2023-2025 Request for Application Packet for Community Dispute Resolution Programs

Issued by:
University of Oregon on behalf of the University of Oregon School of Law (Grantor)

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https://law.uoregon.edu/academics/centers/adr/oocdr

Deadline for Applications: April 29, 2023 5:00 p.m.

Table of Contents

PART I: DIRECTIONS AND PRO	POSED TIMELINES FOR COUNTIES	
B. PROPOSED TIMELINE (SUBJE	CT TO CHANGE)	2
	SS	
D. SAMPLE RESOLUTION FOR CO	DUNTY PARTICIPATION	3
E. SAMPLE ADVERTISEMENT FO	R COUNTY	4
DART II. DECLIEST EOR ARRIV	CATIONS (RFA) PACKET FOR APPLICANTS	-
	V	
•	GE)	
D. ENTITIES ELIGIBLE FOR FUND	ING	7
E. REQUIREMENTS FOR GRANTE	EES (CDRPS)	8
PART III: APPLICATION		10
APPENDICES AND EXHIBITS		12
	RAM INFORMATION SHEET	
	SURANCES	
	/	
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Important Information Regarding This RFA

Part I of this RFA are the directions and timelines in which the counties must follow in order to receive funding for Community Dispute Resolution Programs.

Part II and Part III of this RFA are the directions and application packet that each prospective Community Dispute Resolution Program must complete.

PART I: Directions and Proposed Timelines for Counties

A. Overview of Process

In February of odd-numbered years, the University of Oregon on behalf of the University of Oregon School of Law (Grantor) informs Oregon Counties of the availability of biennial grant funds, subject to funding authorization by the 2023 Legislature, for eligible community dispute resolution programs (CDRPs) pursuant to Oregon Revised Statute (ORS) 36.155. If a County elects to participate in the process, the County may select which eligible local program(s) should receive these funds. A County may inform Grantor of its interest in participating in the distribution of these community dispute resolution grant funds via a resolution. A County may notify Grantor in writing that it does not intend to participate in the process, in which case Grantor will assume the County's role for the remainder of the process (substitution of "Grantor" for "County" as appropriate in Part II of this RFA).

Following is an overview of the process for participating Counties:

Appoint Coordinator. After being notified that funds are available, subject to funding authorization by the 2023 Legislature, the County Commission appoints a County Dispute Resolution Coordinator. This person maintains information for the public on: dispute resolution services within the County, availability of grant monies to fund local programs, the grant solicitation and award process, and the program names and services provided by Grantees in that County. A coordinator need not be a resident of the county and may serve as the coordinator for more than one county (See UO Policy CDRP – §H). For specific dates related to tasks 1-6, below, refer to Timeline in Part I, Section B of this RFA.

- County announces interest. The County Commission adopts a resolution, formally announcing its interest
 in participating in the distribution of grant funds (See page 3 for sample resolution) and sends a copy of
 the resolution to Grantor. If a program is to serve more than one county, there must be a joint resolution
 among Commissions from all the involved Counties. The County's notification to Grantor shall include a
 statement of agreement by the County to engage in a selection process and to select as the recipient of
 funds an entity capable of and willing to provide dispute resolution services in accordance with University
 of Oregon Policy Community Dispute Resolution Program (CDRP).
- 2. Coordinator publishes notice. In March/April, the County Coordinator advertises a notice of availability of the grant funds. Such advertising may be in a newspaper, on a web site, by electronic mail, or any other means that meets the requirements of UO Policy CDRP §I, ¶1. (See page 4 for sample legal ad).
- 3. Coordinator issues Request for Applications (RFA). The RFA seeks applications by programs interested in providing community dispute resolution services (See page 5). Applications are also available through Grantor. The request for applications shall be advertised in a manner reasonably calculated to ensure that those qualified to provide the requested dispute resolution services receive notice of the request. Such advertising may be in a newspaper, on a web site, by electronic mail, or any other means that meets the requirements of UO Policy CDRP §I, ¶1.
- 4. Applicants return Applications. In April, applicants return the original completed application to the County Coordinator, with a copy to Grantor. Applications to County may be submitted by mail, hand delivery, express delivery, facsimile machine, website submission, or electronic mail (including in portable document format (pdf)). Applications to the Grantor must be submitted via email. Applicants may reach out to Grantor for alternate submissions methods. No hand-written or bound copies may be submitted. Grantor reviews applications to determine which applicants are eligible.
- 5. County chooses CDRP. In June, after Grantor has notified the County which CDRP applicants are eligible, the County Commission chooses one or more eligible CDRP applicant(s) to receive the funds and notifies the Grantor of its choice(s).
- 6. Grantor enters into an agreement with CDRP. In June, Grantor enters into grant agreements for the 2023-2025 biennium with the eligible CDRP applicant(s) chosen by the County. The County receives a copy of the grant agreement for its records. Grant payments are made directly by the Grantor to the Grantees. No further action is required of the County at this point.

