

Office of Highway Safety Planning Grant Program

Planning Program
Operational Program
Regional Program

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Fiscal Year 2024

**Funding Provided by
State Court Administrative Office**

PROGRAM DESCRIPTION

An Office of Highway Safety Planning (OHSP) grant is for a jurisdiction that is interested in establishing a new Driving While Impaired (DWI) or Hybrid DWI/drug court, a jurisdiction that is in the first year of operating a DWI, or Hybrid DWI/drug court, or for operational programs who are currently funded by OHSP funds and are still eligible for funding.

For fiscal year 2024, OHSP has expanded funding for ALL DWI and hybrid DWI/drug courts. All DWI and hybrid DWI/drug courts that have been operating and are not currently under an existing eligibility for OHSP funding, may apply for funding through the grant application process. However, ONLY Contractual and Travel/Training costs may be charged under this opportunity for the existing programs. Funding may only be expended on the DWI or drugged driving offender.

PLANNING – This funding is designed to support courts who are in the planning phases of developing a DWI or hybrid DWI/drug court. A planning grant is limited in scope and will not necessarily lead to subsequent state or federal funding to implement the program that result from the planning phase. The outcome of the planning process, however, should enable the grantee to develop a sufficient needs assessment and cost analysis to justify a request to local, state, or federal funding sources. It is important to review the state and federal guidelines for data collection and evaluation criteria in planning the DWI or hybrid DWI/drug court as these issues would need to be addressed in order to pursue state or federal funding for implementation of the DWI or hybrid DWI/drug court. An OHSP funded program must target drunk or drugged drivers and funding may only be expended on the DWI or drugged driving offenders.

OPERATIONAL – An operational grant is for a jurisdiction that has completed a substantial amount of planning and is seeking funding to support the implementation and operation of a new DWI or hybrid DWI/drug court or a currently funded operational program seeking to fulfill the number of years for funding. The funding should enable the DWI or hybrid DWI/drug courts to promote public safety and contribute to a reduction in substance abuse and recidivism among nonviolent adult substance-abusing offenders; reduce reliance on incarceration within existing correctional systems and local jails; and establish monitoring and evaluation measures that will demonstrate the effectiveness of the program. OHSP funding may only be expended on the DWI or drugged driving offenders.

REGIONAL – A regional DWI or Hybrid DWI/drug court is distinguished from other courts by the number of geographically distinct jurisdictions participating in a single joint program. Below are examples of regional DWI court designs:

- Two or more circuit courts participating in a single regional DWI court
- Two or more district courts from different counties participating in a single regional DWI court
- One or more district courts and one or more circuit courts, from different counties, participating in a single regional DWI court

A regional DWI court receives one grant award and one contract, have one coordinator that oversees the entire region, and have one program design that is applicable to all participants in the regional DWI court, even if the regional DWI court has multiple court locations. The program must have one joint Local Administrative Order (LAO) covering all participating courts in the regional program and one Memorandum of Understanding (MOU) covering all participating organizations. Data collection and grant reporting should reflect the program as a whole, rather than reflecting separate locations of the program. Hence, one set of grant reports should be submitted for the regional DWI court and one dashboard of data should be submitted to the State Court Administrative Office (SCAO).

MAXIMUM LENGTH OF FUNDING FOR SCAO OHSP FUNDED PROGRAM

Programs wishing to be funded under the SCAO OHSP grant must apply each fiscal year for SCAO OHSP grant funds.

Targeted Programs	Planning Grants	Operational	Step-Down Funding
Planning and Newly Operational Programs	One year	Three years	One year at 50 percent of prior fiscal year funding
Regional Programs	Two years	Three years	Two years
FY 2024 All DWI and Hybrid DWI/drug court programs		Fiscal year 2024 – only	

FUNDING SOURCE

State Court Administrative Office

APPLICATION SUBMISSION INFORMATION

The application must be submitted through WebGrants in order to be considered for funding. Funding decisions will be based on merit.

APPLICANT ELIGIBILITY REQUIREMENTS

Planning Grant: A program that receives funding must be designed according to statute and the included assurances. Before the program accepts any participants, the program must have an approved DWI or hybrid DWI/drug court LAO and a valid MOU.

