



# STRATEGIC PREVENTION SOLUTIONS

Bringing Communities to Wellness Through Research, Evaluation and Training

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## Proposed Revisions to Existing Regulations

# Organization of Chapter 90 Regulations

Scope

Review schedule

Definitions

Governing body

Planning process

Community relations

Fiscal management

Reporting

Program monitoring and evaluation

Compliance

Waiver

Facilities

Personnel management

- Policies
- Service providers
  - o Employees
  - o Volunteers
- Training and supervision
  - o Board members
  - o Executive directors
  - o Volunteers
  - o Employees
    - Initial training
    - Continuing education
    - Mandatory reporting
    - Supervision
  - o Supervisors
  - o Documentation

Service provision

- Service model

- Access to services
- Confidentiality
- Mandatory reporting
- Service entry and exit
- Participant grievances

#### Services

- Access to safety
- Advocacy
- Community education
- Coordination and referral
- Crisis intervention
- Psychological treatment
- Residential services
  - Shelters
  - Safe home programs
- Services for perpetrators
- Services for youth
- Support groups

#### Participant records and service documentation

## **Revised Chapter 95 Regulations**

#### Civil rights of participants

#### Cost policies

## Scope

This chapter applies to all agencies receiving grant funding.

## Review schedule

The provisions of this chapter shall be reviewed biannually by the council.

## Definitions

In this chapter,

- **"advocacy"** means the participant is involved with an advocate in individual or group sessions with a primary focus of safety planning, empowerment, and education of the participant through reinforcement of the participant's autonomy, dignity, and self-determination. Advocacy also means speaking and acting for change or justice with, or on behalf of, another person or cause. Advocacy is survivor-centered and uses methods that do not place blame on the survivor, such as:
  - Identifying barriers to, and strategies to enhance, safety, including safety planning;
  - Clarifying and increasing awareness of the power and control associated with domestic violence and sexual assault, and the options one may have to obtain resources while staying safe; and
  - Supporting independent decision-making based on the unique needs and circumstances of each individual;
- **"advocate"** means a trained staff person who provides advocacy to participants as part of an agency, and may also be referred to as a victim counselor;
- **"agency"** means an agency, organization, or coalition that provides shelter, advocacy services, and referrals for survivors of domestic violence or sexual assault in a safe and supportive environment;
- **"cohabitant"** means a person who is or was married, in a state registered domestic partnership, or cohabiting with another person in an intimate or dating relationship at the present time or at some time in the past. Any person who has one or more children in common with another person, regardless of whether they have been married, were/are in a domestic partnership with each other, or have lived together at any time, must be treated as a cohabitant. Any person who is or was in a dating relationship with another person at the present or at some time in the past, regardless of whether they lived together at any time, must be treated as a cohabitant;
- **"community education"** refers to information that is provided to individuals and organizations in community settings, including shelters, about domestic violence, sexual assault, and the services available to survivors. Community education activities include, but are not limited to: trainings; presentations; outreach to specific communities, schools, or geographic areas; community events; and media events;
- **"confidential communication"** is defined in AS 18.66.250 and means information exchanged between a victim and a victim counselor in private, or in the presence of a third party who is necessary to facilitate communication or further the counseling process, and that is disclosed in the course of advocacy or victim counseling resulting from a sexual assault or domestic violence;