B. Proposed Timeline (Subject to Change)

March 31, 2023	County Commission adopts a resolution confirming its desire to participate in the process (sample attached).
April 1, 2023	County advertises a notice of availability of grant funds and announces the application process (sample of notice included). The County and Grantor make RFA packet available to interested applicants.
April 29, 2023	Applications must be <u>received</u> by 5:00 p.m. at the County's address <u>and</u> at Grantor's email address. <u>Late applications may not be considered</u> .
May 19, 2023	Additional information requested by Dean due in at the County and the offices of Grantor.
May 30, 2023	Grantor issues notices of eligibility to applicants and County.
June 5, 2023	Any appeals from applicants determined ineligible by the Grantor must be received by 5:00 pm.
June 16, 2023	County Commission selects grantee(s) and notifies Grantor of selection.
June 30, 2023	Grantor enters into Grant Agreement with the grantee(s).

C. Grantee Selection Process

- 1. *Eligibility:* Grantor will acknowledge receipt of each application and determine whether the applicant is an eligible community dispute resolution program under the applicable University of Oregon Policy. Grantor will send a notice of eligibility determination to each applicant and to the County (See UO Policy CDRP §K, ¶1).
- 2. County Selection: The County will review the applications of those applicants determined eligible by Grantor and select the program(s) to be funded. Criteria for the selection of programs includes, per UO Policy CDRP §K, ¶3:
 - The ability of the applicant to address unmet community needs in the proposed geographical area of service;
 - b. The structure and scope of the services to be provided by the applicant;
 - c. The applicant's experience and qualifications in dispute resolution services;
 - d. The amount of the requested grant and the reliability of the applicant's other funding sources;
 - e. The adequacy and cost of personnel, services and supplies, and capital outlay.

If the County has questions regarding selection criteria, please contact Patrick Sponsler at the University of Oregon School of Law at 541-346-1623, or sponsler@uoregon.edu.

D. <u>Sample Resolution for County Participation</u> **BEFORE THE BOARD OF COMMISSIONERS** FOR _____COUNTY, OREGON IN THE MATTER OF PARTICIPATION IN FUNDING ACTIVITIES OF THE OREGON OFFICE FOR COMMUNITY DISPUTE RESOLUTION RESOLUTION NO. _____ WHEREAS, the Board of Commissioners believes that the settlement of disputes by mediation may lead to more long-lasting and mutually satisfactory agreements; and WHEREAS, mediation may reduce the need for time-consuming and costly litigation; and WHEREAS, the Oregon Legislature has charged the University of Oregon on behalf of the University of Oregon School of Law (Grantor) with the responsibility to foster the development of community mediation programs by making grant monies available to participating Counties; and WHEREAS, any County wishing to participate must formally notify Grantor of its intent to participate; now therefore, IT IS HEREBY RESOLVED THAT, _____County hereby notifies Grantor of its desire to be a participant in the expenditure of funds for community dispute resolution programs within _____ County, and _____ County agrees to engage in a selection process and to select as funding recipients those entities both qualified by the standards and guidelines adopted by Grantor and capable of and willing to provide community dispute resolution services according to the rules adopted by Grantor. _____, Oregon _____, 2023 (city) COUNTY BOARD OF COMMISSIONERS Chair Commissioner

Commissioner

Approved as to Form:

E. Sample Advertisement for County Request for Applications For Community Dispute Resolution Services

Notice is hereby given that C University of Oregon School of Law (Grantor) are init	tiating the application and selection process for
grant funds available to eligible community dispute re County under ORS 36.155. The grant period is July authorization by the 2023 Legislature. Assuming fur Legislature, grant funds for C for this period.	1, 2023 through June 30, 2025, subject to funding ading for 2023-2025 is reauthorized by the 2023
Applications must be received by April 29, 2023 at 5	5:00 p.m. Late applications may not be considered.
Submit original to: (Name of County Contact) (County Commission Office) (Name of County) (Address)	
Submit copy to: Oregon Office for Community Patrick Sponsler at sponsler@	,
Or reach out to Patrick Sponsl submission methods.	ler at sponsler@uoregon.edu for alternate
Copies of the Request for Applications are available (county contact person and telephone number)	by calling
Dated:	(date of publication)
	(county contact person)
	(title)

Note: Please send the OOCDR a copy of your legal affidavit as it appeared in the newspaper after it is published, (if you published a legal notice in a newspaper), and/or copy of your notice as it appeared in electronic, or web-based form.