Operational Grant: Only a program recognized by the SCAO will be considered for funding. In order for the SCAO to recognize a DWI or hybrid DWI/drug court, the program must be designed according to the included assurances, have an approved LAO, a valid MOU, and be certified or provisionally certified by the SCAO.

Acceptance of Assurances

The applicant must read and agree to the OHSP Assurances and Certifications included in this document. Submitting an application affirms compliance with specific legal requirements as the federal grant program is executed.

Compliance with Drug Court Statute

The applicant should refer to [MCL 600.1060 through MCL 600.1084](#) when completing the application to ensure that the DWI or Hybrid DWI/drug court program is designed in compliance with statutory requirements.

Memorandum of Understanding

The MOU shall describe the roles and responsibilities of all parties and should include, if the program includes for discharge and dismissal of an offense, delayed sentence, or deviation from sentencing guidelines, each participating prosecuting attorney in the circuit or district courts, a representative of the criminal defense bar, a representative or representatives of the community treatment providers, and any additional parties considered.

Drug Court Case Management Information System

[MCL 600.1078](#) requires that all DWI or hybrid DWI/drug courts submit data to the SCAO. Grantees must submit the minimum standard data requirements to the SCAO using the Drug Court Case Management Information System.

Required Training

The applicant agrees to participate in the SCAO required training, including the Federal Grant Management training, the National Center for DWI Courts, if applicable, and the SCAO Fundamentals of Problem-Solving Courts Training, if receiving their first year of SCAO problem-solving court grant funding.

REPORTING REQUIREMENTS

Please see the list of reporting requirements included in this document.

APPLICATION REVIEW CRITERIA

The OHSP grant application review will consider the appropriateness and reasonableness of the request along with the necessity for program operations while reviewing two years of prior spending, the number of active DWI or drugged driving participants, and other streams of funding awarded to a program.

Pre-Award Financial Risk Assessment

The applicant is required to complete a pre-award financial risk assessment as part of the grant application. The questionnaire helps the SCAO assess the financial management and internal control systems and the associated potential risks of an applicant.

The pre-award financial risk assessment should only be completed by program and financial staff most familiar with the applicant's systems, policies, and procedures to ensure the correct responses. The responses directly impact the pre-award risk assessment and should accurately reflect the applicant's financial management and internal control system at the time of the application. The pre-award financial risk assessment is an additional factor in determining funding. Applicant risk level may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, or additional award requirements.

INDIRECT COST

The applicant may charge indirect costs as part of the grant funding. In order to claim indirect costs, documentation will be uploaded into the budget portion of the application. Required documentation may

include State and Local Government Rate Agreement, request to apply the de minimis rate (total modified direct costs), or request to have a negotiated rate (general ledger that includes all operating costs).

AWARD INFORMATION

Award letters are e-mailed to the chief judge on or before October 1 barring that the SCAO receives an award letter from their grantor on or before October 1. The letter will contain the award amount and indicate if the program is required to follow additional program conditions.

ALLOWABLE EXPENSES

Costs must be reasonable and necessary

Note: If an item is not listed as an allowable expense, SCAO considers it disallowed.

Personnel and Fringe

- Hourly wages
- Fringe benefits

Contractual

- Treatment services, excluding mental health treatment services
- Assessments (such as risk needs assessment and clinical assessments)
- Transitional housing (also known as Three-Quarter housing) not to exceed 60 days per participant
- Consultant (not to exceed \$81.25 per hour or \$650.00 per day)
- Ignition Interlock (enrollment/installation fee and daily rate only – not to exceed six months per participant) – Michigan Department of State approved vendor
- Drug and alcohol testing services, including drug testing confirmations
- Contractual agencies/providers to provide coordination, case management, monitoring, etc.
- Electronic monitoring devices (such as GPS/SCRAM/Tethers/Soberlink)
- Medication Assisted Treatment (MAT) (Contractual)
 - FDA-approved medications that assist in the treatment of opioid and alcohol use disorders
 - Physician assessments for MAT
 - Physician consultations to the team (not to exceed \$81.25 per hour or \$650.00 per day,)
 - Follow up doctors' appointments and health services, not otherwise covered by health insurance, associated with MAT including:
 - TB tests
 - Blood work
 - Chest x-rays
- Emergency housing, not to exceed 30 days