- **"confidential information"** includes, but is not limited to, any information, advice, notes, reports, statistical data, memoranda, working papers, records or the like, made or given during the relationship between a survivor and an agency, however maintained. Confidential information includes the name, address, telephone number, social security number, date of birth, nine-digit postal (ZIP) code, physical appearance of, case file or history of, and other information that would personally identify a survivor who seeks or has received services from an agency;
- **"council"** means the Council on Domestic Violence and Sexual Assault;
- **"crisis line"** means a designated telephone line of the agency that operates twenty-four hours a day, three hundred sixty-five days a year. A crisis line provides crisis intervention, safety planning, information, and referral services to survivors;
- **"crisis intervention"** means services provided to an individual or their family member(s) in crisis, with an emphasis on increasing safety. This includes identifying lethality risks, clarifying relevant issues and concerns, providing emergency support and assistance, and exploring options for resolution of the individual's immediate crisis and needs;
- **"domestic violence"** means a pattern of assaultive and coercive behaviors, including those defined in AS 18.66.990, that an adult or adolescent uses to maintain power and control over their intimate partner. Abusive tactics may include, but are not limited to the following: physical abuse, sexual abuse, intimidating tactics, physical and/or psychological isolation of the victim, repeated attacks against the victim's competence, alternating use of indulgences, control of family funds and resources, stalking, and the use of children and systems to control the victim. The perpetrator's use of physical force against persons or property, or the use of conduct that establishes credible threat of physical harm (i.e., terrorizing tactics) combined with other controlling tactics, are key elements of domestic violence. The effect of the overall pattern of assaultive and coercive behavior is to increase the perpetrator's power and control in the relationship;
- **"grant"** means an award of financial assistance by the council to an eligible recipient;
- **"grantee"** means the legally accountable entity that receives a grant;
- **"intimate partner violence"** focuses on the most common form of domestic violence, which is between adult or adolescent intimate partners or cohabitants, rather than on violence between non-intimate adult or adolescent household members. It includes dating violence, which focuses on domestic violence that occurs within the context of a dating relationship;
- **"job shadowing"** means a work experience where an individual observes and learns about a job, activity, or activities by walking through the work day as a shadow to a skilled and competent employee. The experience must be planned for and structured with the goal of observing behavior and situations, engaging in interactive questions and answers, and experiencing the link between learning and practice. Job-shadowing can be anywhere from a few hours, to a day, to a week or more, depending on the job or activity to be experienced;
- **"legal advocacy"** means supporting survivors through education and assistance to navigate through the civil and criminal justice systems;
- **"live training"** means events that are held at a specific time and not prerecorded, where participants have the opportunity to ask questions and hear the questions of others in real-time. Examples of live training include events that are in-person, teleconferences, interactive webinars, and web casts;
- **"marginalized and underserved populations"** includes, but is not limited to, populations that have been historically or are currently underserved and oppressed in society because of factors that include, but are not

limited to: sex, race, religion, color, national origin, age, housing status, socioeconomic status, physical disability, mental disability, substance use, sexual orientation, gender identity, marital status, change in marital status, pregnancy, or parenthood;

- **"participant"** means a survivor of domestic violence or sexual assault who is accessing services at an agency, and may also be referred to as a program participant, survivor, service recipient, resident, or victim;
- **"personally identifying information"** includes all confidential information that would personally identify a survivor who seeks or has received services from an agency, or such other information that, taken individually or together with other identifying information, could identify a particular individual;
- **"program"** means the services provided by a grantee for the community or region it serves;
- **"resident"** means a participant who is residing in a shelter or safe home, as defined in this chapter;
- **"safety planning"** is a process by which an advocate provides information and resources to a survivor and offers support to identify ways to increase safety for the survivor and any dependent children. Safety planning addresses both immediate and long term risks, barriers, or concerns regarding the survivor and any dependent children. It is based on knowledge about the specific pattern of the perpetrator's tactics and the protective factors of the survivor and any dependent children;
- **"safe home"** means a private residence whose occupants provide a safe environment for survivors and their dependent children, on a short-term basis;
- **"safe home program"** means a legally accountable entity that receives a grant to provide safe home services;
- **"sexual assault"** is a legal term that means any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. It includes, but is not limited to, forced sexual intercourse or sodomy, child molestation, incest, fondling, attempted rape, and those offenses defined in AS 11.41.410 – 11.41.470. It also includes sexual acts against people who are unable to consent due to age or lack of capacity;
- **"sexual violence"** is a broad, non-legal term that refers to a variety of unwanted sexual acts that include, but are not limited to, sexual assault, rape, and sexual abuse;
- **"shelter"** means a safe home or shelter home that provides temporary refuge and food and clothing offered on a twenty-four hour, seven-day-per-week basis to survivors and their dependent children. Agencies may use hotels and motels for survivors and any dependent children who need safe shelter;
- **"staff"** means persons who are paid by or volunteer for an agency or provide services to participants through an agency, including staff, relief workers, volunteers, advocates, counselors, and student interns. This also includes
  - direct service providers, staff who provide services directly to survivors, such as advocacy, crisis intervention, or support groups; and
  - indirect service providers, staff who support an agency or its staff to provide services to survivors, but do not provide services directly to survivors, excluding members of the agency's governing body;
- **"stalking"** means a pattern of repeated and unwanted attention, harassment, contact or any other course of conduct that is directed at a specific person and would cause a reasonable person to feel fear. Stalking can include frightening communications, direct or indirect threats, and harassing an individual through the internet;
- **"support group"** means confidential, interactive group sessions of two or more survivors that are facilitated by trained staff on a regular basis. Participating survivors share experiences, offer mutual support, and receive

advocacy, information, and education around a specific topic of common interest. Support groups validate the experiences of survivors, explore options, build on strengths, and respect participants' rights to make their own decisions. A shelter or house meeting where, for example, chores are discussed, and there is no advocacy provided, is not a support group;

