

We will begin shortly. While you wait...

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**VAWA 2013 CHANGES and OVW'S RURAL PROGRAM**  
*National Updates*

With Jennifer Kaplan, OVW Staff Attorney, Debbie Bright, OVW Rural Grant Program Specialist, and Maren Wood, Praxis Rural Program Manager

If the VoIP sound quality is low or inconsistent, dial into the conference by phone. Once connected, simply turn your computer speakers off.

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**VAWA 2013 CHANGES and  
OVW'S RURAL PROGRAM**  
**National Updates**

*Jennifer Kaplan*  
*Supervisory Attorney Advisor*  
*Office on Violence Against Women*

*January 21, 2015*

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**WELCOME!**

- ▶ **If using audio only:**
  - ▶ Email comments to [maren@praxisinternational.org](mailto:maren@praxisinternational.org)
- ▶ **If using computer:**
  - ▶ "Chat" comments or questions to group via **Public Tab** on screen – TEST CHAT NOW
  - ▶ Use **Private Tab** to ask questions or report technical problems to Maren
- ▶ **If you lose webinar or phone connection:**
  - ▶ Use initial join link from email invitation to reconnect or email [maren@praxisinternational.org](mailto:maren@praxisinternational.org) for help
  - ▶ Dial back in for telephone audio
- ▶ **Session is recorded:**
  - ▶ Available on our website: [www.praxisinternational.org/Rural/EventRecordings/AudioEventRecordings](http://www.praxisinternational.org/Rural/EventRecordings/AudioEventRecordings)

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**VAWA 2013 CHANGES and  
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National Updates**

*Jennifer Kaplan*  
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**VAWA 2013 - Effective Date**

- ▶ Changes related to OVW grant programs effective October 1, 2013
- ▶ Changes apply to FY 2014 Rural Program awards, not those made before

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**VAWA 2013 Amendments Affecting Rural Program Eligibility**

- ▶ Revised definition of "rural State" includes more densely populated States
  - ▶ " a State that has a population density of 57 or fewer persons per square mile or a State in which the largest county has fewer than 250,000 people, based on the most recent decennial census"
  - ▶ Formerly 52 or fewer persons/square mile or largest county fewer than 150,000 people
- ▶ 21 states and 5 territories meet new definition
- ▶ 14 states met old definition (2010 Census)
- ▶ Statute still requires 75% of funds to go to eligible entities in rural States

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**VAWA 2013 Amendments Affecting Rural Program Eligibility** - continued

- ▶ Revised definition of “rural area” or “rural community” includes “any federally recognized Indian tribe”
- ▶ Applicant Indian tribes need not establish they serve rural areas or communities

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**VAWA 2013 Amendments to Rural Program Strategies – Legal Assistance**

- ▶ Legal assistance
  - ▶ Comprehensive legal representation (not limited to protection order and immigration matters)
  - ▶ Includes civil legal assistance in family, immigration, employment, administrative, housing, campus, and similar matters
  - ▶ Includes legal assistance to victims in criminal justice investigations, prosecutions and post-trial matters (e.g., sentencing, parole, probation) that impact victim’s safety and privacy

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**VAWA 2013 Amendments to Rural Program Strategies – Legal Assistance** continued

- ▶ To provide legal assistance with Rural program funds, applicant must certify:
  - ▶ Lawyers have expertise representing victims OR are partnered with person/entity with demonstrated expertise AND have completed or will complete training on four crimes and related legal issues, including training on risk factors for dv homicide
  - ▶ Training has been or will be developed with input from victim service provider or coalition, as well as law enforcement officials
  - ▶ Keep local and state programs and coalitions, as well as appropriate law enforcement officials, informed of work
  - ▶ No organizational policies requiring mediation or counseling with offender and victim physically together

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**VAWA 2013 Amendments to Rural Program Strategies - continued**

- ▶ Funded CCR may include developing multidisciplinary teams focused on high risk cases to prevent dv homicide
- ▶ Sexual assault programs, including SANE programs, SARTs, law enforcement training, and programs to address rape kit backlogs
- ▶ Programs focusing on special need of rural victims, including lack of access to services, limited law enforcement resources, and training for Community Health Aides involved in IHS programs

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**VAWA 2013 – Nondiscrimination Grant Condition**

“No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under [VAWA], and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”

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**VAWA 2013 – Nondiscrimination Grant Condition - continued**

“If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.”