Supplies

- Basic office supplies
- Drug testing supplies
- General Educational Development (GED) tests
- Participant supplies (day planners, folders, and/or workbooks for treatment and ancillary services)
- Zoom licensing for problem-solving court staff to conduct probation appointments and other program related business. This funding is limited to one license per program. (Programs that are dual funded with OHSP and MDCGP funds, must charge Zoom to their MDCGP grant. Programs that are fully funded under OHSP and use Zoom for other reasons that are non-OHSP grant related must prorate the cost of the expense. Programs may only bill for costs that are OHSP grant related activities. Programs should indicate on the invoice the cost for proration and show the calculation or indicate that the expense was only used for OHSP grant related activities.)

Travel and Training

Travel expenses may not exceed the [state rate](#), or your program's county rate, whichever is the lesser expense.

- Transportation expenses and mileage for program activities, excludes gas cards

- Conferences/training expenses: training/conference material, registration, travel, meals, lodging, and parking – THESE COSTS MUST BE IN THE APPROVED BUDGET PRIOR TO EXPENDING FUNDS.

CONDITIONS ON EXPENSES

All OHSP projects are based on the cost reimbursement concept, i.e., state, local, or private funds shall be expended before reimbursement is provided.

Costs must be reasonable and necessary. All grant costs and billings will be reviewed by the SCAO to ensure that they reflect costs generally recognized as ordinary and necessary for the operation of the problem-solving court and reflect market prices for comparable goods or services.

Additionally, the grant expenditures must be for goods and services that are or will be utilized for the grant period or fiscal year (October 1 to September 30). Billing for goods and services that could not reasonably be used up prior to September 30 (e.g., bus tokens, drug testing supplies) will be denied for reimbursement. Contact the SCAO if you are not sure about an expense. If required by the parent agency, costs must be sustained by competitive bids.

Individual consultant fees are limited to \$650 (excluding travel, lodging, and meal costs) per day, which includes legal, medical, psychological, and accountant consultants. If the rate will exceed \$650 for an eight-hour day, written approval is required from the SCAO. Compensation for individual consultant services is to be responsible and consistent with that paid for similar services in the marketplace.

Travel expenses may not exceed the [state rate](#), or your program's county rate, whichever is the lesser expense. Out-of-state travel requires programs to make an effort to utilize program income alongside the use of grant funds.

SCAO ASSURANCES

These assurances are applicable to the grantee and all subrecipients of the grantee. It is the grantee's responsibility to ensure that subrecipients are adhering to the assurances. Failure to do so may result in termination of grant funding or other remedies.

1. Grantee assures that there has been, and will continue to be, appropriate consultation with all affected agencies in planning and implementation of the drug treatment court program. Grantees are required to have a current Memorandum of Understanding that includes the parties as stated in MCL 600.1062(1) and (2).
2. Grantee assures that all treatment programs and providers used in the drug treatment court program are licensed and/or accredited by the appropriate state government or professional agencies.
3. Grantee assures the intention of the jurisdiction to continue the program after funding from the OHSP has been exhausted. Grantee assures they will make a good faith effort to continue program operations if state funds are unavailable to financially support the program in the future. Grantee's good faith efforts could include applying for federal grants, foundation funds, local funds, or funding unit contributions. Grantee is not bound to continue the program if the good faith efforts to find alternative means of continuing the program are not successful. This assurance does not commit or mandate funding by local funding units

