

- (1) A statement indicating that as a result of an investigation made by OCRA, debarment is

recommended and would consist of exclusion from participation in all Office programs.

- (2) One (1) or more of the grounds stated in 17 IAC 1-2-1.
- (3) A short, plain statement of the reasons for the recommended debarment.
- (4) A statement that the person has the right to file a written objection within fifteen (15) days with the Executive Director, and, if no written objection is timely filed, the determination of debarment shall be made.

(Office of Community and Rural Affairs; 17 IAC 1-3-1)

Prehearing Conference:

Any Grant Administrator who has received an initial determination recommending debarment is entitled to a prehearing conference to discuss all charges, provided that the conference is requested in the objection filed under this title.

The prehearing conference shall be an informal proceeding, scheduled by and involving the Executive Director, or his or her designee.

If, after the prehearing conference, the initial determination is settled or adjusted, a written synopsis shall be prepared by OCRA and submitted to the person for approval. The person's failure to file a response to the synopsis within fifteen (15) days after the date of mailing will be deemed approval by the person.

If any person, after being duly notified, fails to appear at a prehearing conference, that person shall be deemed to have waived his or her request for a prehearing conference.

(Office of Community and Rural Affairs; 17 IAC 1-3-2)

Hearing Recommendations:

A hearing officer, appointed by the Executive Director, shall conduct the debarment hearing.

Upon conclusion of the hearing, the hearing officer shall issue recommendations to the Executive Director as to the determination of debarment, which shall not exceed three (3) years.

Any interested and affected person may file with the office his or her objections to the entry of such determination in writing within fifteen (15) days thereafter.

(Office of Community and Rural Affairs; 17 IAC 1-3-3)

Final Order:

The Executive Director, or his or her designee, shall issue a final order under IC 4-21.5.

(Office of Community and Rural Affairs; 17 IAC 1-3-4)

Judicial Review:

For any procedure not specifically provided in this article, the provisions of the Administrative Orders and Procedure Act (IC 4-21.5) shall be followed. Any person aggrieved by the final order or determination made by OCRA shall be entitled to judicial review thereof in accordance with said provisions.

(Office of Community and Rural Affairs; 17 IAC 1-3-5)

Section 12

Code of Conduct

As Grant Administrators are considered professionals that have an impact on communities and citizens in their role of advisors and consultants, OCRA has established the following Code of Conduct for all certified Grant Administrators.

Certified Grant Administrators conduct themselves as professionals by:

1. Following all federal, state, and local laws, regulations, and guidance in the course of administering grants;
2. Presenting OCRA with applications that are accurate, true and honestly to the best of their knowledge;
3. Avoiding any conflicts of interest, and disclose any conflicts of interest when they exist;
4. Holding the interests of the community above their own interests;
5. Advising communities openly and honestly;
6. Interacting acting in a manner that conforms to the technical and ethical standards of a profession, and exhibiting a courteous, conscientious, and generally business-like style with community members, OCRA staff, and other stakeholders at all times;
7. Fostering new and innovative ideas by sharing best practices and other resources; and
8. Holding other Grant Administrators accountable to the Code of Conduct.

Effective Date

This policy is effective as of September 5, 2023, and will remain in effect until amended, superseded, or rescinded