PART II: Request for Applications (RFA) Packet for <u>Applicants</u>

Cover Sheet for RFA **from County** on following page

Request for Applications and Program Requirements for the Delivery of: Community Dispute Resolution Services

Issued by:
County Board of Commissioners

Deadline for Applications: April 29, 2023 5:00 p.m.

A. Background Information

This Request for Applications is issued by	County for the purpose of identifying eligible
applicants to provide community dispute resolution services for	County, pursuant to ORS
36.155. These services are funded in part by a grant from the Gran	antor.

Grantor is charged with the responsibility of administering a Community Dispute Resolution Program (CDRP) grant fund pursuant to ORS 36.150 and 36.155 and UO Policy I.03.02. The focus of this grant program is to support the development and maintenance of community dispute resolution programs that assist citizens in resolving disputes and developing conflict resolution skills.

Assuming funding for 2023-2025 is reauthorized by the 2023 Legislature at the same level as the prior biennium, grant funds for the County will be approximately \$______ for the period July 1, 2023 - June 30, 2025.

B. Process Summary

- 1. Dates for the RFA process are set by Grantor.
- 2. An applicant submits the original application to the County and a copy to Grantor.
- 3. Grantor determines applicant eligibility under UO Policy and notifies the County and the applicant.
- 4. The County selects one or more eligible applicants to receive the funds.
- 5. Grantor executes grant agreements directly with the selected applicants.

C. <u>Timeline (Subject to Change)</u>

March 31, 2023	County Commission adopts a resolution confirming its desire to participate in the process (sample attached).
April 1, 2023	County advertises a notice of availability of grant funds and announces the application process (sample of notice included). The County and Grantor make RFA packet available to interested applicants.
April 29, 2023	Applications must be received by 5:00 p.m. at the County's address <u>and</u> at Grantor's email address. <u>Late applications may not be considered</u> .
May 19, 2023	Additional information requested by Dean due in at the County and the offices of Grantor.
May 30, 2023	Grantor issues notices of eligibility to applicants and County.
June 5, 2023	Any appeals from applicants determined ineligible by the Grantor must be received by 5:00 pm.
June 16, 2023	County Commission selects grantee(s) and notifies Grantor of selection.
June 30, 2023	Grantor enters into Grant Agreement with the grantee(s).

D. Entities Eligible for Funding

- 1. To be eligible, a CDRP must be one of the following (see UO Policy CDRP §C):
 - a. Government program: A governmental entity with a separate dispute resolution program budget and a dispute resolution program advisory committee of at least five representative members of the

- community in which the governmental agency is located, which advisory committee meets at least quarterly;
- b. Nonprofit organization: A nonprofit organization registered in Oregon with a board of directors of at least five representative members of the community or communities in which the organization does business, which board of directors meets at least quarterly. If an applicant is a nonprofit organization established for purposes other than dispute resolution, it shall have a separate dispute resolution program budget and a separate advisory committee of at least five representative members of the community in which the organization does business, which advisory committee shall meet at least quarterly.
- c. The Oregon Judicial Department is not eligible for funding under ORS 36.100 et seq. and UO Policy CDRP et seq.
- d. Municipal, county, and justice courts are not eligible for funding under ORS 36.100 et seq. and UO Policy CDRP et seq.
- 2. A CDRP must provide **at a minimum** the following services (see UO Policy CDRP §C):
 - a. Citizen education in conflict resolution skills to assist citizens in resolving their own disputes peacefully; and
 - b. Community mediation services provided at least in part by volunteer mediators.
- 3. In addition to these essential services, programs may elect to provide other services in order to respond to local identified needs. Such services may include but are not limited to: (a) Methods for addressing the interests of crime victims in criminal cases when those cases are either not prosecuted for lack of funds or could be more effectively handled outside the courts; (b) Arbitration; and (c) Training for individuals who resolve disputes.
- 4. Grantees that participated in previous grant cycles must have complied with previous grant requirements before being considered eligible for 2023-2025 grant funds.