- **"survivor"** means a person who has been subjected to domestic or dating violence, sexual assault, or stalking and may be admitted into a program, and may also be referred to as a victim;
- **"volunteer"** means a person who provides an agency with unpaid services, which may include but are not limited to telephone support, referral and information, office support, shelter support, community presentations and public relations, fund-raising, court liaison, legal aid, safe home services, and direct services to participants; and
- **"youth advocacy"** means an age-appropriate intervention service that strives to assist children/youth to express feelings about their exposure to domestic violence or sexual assault. It is an educational, rather than a therapeutic intervention, and is focused on providing age-appropriate education about domestic violence and sexual assault, planning for safety, developing or enhancing problem-solving skills, and increasing resiliency factors. Advocacy can be provided to youth in individual and group formats, and includes speaking and acting with, or on behalf of, youth for change or justice.

## Governing body

- The governing body of each grantee shall
  - have written documentation of its source of authority, through charter, articles of incorporation, or bylaws, as appropriate;
  - meet at least quarterly and keep minutes of all meetings;
  - appoint an executive director, and designate, in writing, the director's authority, which must include responsibility for the daily operation and administration of the program;
  - reflect representation of community concerns and interests by adopting and implementing a policy to recruit members of populations which are targeted for program services, particularly Alaska Native and other ethnic or racial minority populations;
  - approve, in writing, all documents of the grantee that establish policy, including personnel policies, budgets, budget revisions, and the accounting manual;
  - conduct open meetings; however, if excepted subjects are to be discussed at a meeting, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss any of the following matters must be determined by a majority vote of the governing body; the only excepted subjects that may be discussed in an executive session are
    - matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the grantee;
    - subjects that tend to prejudice the reputation and character of any person; however, the person may request a public discussion; and
    - matters which, by law, municipal charter, or ordinance, are required to be confidential; and

- direct the grantee's planning process; the governing body shall develop statements of philosophy of service delivery, mission, and goals and objectives; the goals and objectives must be reviewed annually.
- The governing body must represent community concerns and interests by consisting of members that reside in the program's service area.

## Planning process

A grantee shall have a planning process that includes

- communication and coordination of the planning process with the council, other domestic violence or sexual assault programs or coalitions, tribal organizations or coalitions, and culturally-specific organizations that serve the same populations;
- identification of resources within the service area that provide the same, similar, and supplementary services;
- an assessment of the service needs of the populations to be served, including marginalized and underserved populations in the area;
- consideration of the characteristics, needs, and distribution of the populations to be served, which must be documented and include consideration of a group's culture, heritage, traditions, and language;
- a written description of each service provided by the program and a statement of how each service relates to identified needs of the populations to be served; and
- written policies and procedures that address the implementation of the above provisions.

## Fiscal management

- A grantee shall have an accounting system that ensures proper use of money, as required by funding sources, and documentation of financial transactions. The system must include
  - uniform procedures for handling financial transactions;
  - reconciliation and summary of financial transactions at least monthly;
  - written procedures for payroll that ensure that correct amounts are regularly withheld from each employee's pay and paid to appropriate federal, state, and local units of government;
  - written procedures for regular review of, and sign-off on, all employees' time and attendance forms; and
  - controls to safeguard proper handling of cash receipts and disbursements.
- A grantee shall maintain an accounting policy and procedures manual which must be reviewed and updated annually. The accounting manual must include the following topic areas: funding-source accounting requirements, internal control procedures, a chart of accounts, accounting records maintenance, and preparation of financial statements.
- A grantee shall have written procedures for the preparation and revision of the revenue and expense budgets for the program. These budgets must include all sources and uses of money received.



- A grantee shall have insurance that provides for the protection of the physical and financial resources of the program. This insurance must include personal injury liability insurance for employees, volunteers, and participants, and bonding insurance in at least one-fourth of the total grant received from the council.

## Reporting

A grantee shall have written procedures that ensure fulfillment of reporting requirements imposed by licensing or funding sources.

