

CHAPTER 05 – GOVERNOR'S CRIME COMMISSION

SUBCHAPTER 05A – GRANT ADMINISTRATION

SECTION .0100 – PURPOSE: ORGANIZATION

14B NCAC 05A .0101 GOVERNOR'S CRIME COMMISSION: ORGANIZATION
14B NCAC 05A .0102 GOVERNOR'S CRIME COMMISSION DIVISION: ADDRESS

History Note: Authority G.S. 143B-10(b); 143B-477; 143B-478; 143B-480;
Eff. April 1, 1988;
Transferred from 14A NCAC 07 .0106 Eff. June 1, 2013 (14B NCAC 05 .0101);
Transferred from 14A NCAC 07 .0107 Eff. June 1, 2013 (14B NCAC 05 .0102);
Expired Eff. February 1, 2017 pursuant to G.S. 150B-21.3A.

SECTION .0200 – GRANT REAPPLICATION PROCESS

14B NCAC 05A .0201 NOTICE OF AVAILABILITY OF FUNDS
14B NCAC 05A .0202 CONSISTENCY WITH STATE OR FEDERAL GRANT PROGRAMS
14B NCAC 05A .0203 REQUEST FOR PREAPPLICATION FORMS
14B NCAC 05A .0204 GRANT PREAPPLICATION FORM
14B NCAC 05A .0205 PREAPPLICATION SUBMISSION PROCEDURES
14B NCAC 05A .0206 INCOMPLETE PREAPPLICATIONS
14B NCAC 05A .0207 REVIEW OF PREAPPLICATIONS
14B NCAC 05A .0208 NOTIFICATION TO PREAPPLICANTS

History Note: Authority G.S. 143B-477; 143B-479;
Eff. April 1, 1988;
Transferred from 14A NCAC 07 .0204 - .0211 Eff. June 1, 2013;
Repealed Eff. March 1, 2019.

SECTION .0300 – GRANT APPLICATION AND ADMINISTRATION

14B NCAC 05A .0301 APPLICATION FORM AND REQUIREMENTS
14B NCAC 05A .0302 APPLICATION SUBMISSION PROCEDURES
14B NCAC 05A .0303 APPLICATION DUE DATE
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14B NCAC 05A .0307 GRANT AWARD CONTRACTS

History Note: Authority G.S. 143B-477; 143B-479;
Eff. April 1, 1988;
Amended Eff. April 1, 1999; May 10, 1998; July 1, 1989;
Transferred from 14A NCAC 07 .0308 - .0314 Eff. June 1, 2013;
Repealed Eff. March 1, 2019.

14B NCAC 05A .0308 INDIRECT COSTS
14B NCAC 05A .0309 DISALLOWED COSTS

History Note: Authority G.S. 143B-477; 143B-479;
Eff. April 1, 1988;
Transferred from 14A NCAC 07 .0315 Eff. June 1, 2013 (14B NCAC 05 .0308);
Transferred from 14A NCAC 07 .0316 Eff. June 1, 2013 (14B NCAC 05 .0309);
Expired Eff. February 1, 2017 pursuant to G.S. 150B-21.3A.

14B NCAC 05A .0310 CONTINUATION FUNDS
14B NCAC 05A .0311 ADJUSTMENTS TO GRANTS

History Note: Authority G.S. 143B-477; 143B-479;
Eff. April 1, 1988;
Transferred from 14A NCAC 07 .0317, .0318 Eff. June 1, 2013;
Repealed Eff. March 1, 2019.

SECTION .0400 - PENALTIES

14B NCAC 05A .0401 GRANT TERMINATION OR SUSPENSION
14B NCAC 05A .0402 LOSS OF GRANTEE ELIGIBILITY

History Note: Authority G.S. 143B-477; 143B-479;
Eff. April 1, 1988;
Transferred from 14A NCAC 07 .0406, .0407 Eff. June 1, 2013;
Repealed Eff. March 1, 2019.

SECTION .0500 - APPEAL

14B NCAC 05A .0501 APPEAL

History Note: Authority G.S. 150B-2; 150B-23;
Eff. May 1, 1988;
Transferred from 14A NCAC 07 .0504 Eff. June 1, 2013;
Repealed Eff. March 1, 2019.

SUBCHAPTER 05B – GRANT ADMINISTRATION

SECTION .0100 – GENERAL PROVISIONS

14B NCAC 05B .0101 PURPOSE

The rules of this Chapter, pursuant to the authority of the Secretary of the Department of Public Safety (Department), implement the administration of duties of the Governor's Crime Commission (Commission), as a section of the Division of Administration within the Department and as a State administering agency of North Carolina. Applications for State and federal grants shall be submitted in accordance with the rules set forth in Section .0200 of this Chapter.

History Note: Authority G.S. 143B-602(5); 143B-1101(8); 143B-1103; 143B-1104;
Eff. March 1, 2019.

SECTION .0200 - PROGRAM GRANTS

14B NCAC 05B .0201 APPLICATIONS FOR GRANTS

- (a) Funding priorities, as determined by the Commission, shall be listed on the Commission's website prior to the opening of an application period.
- (b) Grant application submission dates shall be announced on the Commission website, <https://www.ncdps.gov/about-dps/boards-and-commissions/governors-crime-commission/grant-process> before the application is due.
- (c) Grant applications shall be electronically submitted to the Commission through the Grants Management System (GMS) on or before the date announced on the Commission website.
- (d) To be considered for funding, applicants shall complete the grant application, which shall include the following information:
 - (1) names, mailing addresses, and telephone numbers of the applicant;
 - (2) project information, including the following:

- (A) a description of the project, its goals and objectives, and outcomes;
 - (B) the issues or problems addressed by the project; and
 - (C) a sustainability plan;
 - (3) a proposed budget;
 - (4) a project time line; and
 - (5) any other information required by these Rules or requested by the Department in order to make a decision on the grant proposal.
- (e) Applicants seeking funding for a two-year project shall submit two one-year budgets.