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**VAWA 2013 – Nondiscrimination Grant Condition – Protected Classes**

- ▶ Race
- ▶ Color
- ▶ Religion
- ▶ National Origin
- ▶ Sex
- ▶ Gender Identity
- ▶ Disability
- ▶ Sexual Orientation

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**VAWA 2013 – Nondiscrimination Grant Condition – Covered Grants**

- ▶ Grants authorized by VAWA and subsequent legislation
- ▶ Grants awarded after October 1, 2013
- ▶ Direct recipients and subrecipients
- ▶ Applies to funded State Administering Agencies, faith-based organizations, law enforcement agencies, etc.

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**VAWA 2013 – Nondiscrimination Grant Condition – Scope**

- ▶ Applies to grantees’ “programs and activities”
- ▶ Includes Employment
- ▶ “actual or perceived”

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**VAWA 2013 – Nondiscrimination Grant Condition – Sex Specificity and Sex Segregation**

- ▶ **Sex-Segregated Programming**
  - ▶ When males and females receive services in separate settings
- ▶ **Sex-Specific Programming**
  - ▶ When a recipient designs programming differently for males and females
- ▶ **Beneficiaries choose the appropriate program based upon gender identity**

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**VAWA 2013 – Nondiscrimination Grant Condition – Sex Specificity and Sex Segregation - continued**

- ▶ **“Necessary for the Essential Operation of the Programming”**
  - ▶ Fact-specific inquiry; consider:
    - ▶ Nature of the service
    - ▶ Consequences to beneficiaries of making sex-segregated or sex-specific
    - ▶ Literature on efficacy
    - ▶ Impact on transgender clients
  - ▶ Reasons may not be trivial, based solely on convenience, or rooted in stereotypes

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**VAWA 2013 – Nondiscrimination Grant Condition – Comparable Services**

- ▶ **Comparable Services**
- ▶ **Consider the following:**
  - ▶ Nature, quality, and duration of the of service
  - ▶ Relative benefits of different therapeutic modalities
  - ▶ Geographic location

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**VAWA 2013 – Other Definitions and Grant Conditions**

- ▶ Expands definition of “underserved populations” to include populations underserved because of sexual orientation, gender identity and religion
- ▶ Requires grantees and subgrantees to document compliance with confidentiality and privacy provisions
- ▶ Clarifies that victim services and legal assistance includes services/assistance to victims of four crimes who are also victims of severe forms of trafficking in persons
- ▶ Adds new accountability provisions including mandatory exclusions when OIG audit findings not closed/resolved in 12 months

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*Rural Program Update  
Debbie Bright, Grant Program Specialist*

*January 21, 2015*

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**Updates from the Rural Unit**

- ▶ **FY15 Rural Program Solicitation posted:**  
[http://www.justice.gov/sites/default/files/ovw/pages/attachments/2015/01/16/fy\\_2015\\_rural\\_grant\\_program\\_1.pdf](http://www.justice.gov/sites/default/files/ovw/pages/attachments/2015/01/16/fy_2015_rural_grant_program_1.pdf)
- ▶ Pre-Application calls scheduled for February 3<sup>rd</sup>, February 5<sup>th</sup> and February 10<sup>th</sup> (see solicitation for more information)
- ▶ Deadline: March 4, 2015

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**Rural TA Providers**

▶ Full list posted on:

[http://praxisinternational.org/praxis\\_other\\_provider\\_events.aspx](http://praxisinternational.org/praxis_other_provider_events.aspx)

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**Contact information:**

▶ Debbie Bright, OVW Rural Program Specialist,  
debbie.bright@usdoj.gov

▶ Maren Woods, Praxis Rural Program Manager,  
maren@praxisinternational.org

▶ Questions?

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