## Program monitoring and evaluation

Regular program monitoring and evaluation are important components of a program's ability to analyze its effectiveness and impact and ensure the best possible services are being provided to survivors and their dependent children. A grantee shall have a written evaluation plan that is informed by current best practices and includes, at minimum:

- designation of persons responsible for conducting the evaluation, including the governing body's role;
- a listing of the program's outcome measures;
- a description of the types of data collected, including the frequency and method of data collection;
- a description of the manner in which stakeholders, including survivors, were engaged during the evaluation process;
- identification of factors that contribute to the success of the program;
- an assessment of how the grantee affects the community and participants it serves; and
- a means for the evaluation findings to be used in the planning process described in <PLANNING PROCESS>.

## Compliance

Newly funded grantees shall come into compliance with this chapter within two years of receiving funding.

## Waiver

The council will, at its discretion, waive compliance with a requirement in <SCOPE, GOVERNING BODY, PLANNING PROCESS, PERSONNEL MANAGEMENT, FISCAL MANAGEMENT, REPORTING> upon written application, if the council determines

- there is good cause for the request;
- the safety of participants is assured; and
- an acceptable alternative is provided.

## Facilities

- A facility operated by a grantee must
  - comply with applicable zoning ordinances and conform to electrical, sanitation, plumbing, building, fire, safety, and health codes of the governmental jurisdictions in which the facility is located;
    - if the facility is located in a region without applicable ordinances or codes, the facility must abide by community standards, including
      - be free from health and safety hazards, clean, sanitary, free from infestation, and in good repair;
      - have adequate ventilation in all areas;
      - be adequately heated and cooled to maintain a healthful temperature while occupied;
      - provide adequate lighting of interior and exterior areas to maintain safety; and
      - ensure security by using locks on external windows, doors, and other entry points of the shelter to prevent entry by intruders;
  - provide a smoke-free environment inside the facility; and
  - have assigned in writing who maintains responsibility for cleaning and maintaining the facility and its premises.
- A grantee shall maintain records of facility inspections and conditional use permits for three years.

## Personnel management

### Policies

- A grantee shall adopt and implement policies to recruit staff who are representative of populations utilizing program services, including Alaska Natives and other marginalized and underrepresented populations.
- A grantee shall adopt and implement a policy to provide a drug-free workplace in accordance with 41 U.S.C. 701-707 (Drug-Free Workplace Act of 1988).
- A grantee shall ensure that all staff who have direct contact with survivors and their dependent children have completed, at minimum, a state background check.
- A grantee shall preserve the confidentiality of the employment status, residence and family addresses, and phone numbers of staff, and shall not disclose this personal information to any outside agency or person unless requested by the employee via a written release of information.

### Service providers

### Employees

- A grantee shall have a personnel management system that includes a written job description with identified supervisor and qualifications for each position, and a current organizational chart that identifies staff positions and lines of authority within the program.

- A grantee shall maintain for each employee a personnel record that includes education and training completed, wage or salary information, and performance appraisals. Performance appraisals must be completed annually and in accordance with documented procedures. The records must be stored, maintained, and used in a manner that ensures confidentiality;
  - a grantee shall ensure employee background checks are stored separately from the personnel record and accessed only by authorized personnel, in accordance with federal law.

## Volunteers

- A grantee shall have written policies on volunteer services that include
  - the philosophy, goals, and objectives of the volunteer program;
  - the responsibilities and tasks of volunteers;
  - the procedures and criteria for selecting volunteers, including their qualifications; and
  - the accountability and reporting requirements of volunteers.
- A staff person or persons must be designated to serve as supervisor of volunteer services.
- A grantee shall have a procedure for reviewing volunteers' performance and providing feedback to volunteers.

## Training and supervision

Regular, relevant training and supervision are critical components of ethical practice and effective service delivery. A grantee is encouraged to utilize live training, job shadowing, and other similar modalities that allow staff to actively integrate knowledge and practice.

## Board members

Within three months of their appointment, new Board Members must participate in an orientation that includes, but is not limited to, information about fiduciary and fiscal roles and responsibilities for board members of a nonprofit organization, including conflicts of interest.

## Volunteers

- A grantee shall have a documented training program for volunteers that is progressive and aligns with the position and responsibilities of the volunteers.
- A grantee shall have a written policy describing the frequency with which supervision will be provided to volunteers.

## Employees

### Initial training

- Prior to independently providing services, all employees who provide direct services, including supervisors, must receive training that includes, but is not limited to, the following information and skills necessary to work in domestic violence and sexual assault program areas:
  - confidentiality and ethics;
  - recognition and mandatory reporting of suspected abuse or neglect of a minor child under AS 41.17.020 or vulnerable adult under AS 47.24.010, described in more detail in <MANDATORY REPORTING>;

- policies and procedures of the agency, including position responsibilities and emergency procedures; and
- lethality assessments and safety planning.
- Employees working at a shelter facility who provide direct services must additionally have at least eight hours of basic first aid training, which includes training in CPR.
- A grantee shall have a documented training program for employees who provide indirect services that provides information on
  - confidentiality;
  - mandatory reporting, as described in [Mandatory Reporting];
  - participants' rights;
  - program procedures; and
  - procedures for emergencies.