4. Grantee assures that all recipients of funding under this grant program are required to comply with nondiscrimination requirements contained in various federal and state laws. Each grantee court should have a copy of their Equal Employment Opportunity plan on file and available for review by the SCAO upon request.
5. Grantee assures that they and any contractors and/or subrecipients will not use funds from OHSP for lobbying and that they will disclose any lobbying activities related to OHSP.
6. Grantee assures:
 - a. All expenditures, including personnel services, contractual services, and supplies, shall be in accordance with the standard procedures of their court.
 - b. The accounting system maintains a separate fund or account to support expenditures (or maybe, maintenance of a separate fund or account to support expenditures)
 - c. Maintenance of accounting records, following generally accepted accounting principles for the expenditure of funds for purposes identified in the budget and any budget amendments.
7. Grantee understands that only program activities and expenses in the approved grant budget and incurred during the fiscal year are eligible for reimbursement.
8. Grantee assures state funds will not be used to replace (supplant) funds that have been appropriated for the same purpose.
9. Grantee assures:
 - a. That the Michigan Supreme Court, the SCAO, the local government audit division of the Michigan Department of Treasury, the State Auditor General, or any of their duly sworn authorized representatives shall have access to and the right to examine, audit, excerpt, copy, or transcribe any pertinent financial transactions, accounting records, or other fiscal records related to this grant.
 - b. Maintenance of these records for a period of five years after completion of the grant project or until all the SCAO audits are complete for the fiscal period, whichever is later.
 - c. Quarterly reports on the funds expended by the program in the form required by the SCAO.
10. Grantee agrees to collect and provide program and participant data in the form and manner required by SCAO, and to participate in follow-up and evaluation activities.
11. Grantee agrees to utilize the Drug Court Case Management Information System (DCCMIS) to manage drug treatment court cases and report all data to the SCAO under MCL 600.1078.
12. Grantee assures planning, design, and operation of the program according to one of the following models: *Drug Treatment Courts: The Ten Key Components* or *The Ten Guiding Principles of DWI Courts*,. Additionally, Grantees agree to follow all applicable state laws, court rules, and administrative orders pertaining to the operation of drug courts and adjudication of related cases, and standards and required best practices per the SCAO's *Adult Drug Court Standards, Best Practices, and Promising Practices*.

13. Grantee assures participation in the SCAO required training including the Bureau of Justice Assistance's Drug Court Planning Initiatives (DCPI). Courts that apply to DCPI training, but are not selected, must agree to participate in Problem-Solving Court Fundamental training.
14. Grantee assures that if a federal 501(c)3 exists or is developed for drug treatment court purposes, or if the drug treatment court develops a partnership with an existing 501(c)3, that no employee of the court will be directly involved in the operations of the 501(c)3.
15. Grantee understands that the SCAO may suspend funding in whole or in part or terminate funding for the following reasons:
 - a. Failure to meet the SCAO certification requirements
 - b. Failure to comply with the requirements of the grant program, which includes the submission of the required reports submitted within the time frames listed in the Reporting Requirements section of this document
 - c. Failure to make satisfactory progress toward the goals or strategies set forth in this application
 - d. Failure to adhere to the requirements of the grant contract
 - e. Proposing or implementing substantial plan changes to the extent that the application would not have been selected for funding
 - f. Filing a false statement in this application or other report or document
 - g. Other good cause shown
16. The individuals with express authority to act in the name of the Grantee in the positions of project director, financial director, and authorizing official should be the grant signatories. The signatures commit the Grantee to the terms and conditions of the grant contract and attest to the accuracy of all information the Grantee has supplied. The project director is responsible for directing the implementation of the drug treatment court grant project. The financial officer is the individual who is fiscally responsible for this project, and is responsible for accountability for the grant funds. The authorizing official is the individual authorized by the court to enter into this agreement. The SCAO prohibits the same individual from signing in more than one capacity.

OHSP FEDERAL GRANT MANAGEMENT REQUIREMENTS

The grant management requirements are applicable to the grantee and all subrecipients of the grantee. It is the grantee's responsibility to ensure that subrecipients are adhering to the grant management requirements. Failure to do so may result in termination of grant funding or other remedies.

The grant management requirements can be found in the attachment section of the Grant Description page.