E. Requirements for Grantees (CDRPs)

NOTE: Failure to comply with any Grantor requirement may result in loss of grant funding.

- 1. Participating Funds: Grantees are required to match the funding granted to them pursuant to ORS 36.155:
 - a. First grant year 10%
 - b. Second grant year 25%
 - c. Third grant year 50%
 - d. Fourth grant year 75%
 - e. Fifth grant year and beyond 100% (see UO Policy CDRP §E).
- 2. Fees for service: If grantee charges fees for service, grantee must offer a sliding fee scale or waiver or deferment based on income. Fees may not be charged on the basis of outcome or amount in controversy (see UO Policy CDRP §D).
- 3. *Voluntariness*: All Grantees, even those that accept mandatory referrals, must provide written notice to participants specifying that participation in the mediation session is voluntary (see UO Policy CDRP §F).
- 4. Confidentiality: All Grantees must have an appropriate mechanism for ensuring that participants are advised of the importance of confidentiality in mediation and that participants are offered an opportunity to execute a written confidentiality agreement (see UO Policy CDRP §F).
- 5. Qualified mediators: All Grantees must have qualified mediators trained by qualified trainers (see UO Policy CDRP §Q for specific training requirements).
- 6. *Internal Controls:* Grantees must establish and maintain an effective internal control structure. This should include policies, procedures, and processes to both prevent misuse of program assets and detect any

misuse should it occur. Documentation of these policies, procedures, and process may be requested by and provided to the Grantor at any time. Resources to assist with the development of an Internal Control structure are available from the Oregon State Controller's Division (http://www.oregon.gov/DAS/Financial/Acctng/pages/index.aspx).

- 7. Reporting requirements: Grantees shall provide Grantor with the following reports:
 - a. Progress Reports, using Grantor's forms, including data for the prior six-month period, on: operating budgets, number and kinds of educational programs, staff and volunteer qualifications, training activities, number and source of referrals, types of disputes referred, dispute resolution services provided, number of persons served, case outcomes, and other information as Grantor may require (see UO Policy CDRP – §O);
 - Annual reports and annual financial statements, using Grantor's forms, including data described above for the previous twelve-month period;
 - c. An independent audit or review every two years (based on the criteria); and:
 - i. Government entity: a completed government entity-wide financial report, such as the Annual Comprehensive Financial Report
 - ii. Nonprofit
 - 1. For those with annual revenues of \$1 million or more an audit by an independent CPA is required.
 - 2. For those with annual revenues of at least \$500,000 but less than \$1 million an audit or review by an independent CPA is required.
 - 3. For those with annual revenues less than \$500,000, an audit or review is optional.
 - d. A final financial report of revenues and expenses on Grantor's forms in accordance with the budget categories shown in Exhibit A and Exhibit B within ninety days of the close of the grant period (see UO Policy CDRP – §O).

NOTE: Failure to submit reports on time will result in delay or loss of funding.

- 8. Record keeping: Grantees must maintain accurate financial records, including accounting for matching funds (see UO Policy CDRP §O) that conform to generally accepted accounting principles and be in compliance with all county and state audit accounting procedures and requirements. Grantee must maintain all required records for at least 3 years after Grantor's final payment and make program records available to Grantor when requested (note: Grantees are subject to audit by the Secretary of State, pursuant to ORS Chapter 297).
- 9. *Evaluation:* Grantees shall cooperate with Grantor to facilitate the collection of data to measure the effectiveness, integrity, and applicability of dispute resolution services provided by the Grantee. In addition, Grantees shall, per UO Policy CDRP §N.
 - a. perform a biennial evaluation to measure program effectiveness.
 - b. measure client satisfaction.
 - c. conduct annual board and director performance evaluations.
 - d. cooperate with Grantor in providing aggregate data to analyze the effectiveness of community dispute resolution efforts and to track trends throughout the state.
- 10. The Law: Grantees must comply with applicable federal, state, county and local statutes, and rules governing services, facilities, and operations. Grantees shall agree to satisfy all federal and state contract requirements concerning the provision of Workers' Compensation coverage. Grantees must comply with all applicable rules, regulations, statutes and guidelines for maintaining client confidentiality.
- 11. *The Rules:* Grantees must comply with the standards and guidelines set forth in UO Policy Community Dispute Resolution Center (CDRP).