### Continuing education

- Each year after the first year, all permanent employees and full-time volunteers who provide direct services must complete a minimum of 12 additional hours of continuing education training relevant to their agency responsibilities.
- No later than 12 months after their date of hire, and every year thereafter, all temporary employees and part-time volunteers who provide direct services, and employees and volunteers who provide indirect services, must complete a minimum of 4 hours of continuing education per year relevant to their agency responsibilities.

### Mandatory reporting [Existing subsection]

- The training provided to fulfill the <MANDATORY REPORTING> requirement shall be provided to new employees during the first month of employment and once per year for all employees.
- A grantee shall develop a curriculum for the training required under this section, and shall review and update the curriculum annually. A grantee shall ensure a current copy of this curriculum is on file with the council. The curriculum must include information on
  - laws relating to child abuse and neglect and the abuse of vulnerable adults;
  - techniques for recognizing and detecting child abuse and neglect and the abuse of vulnerable adults;
  - agencies and organizations in the state that offer aid or shelter to victims and the families of victims of child abuse or neglect and the abuse of vulnerable adults;
  - procedures for required notification of suspected abuse or neglect, including the exemptions for domestic violence cases as described in AS 47.17.020(h);
  - the role of a person required to report abuse or neglect, and the role of the grantee, after the report has been made; and
  - a brief description of the manner in which cases of abuse or neglect are investigated by the Department of Health and Social Services, the division of senior services of the Department of Administration, and law enforcement agencies after a report of suspected abuse or neglect.

- As part of this training, a grantee shall require each staff member to read and sign a statement that clearly defines all forms of reportable abuse or neglect, and outlines the staff member's responsibility to report abuse or neglect. The statement must be retained in the staff member's personnel file.

## Supervision

A grantee shall have a written policy describing the frequency with which supervision will be provided to employees in non-supervisory positions.

## Supervisors

No later than six months after their date of hire as a supervisor, and for each year thereafter, supervisors must obtain a minimum of five hours of training related to providing supervision. These five hours can be counted toward the annual requirements for employees listed in <CONTINUING EDUCATION>.

## Documentation

- A grantee shall ensure documentation of completed training is retained in employees' personnel files, as described in <PERSONNEL MANAGEMENT>.
- A grantee shall retain documentation of completed training by board members and volunteers.

## Service provision

Unless stated otherwise, the following apply to all services that may be provided by a grantee, including those described in <SERVICES>.

## Service model

Grantees shall provide services in a manner that is culturally relevant, empowerment-oriented, survivor-centered, trauma-informed, and informed by current best practices, including local or traditional best practices, as described in the CDVSA Best Practice Guide. Such a model

- promotes safety for all survivors and their dependent children;
- builds on the strengths and resources of individuals and families, respecting their autonomy and self-determination;
- supports the relationship between survivors and their dependent children;
- offers options and support for autonomous decision-making based on the needs and circumstances of each survivor and their family;
- assists individuals and families in accessing protection and services that are respectful of cultural and community characteristics; and
- ensures agency accountability by involving survivors in evaluating the services they receive from the grantee.

## Access to services

- A grantee shall provide access to safe accommodation and protection for survivors and their dependent children exposed to domestic or dating violence, sexual assault, or stalking;

- a grantee shall not require participants to provide identification or payment to receive grant-funded services; and
- a grantee shall ensure that participation in program activities is voluntary, and shall provide access to services regardless of a participant's level of participation in program activities.
- A grantee shall have a written policy that describes the ways in which the services offered are made accessible to participants of diverse backgrounds and with varying levels of need, including marginalized and underserved populations;
  - a grantee may not deny access to services based on the sex, race, religion, color, national origin, age, physical or mental disability, substance use, sexual orientation, gender identity, immigration status, marital status, pregnancy, or parenthood status of a survivor or any dependent children.
- A grantee may offer gender-specific programs if a grantee can demonstrate that
  - such segregation is necessary for the operation of the program or activity; and
  - equivalent services are offered for other-gendered participants.
- A grantee shall have a written policy and procedures describing the criteria for acceptance into and termination from services, and the means by which participants will be familiarized with this information.