REPORTING REQUIREMENTS

CLAIMS

Financial Claims Reports are due quarterly on the following dates:

- January 10
- April 10
- July 10
- October 10

Request for reimbursement shall include a Request Summary, and documentation to support request for reimbursement detailing hours, rates, services, and total costs. Employees that have their time split between funding source(s) must document time worked toward the grant and time worked toward the other funding source(s) via timesheet. Proof of payment is required for all expenditures.

STATUS REPORTS

Quarterly Reports (Program Reports) are due quarterly on the following date:

- January 10
- April 10
- July 10
- October 10

Planning grantees must provide updates regarding the programs progress toward the following goals, including measurements of the objectives:

- What achievements were made during the past quarter toward implementation or becoming operational?
- What obstacles occurred during the past quarter and how were they overcome?
- What goals are set for next quarter?

Operational grantees must provide updates regarding the programs progress toward the following measurements:

- Average total number of drug tests on active participants
- Average number of positive drug tests
- Average number of scheduled drug court reviews
- Number of participants in-program re-arrests (active cases)
 - Offense type of re-arrest
- Average number of SA treatment contact hours
- Types of SA treatment services provided
- Average number of days from acceptance to SA treatment
- Number of participants admitted during this quarter
- Number of discharged participants during the quarter
 - Successfully Completed
 - Unsuccessful New Offense
 - Unsuccessful Noncompliant

- Unsuccessful Abscond
- Other
- Number of incentives in this quarter.
- List of incentives
- Number of sanctions in this quarter.
- List of sanctions

Program Income Reports are due quarterly on the following date:

- January 10
- April 10
- July 10
- October 10

“Program Income” means the gross income earned by the grantee during the grant period as a direct result of the grant project. Any revenue derived as a direct result of program activities may be considered to be program income. Specific examples of program income includes program participation fees pursuant to MCL 600.1070 and for only the cost of a drug test if the court performs the drug test in a vendor capacity. Any revenue generated from program income must be expended on the SCAO OHSP funded operations by September 30.

Program income may be used to further program objectives and may only be used for allowable program costs. (If it is an allowable expense of the grant then program income may be used.)

Program income must be accounted for up to the same ratio as federal participation as funded in the project or program. For example:

- A program that is funded 100 percent, then the program must account for and report 100 percent of total program income earned each quarter. If the total income earned was \$2,000, the recipient must account for and report the \$2,000 as program income earned on the quarterly program income report.
- If a program is funded 75 percent by OHSP and 25 percent by another funding source and the total program income earned was \$1,000, then \$750 must be accounted for and reported as program income earned on the quarterly program report.

Annual Report (Program Income Waiver) is due on the following date:

- January 10

Bi-Annual Report (Time Certification) are due on the following dates:

- April 10
- October 10

Time certifications are required for all programs to complete. Programs that have staff funded by the OHSP grant are required to complete the entire document, with the name of the staff, the percentage of the time the staff's time is charged to the grant for quarters 1 and 2 and quarters 3 and, including dates worked on the grant.

The staff member and supervisor/project director are required to sign and date the document. The staff and supervisor signatures may not be the same person.

DCCMIS

Data Exception Reports must be corrected quarterly by the following dates for programs that have participants on the following dates:

- November 15
- February 15
- May 15
- August 15

DCCMIS data exceptions will appear in the Exception Report in the menu dropdown. The exceptions will need to be marked completed or unable to complete with an explanation by each due date.

DCCMIS Users Audit is due on the following date for programs that have a DCCMIS dashboard:

- January 31

The form is e-mailed to the project directors near the beginning of the year. This document is for the project director to verify all current users of DCCMIS.

WEBGRANTS

WebGrants Users Audit is due on the following date:

- January 31

An e-mail is sent to all WebGrants account users. Users will respond to the e-mail to verify all current users on their WebGrants account.

NONCOMPLIANCE WITH REPORTING REQUIREMENTS

Thirty days past the due date, a delinquency notice will be sent out via e-mail notifying courts that they have fifteen days to comply with the reporting requirement, unless new deadlines are approved by the SCAO.

Forty-five days past the due date, a forfeiture notice will be sent out to courts via mail notifying them that their funding award has been rescinded due to contract noncompliance, unless new deadlines are approved by the SCAO.