PART III: Application

All applications must include:

- A. Program Information Sheet: See Appendix 1. Use as page one (1) of application.
- B. Statement of Assurances: See Appendix 2. Use as page two (2) of application.
- C. <u>Narrative</u>: Applicants shall include the following in narrative form (see UO Policy CDRP §J), and attach the narrative to the rest of the application forms found in the Appendix.
 - 1. *Mission Statement and Goals*. Provide the program's mission statement and an explanation of the program's goals and objectives, including objectives related to citizen education in conflict resolution skills and community mediation services.
 - 2. Description of Services. Describe how the program will provide citizen education and community mediation services as stated in UO Policy CDRP §C & see UO Policy CDRP §J, and provide benchmarks for the upcoming biennium for the following:
 - a) number and type of conflict resolution trainings (including basic and advanced mediation trainings, peer mediation, specialized trainings such as victim offender, etc.) that will be offered each year;
 - b) community mediation services;
 - c) mediation trainings,
 - d) publicity and outreach, and
 - e) a description of the community problems that will be addressed;
 - f) proposed geographic area of service;
 - g) number of persons in the service area;
 - h) number of persons the applicant expects to serve each year;
 - i) types of disputes that will be handled;
 - j) number of cases that will be handled each year;
 - k) types of dispute resolution services that will be offered (e.g. mediation, phone conciliation, community boards, etc.);
 - I) any case (access) restrictions to be imposed by the applicant (e.g. "CDRP does not take cases involving domestic violence");
 - m) other areas determined by the Dean.
 - 3. *Organizational Structure.* Describe organization structure and provide a detailed flow chart of the applicant's organizational structure.
 - 4. ADA facilities. Information regarding the ADA accessibility of program facilities
 - 5. *Mediator Recruitment*. Describe applicant's specific plan for recruiting, selecting, training, and using volunteer mediators. Include current number of active volunteers.
 - 6. Mediator Training. Describe mediator training activities, including the mediation curriculum and apprenticeship. Include a description of the curriculum and a curriculum outline to be used in the basic mediation training as well as a statement of whether the training activities and supervision plans meet the requirements for community mediators in UO Policy CDRP §Q. Provide description of continuing education trainings to be offered to volunteer mediators each year. Also provide documentation showing the lead basic mediation trainer is qualified under UO Policy CDRP §Q.
 - 7. Evaluation.
 - a. Describe annual **program evaluation** plans (e.g. use of community needs assessments, program effectiveness surveys, etc.)
 - b. Describe how the applicant determines **client satisfaction** with the dispute resolution services, including a description of any follow-up done with the client. Include:

- i. sample copies of current exit surveys, client satisfaction surveys, or other assessment instruments used:
- ii. a brief statement indicating how grantee will conduct evaluations;
- iii. a statement of the way that the survey process has been coordinated with Grantor; and
- iv. an annual compilation of aggregate responses, submitted to Grantor (to preserve confidentiality, Grantees must not send evaluation data to Grantor that includes any individual client information).
- c. Describe specific plans for annual **board and director performance evaluation**.
- 8. Describe applicant's internal control structure, the requirements of which are contained in Part II, paragraph E6, above.
- 9. Business plan. Applicants that did not receive funding in the previous biennium must submit a business plan that contains a three-to-five (3-5) year projected budget of income and expenses.
- 10. Other Information Required by the County or Grantor.
- D. <u>Letters of Support</u>: Provide 3 to 6 letters of support from community organizations, judicial and legal system representatives, administrative agencies, or other appropriate public service organizations in the proposed area of service. Such letters should, if appropriate, attest to the organization's willingness to make referrals and/or provide funding to the applicant.
- E. <u>Budget</u>: Use the budget forms in Exhibits A and B. Include a proposed biennial (2 year) budget, highlighting the amount and sources of participant (matching) funds (See UO Policy CDRP §O). Clearly show how grant funds will be used, if awarded. If applicant charges fees, include fee schedule and clearly show sliding scale or waiver (See UO Policy CDRP §N). If available, include financial reports from the previous two years of applicant's services.
- F. <u>Written Agreement of Collaboration</u>: In counties where more than one community dispute resolution program receives funding from Grantor, include a brief written agreement of collaboration indicating how providers of dispute resolution services will work together to efficiently serve county needs (See UO Policy CDRP §J).
- G. Consent to Mediate/Voluntary Nature of Mediation/Confidentiality Statements: Attach a copy of:
 - Applicant's written notice that mediation is voluntary (See UO Policy CDRP §P);
 - 2. Applicant's "consent to mediate" or similar form or statement;
 - 3. Applicant's "confidentiality agreement" form or statement.