### **Confidentiality [Move subsection from Chapter 95]**

- A grantee shall ensure the privacy of a survivor seeking or receiving services from the grantee, and shall preserve the confidentiality of all communications, observations, and information made by, between, or about participants, including records, privileged communications under AS 18.66.200 - 18.66.250, and personally identifying information, unless
  - release of the information is necessary for the grantee to comply with
    - a requirement under AS 47.17.020 or 47.24.010 to report abuse of a child or vulnerable adult;
    - the provisions of AS 18.66.200 – 18.66.250; or
    - data collection and reporting requirements, for which participant information must
      - be presented in aggregate form; and
      - include no personally identifying information;
  - release of the information is required to protect the life or safety of a person; or
  - the participant signs a release of information form;
    - if the participant is an unemancipated youth, the youth and a parent/guardian must sign; or
    - if the participant is a legally incapacitated adult who has been appointed a legal guardian, the guardian must sign; but
    - the perpetrator of violence toward an unemancipated youth or legally incapacitated adult participant may not provide consent for the participant.
- A grantee shall ensure that release of information forms

- are written and dated;
- indicate to whom what information shall be released, for what purpose, and for what length of time;
- state clearly that the release may be revoked at any time by the program participant;
- are signed by an informed, consenting participant;
  - if the participant is an unemancipated youth, the youth and a parent/guardian must sign; or
  - if the participant is a legally incapacitated adult who has been appointed a legal guardian, the guardian must sign; but
  - the perpetrator of violence toward an unemancipated youth or legally incapacitated adult participant may not provide consent for the participant; and
- are reviewed, along with any accompanying documents or materials, by a supervisor prior to their release or on a monthly basis to ensure regulatory compliance.
- A grantee shall have written policies that outline the manner in which a participant will be familiarized with confidentiality procedures upon the participant's entry into services, including
  - how planned and unplanned breaches of confidentiality will be addressed; and
  - the participant's right to revoke a previously-authorized release of information, verbally or in writing.
- A grantee shall have written policies and procedures that outline the manner in which confidential information is to be securely stored or transmitted via electronic means, including telephone, electronic mail, facsimile transmission, and agency computers; these policies and procedures must additionally comply with current state and federal policies.

### **Mandatory reporting**

- A grantee shall have written policies and procedures related to mandatory reporting requirements.
- A grantee shall require reporting by all staff if there is reasonable cause to believe that a child has suffered abuse or neglect as defined in AS 47.17.290, unless
  - the reportable offense is related to the child's prior exposure to domestic violence; and
  - the staff has reasonable cause to believe the child is currently safe, in appropriate care, and not in danger of mental injury, per AS 47.17.020 (h); and
  - the report must be made to the Office of Children's Services. If there is reasonable cause to believe that immediate action is necessary to protect the safety of the child, the report must also be made to a peace officer.
- A grantee shall require reporting by all staff if there is reasonable cause to believe that a vulnerable adult has suffered abuse or neglect as defined in AS 47.24.900, and
  - there is immediate danger to the vulnerable adult; or
  - the abuse is ongoing and the vulnerable adult is unable or unwilling to assure the vulnerable adult's own safety; and

- the report must be made to the central information and referral service for vulnerable adults, through the Department of Administration, Division of Senior Services. If there is reasonable cause to believe that immediate action is necessary to protect the individual, the report must also be made to a peace officer.

## Service entry and exit

- A grantee shall have written policies and procedures addressing the process by which new and returning participants enter services.
- Unless otherwise specified, a grantee shall provide eligible participants with an orientation to the program within 24 hours of a participant entering services that includes an explanation, verbally and in writing, of the participant's confidentiality rights, the participant's responsibility to maintain the confidentiality of other participants, the services that are available, program hours, activities, medication policy, rules governing participant conduct, infractions that can result in disciplinary action or discharge from services, and participant grievance procedures.
- A grantee shall have written procedures for participant intake that address
  - immediate risk of suicide or homicide;
  - presence of abuse or neglect of a child or vulnerable adult;
  - influence of substances, including alcohol; and
  - referral procedures for individuals not accepted for services.
- A grantee shall ensure a service plan is developed within 72 hours of a participant entering services that includes
  - safety planning;
  - a statement of problem(s) and need(s);
  - a plan for problem resolution; and
  - any known medical problems.
- A grantee shall have written policies and procedures addressing the process by which participants exit services, including through voluntary and involuntary termination.