History Note: Authority G.S. 143B-1103; 143B-602
Eff. March 1, 2019;
Amended Eff. September 1, 2024; April 1, 2023.

14B NCAC 05B .0202 REVIEW OF PROPOSALS

- (a) Applications that contain all of the information required in Rule .0201 of this Section shall be forwarded to a Commission Subcommittee, as designated in G.S. 143B-1102.
- (b) The Subcommittee shall review and evaluate each application and make a recommendation to the full Commission to approve or deny the application.
- (c) In making this evaluation, the Commission or Subcommittee shall consider:
 - (1) who will benefit from the grant;
 - (2) how many will benefit from the grant;
 - (3) the cost of administering the grant;
 - (4) geographical representation; and
 - (5) past performance of the applicant with grants and publicly funded projects.
- (d) The Commission shall determine which applications are eligible for funding.
- (e) The Commission shall recommend eligible applications to the Secretary of the Department of Public Safety. The Secretary shall select the applicants who will be awarded funding.

History Note: Authority G.S. 143B-1101(a)(8); 143B-1103; 143B-1104;
Eff. March 1, 2019.

14B NCAC 05B .0203 ADMINISTRATION OF GRANTS

- (a) The Commission staff shall administer grants as funds are available. All applicants shall be notified in writing or electronic communication through the GMS system upon completion of the selection process that the application has been approved or denied.
- (b) Within 30 days of receipt of award notification, the applicant shall submit the grant compliance and modification information. An applicant may request an extension of no more than 60 days to submit the information. An applicant who does not provide the required information shall be ineligible for grant funding. For the purposes of this Rule, grant compliance and modification information includes the following:
 - (1) a list of grant conditions that were agreed to by an authorizing official of the applicant;
 - (2) a certification of non-supplanting;
 - (3) a certification of filing of an equal employment opportunity program;
 - (4) a memorandum of agreement or contract with any cooperating government agencies;
 - (5) an original signature of all authorizing officials, implementing project director, and the applicant's chief financial officer; and
 - (6) a signed agreement to submit to an annual audit of the program.
- (c) Funds shall be conveyed to grantees through Grant Award Contracts. The Grant Award Contract shall bear the original signature of the grantee's authorizing official and the Executive Director of the Commission. The Grant Award Contract shall be signed and returned to the Department within 30 days.
- (d) The grant period for the project shall be for a period of up to two years. The grant period shall coincide with the start and close of the federal fiscal year, if possible.
- (e) Requests for adjustments to approved applications may be made at any time up to 90 days before the project's scheduled termination date. These requests shall be made through the GMS system, providing an explanation for proposed amendments.

History Note: Authority G.S. 143B-602(8); 143B-1103; 143B-1104;

Eff. March 1, 2019;
Amended Eff. April 1, 2023.

SECTION .0300 – PENALTIES

14B NCAC 05B .0301 GRANT TERMINATION OR SUSPENSION

(a) A grant may be terminated or the funds may be suspended by the Executive Director of the Commission when the applicant or grantee is not in compliance with any of the following:

- (1) the terms and conditions of the grant application;
- (2) the terms and conditions of the grant award contract;
- (3) the guidelines promulgated by the federal criminal justice block grant program or approved plan;
or
- (4) the rules set forth in this Chapter.

The determination of action by the Executive Director shall be made a case-by-case basis, considering the terms of the grant award contract, including conditions of the grant and factors of non-compliance.

(b) The Executive Director shall notify the grantee of its noncompliance in writing. The notification shall identify the penalty to be taken or allow the grantee an additional period of not more than 30 days to correct the deficiencies. If the deficiencies are not corrected, then the Executive Director may suspend the payment of funds to the grantee or terminate the grant, as set forth in the conditions of the grant award contract.

History Note: Authority G.S. 143B-602(8)(c); 143B-1103(b)(3); 143B-1104;
Eff. March 1, 2019.

SECTION .0400 – EMERGENCY GRANT APPLICATION PROCESS

14B NCAC 05B .0401 GRANT APPLICATION PROCESS FOR STATE OR FEDERAL FUNDS AWARDED IN RESPONSE TO COVID-19

History Note: Authority G.S. 143B-602(5); 143B-602(8)(a)-(c); 143B-1101(a)(8); 143B-1103; 143B-1104;
Emergency Adoption Eff. April 14, 2020;
Emergency Adoption Expired June 30, 2020.

SECTION .0500 – EXCEPTIONS

14B NCAC 05B .0501 WAIVER

The Secretary may waive any rule in this Subchapter that is not statutorily required. Factors the Secretary shall use in determining whether to waive a rule are:

- (1) the need to comply with a State or federal regulation or legislative mandate;
- (2) the nonrecurring use of expiring funds;
- (3) an emergency declared pursuant to the North Carolina Emergency Management Act; or
- (4) when, pursuant to a contract with a state or federal agency, the Commission is limited to providing only administrative support for the processing of a grant.

History Note: Authority G.S. 143B-602(5); 143B-602(8)(b);
Eff. September 1, 2024.