Appendices and Exhibits

Appendix 1: 2023-2025 Program Information Sheet

Program County:
Program Name:
Program Address:
Phone:
Fax:
Program Contact (name, title, and phone number):
Applicant Status:
Governmental entity name:
Umbrella nonprofit organization name, if applicable:
Nonprofit organization name:
State registration number:
Federal tax exemption number:
Program Budget Summary:
Grant Funds Requested: \$
If awarded, this grant will constitute what percentage of applicant's total budget?%

First grant year – 10% of the grant amountyear – 75%; and fifth year and beyond –		
Applicant is current or former grantee?	Yes	No
If yes, identify grant periods and amount	of grant funds awarded:	
Identify matching percentage needed:		
2023 2024	2024 2025	

Appendix 2: Statement of Assurances

The undersigned attests that the information provided to determine eligibility is true and accurate to the best of his/her knowledge. The undersigned further attests that he/she has the authority and/or responsibility to represent his/her organization in all phases of this Request for Application process. Finally, the undersigned understands that any false or substantially incorrect statement may disqualify this applicant from further consideration or be cause for termination of a resulting contract.

Signature:		
Date:		
Typed Name and Title:		
Typed Name of Organization:		

Exhibit A: Revenue Summary

For 2023-2025 Program Budget

	Program Name:	
A.	Grant amount requested:	\$

B. <u>Other revenue</u>: Identify sources and amount of revenue received from sources other than Grantor including grant funds, contracts for services, fees, contributions, etc.

OTHER REVENUE BEYOND GRANTOR FUNDS				
	Source	Pending Funding	Secured Funding	Total Proposed Funding
1		\$	\$	\$
2		\$	\$	\$
3		\$	\$	\$
4		\$	\$	\$
5		\$	\$	\$
6		\$	\$	\$
7		\$	\$	\$
8		\$	\$	\$
9		\$	\$	\$
10		\$	\$	\$
	SUBTOTAL OTHER REVENUE	\$	\$	\$

C. <u>In-kind contributions</u>: List source, amount, and calculations (for example, volunteer mediator hours and valuation rates). If applicable, attach documentation.

IN-KIND CONTRIBUTIONS (NON-CASH)									
Source AND Valuation		Pending Funding	Secured Funding	Total Proposed Funding					
1		\$	\$	\$					
2		\$	\$	\$					
3		\$	\$	\$					
4		\$	\$	\$					
5		\$	\$	\$					
6		\$	\$	\$					
7		\$	\$	\$					
8		\$	\$	\$					
9		\$	\$	\$					
10		\$	\$	\$					
SUBTOTAL IN-KIND CONTRIBUTIONS		\$	\$	\$					

TOTAL 2023-2025 REVENUES (A + B + C): \$
Signature of Board President authenticating information contained on this page

Exhibit B: Expenditure Summary For 2023-2025 Program Budget

Program	n Name:						
A. <u>Personnel</u>							
Position Title	FTE	Salary/Year	Benefits/Year		otal/	Grantor Funds	
				Bie	nnium	Amount	
SUBTOTAL							
B. <u>Services and Supp</u>	lies						
Ite	em		Biennium Exp	ense	Grant	or Funds Amount	
Rent/space			Diominani Exp	01100	- Crant	or rando randant	
Rent/equipment							
Office Supplies							
Utilities							
Telephone							
Postage							
Printing and Copying							
Training							
Publicity							
Insurance							
Books, Periodicals, Su	bscriptic	ns					
Memberships and Dues							
In-state travel							
Out-of-state travel							
Other (please specify)							
Program expenses (pl	ease spe	ecify)					
Contractual Services (
SUBT		7					
C. Other		•					
Ite	 Item			Biennium Expense		Grantor Funds Amount	
Capital Expenses							
In-kind expenditure (ei	ther exp	end specific					
line items in their respective rows above or							
as a total in this row.	Not both)					
Other (please specify)							
SUBT	OTAL						
TOTAL 2023-2025 BIE	NNIUM	EXPENDITURE	S (A + B+ C): \$				
			(
Signature of Board Pre	esident a	uthenticating in	formation contair	ned on	this page	e	

Signature of Director authenticating information contained on this page