## Participant grievances

- A grantee shall have a written policy that provides for reviewing and responding to participants' grievances and recommendations about program services that is available to each participant. This policy must also describe the means by which participants are familiarized with these procedures.
- Services to an individual shall not be terminated based on the filing of a grievance.

## Services

- A grantee shall provide the following services, at minimum, according to the service model described in <SERVICE MODEL>:



- access to safety;
- advocacy;
- coordination and referral;
- crisis intervention; and
- supportive groups.
- A grantee may provide additional services, according to the service model described in <SERVICE MODEL>, including but not limited to
  - behavioral health services;
  - community education;
  - residential services; and
  - services for youth.

### **Access to safety**

- A grantee shall ensure that participants are provided access to safety, which may include access to a shelter, safe home, or alternative accommodations that provide safe housing.
- A grantee shall ensure that any alternative accommodations utilized
  - are safe;
  - provide survivors access to a telephone or another form of communication and bathroom facilities that meet community standards; and
  - have locks on all external doors.

### **Advocacy**

A grantee shall ensure that advocacy services, as defined in <DEFINITIONS>, are provided to all participants.

### **Community education**

A grantee may provide community education, as defined in <DEFINITIONS>.

### **Coordination and referral**

A grantee shall develop written agreements for coordination with agencies that serve as primary referral sources, including, but not limited to, agencies providing services for behavioral health concerns, including substance use; the Office of Children’s Services; and additional domestic violence and sexual assault programs serving the same area. These policies and procedures must delineate means to

- identify participants' unique needs, which include cultural and accessibility needs;
- assist participants in obtaining services; and
- avoid duplication of services provided by other agencies; and must
- specify conditions under which referrals are made, including a list of the specific steps for referring.

## Crisis intervention

A grantee providing crisis intervention services to survivors of domestic violence and sexual assault shall

- have or contract with a crisis line service that must
  - operate 24 hours per day, 7 days per week;
  - be staffed by a service provider that has been trained in and is familiar with the grantee's referral and intake practices;
  - provide access to TTY or similar technology and ensure staff have been trained on its use; and
  - address safety in every call; and
- have written policies and procedures that address
  - the way in which staff will meet the needs of non-English speaking and hearing impaired callers;
  - steps that must be taken when a caller requests emergency shelter; and
  - if an answering service or similar system is used, how the answering service staff will be trained, and how services provided will be monitored.

## Behavioral health services

A grantee shall have written policies and procedures addressing the process by which participants will be provided with or referred for behavioral health services, including individual or group counseling and substance use treatment.

## Residential services

In addition to the general facility safety requirements listed in <FACILITIES>, grantees providing residential shelter or safe home services must also ensure the following minimum standards are met.

### Shelters

- A shelter must provide each resident with access to
  - one trained employee or volunteer 24 hours per day, seven days per week;
  - shelter services, whether or not the participant chooses to utilize other services offered;
  - minimum necessities for youth and adults, including
    - a bed in good condition with clean bedding;
    - clean clothing that has been stored in a sanitary manner;
    - personal hygiene items appropriate to the resident's ethnicity, disability, or medical condition, including soap, shampoo and conditioner, toothbrush and paste, deodorant, and clean washcloths and towels; and
    - safe, nutritional food and beverages, including water, milk, and infant formula;
  - a sanitary diaper changing area with procedures posted regarding the handling of diapers and cleaning of the changing area;

- a kitchen with a sink, range or stove, covered garbage container, eating and cooking utensils that are clean and in good repair, and clean, moisture-resistant counter surfaces;
- a bathroom with an indoor toilet, sink for hand washing that offers hot and cold running water, and bathtub or shower, these facilities must
  - allow for the privacy of shelter residents; and
  - be the appropriate height for youth served at the shelter or offer a safe, easily cleaned, water-resistant step stool or platform;
- a telephone, in accordance with a written policy that promotes the confidentiality and safety of all residents;
  - a shelter shall have at least one cellular telephone available for use at all times in the event of power or telephone line outages; and
  - a shelter shall provide TTY or a similar service for residents with hearing impairments;
- a safe and secure play area for youth residing in the shelter;
- a locked cabinet or container in a secure location for participant medication storage that allows participants to have direct, immediate access and prevents access by unauthorized individuals;
  - shelter staff shall not dispense, administer, nor monitor a participant's access to medication; and
  - shelter staff shall provide access to refrigerated storage space as needed by residents in a manner that provides the maximum possible privacy and autonomy;
- for shelters that allow firearms and other dangerous weapons on the premises, a locked storage container, gun safe, or other storage area made of strong, unbreakable material for storage of firearms and other dangerous weapons; stored firearms must be unloaded and ammunition must be stored separately from the firearms or locked in a gun safe;
  - if the storage container has a glass or other breakable front, the firearms must be secured with a locked cable or chain placed through the trigger guards; and
- within 72 hours of a resident's arrival, an orientation in accordance with <ENTRY INTO SERVICES>; additionally, within 24 hours of a resident's arrival, the resident shall be informed of the requirement for nonviolent behavior by youth and adults while in the shelter and the shelter's policies on the storage of firearms and other dangerous weapons.
- A grantee offering residential shelter services shall have written policies and procedures regarding
  - meeting potential emergencies such as fire, natural disasters, physical illness, and threats of physical injury. These procedures and emergency telephone numbers must be posted in prominent places in the shelter, and the procedures made known to staff, volunteers, participants, and if applicable, law enforcement officers. The emergency procedures must include
    - assignments of tasks and responsibilities;
    - instructions for the use of alarm systems, emergency equipment and notification of authorities;
    - specification of escape routes in case of fire or natural disaster; and

- coordination with law enforcement agencies for emergency plans regarding intruders and with fire departments for emergency plans for fire or natural disasters;
- the shelter intake process, including the participant orientation described in <WITHIN 72 HOURS>;
- the safe and sanitary storage, preparation, and serving of food products;
- the storage of medicines belonging to residents of the shelter that assure that the medicines are not accessible to children or unauthorized adults, including disposal of medications abandoned by participants;
- for shelters that allow firearms and other dangerous weapons on the premises, the storage of firearms and other dangerous weapons belonging to residents of the shelter that assure that the weapons are not accessible to children or unauthorized adults;
- services for children residing in the shelter, including coordination with schools to minimize disruption; and
- emergency or temporary closure of the shelter.

### Safe home programs

- A safe home must provide each resident with access to
  - minimum necessities for youth and adults, including
    - a bed in good condition with clean bedding;
    - personal hygiene items including soap, shampoo and conditioner, toothbrush and paste, deodorant, and clean washcloths and towels; and
    - safe, nutritional food and beverages, including water, milk, and infant formula;
  - a kitchen and bathroom facilities that meet community standards;
  - a telephone or other form of communication, in accordance with a written policy that promotes the confidentiality and safety of all residents;
  - a locked cabinet or container in a secure location for participant medication storage that allows participants to have direct, immediate access and prevents access by unauthorized individuals;
    - safe home staff shall not dispense, administer, nor monitor a participant's access to medication; and
    - safe home staff shall provide access to refrigerated storage space as needed by residents in a manner that provides the maximum possible privacy and autonomy;
  - for safe homes that allow firearms and other dangerous weapons on the premises, a locked storage container, gun safe, or other storage area made of strong, unbreakable material for storage of firearms and other dangerous weapons; stored firearms must be unloaded and ammunition must be stored separately from the firearms or locked in a gun safe;
    - if the storage container has a glass or other breakable front, the firearms must be secured with a locked cable or chain placed through the trigger guards; and
  - within 24 hours of a resident's arrival, an orientation in accordance with <ENTRY INTO SERVICES> that additionally informs the resident of the requirement for nonviolent behavior by youth and adults while in the safe home and the shelter's policies on the storage of firearms and other dangerous weapons.

- A grantee offering safe home program services shall have written policies and procedures regarding
  - criteria for who may use safe homes and rules for safe home operators and residents, including security measures;
    - a grantee shall disseminate this information to safe home operators and residents;
  - monitoring of safe homes to ensure that the homes meet community standards for cleanliness, safety and security, and sanitary conditions;
  - the storage of medicines belonging to residents of the shelter that assure that the medicines are not accessible to children or unauthorized adults, including disposal of medications abandoned by participants;
  - for safe homes that allow firearms and other dangerous weapons on the premises, the storage of firearms and other dangerous weapons belonging to residents of the shelter that assure that the weapons are not accessible to children or unauthorized adults; and
  - emergency or temporary closure of the safe home.

## Services for youth

A grantee providing services for youth must

- offer youth the opportunity to receive the following age-appropriate services, with the permission of a parent/guardian
  - orientation to the program;
  - education about domestic violence and sexual assault;
  - individual or group advocacy and support; and
  - information about and referral to other supportive services, including counseling services; and
- ensure staff providing services to youth are appropriately trained to provide those services in accordance with current best practices.

## Supportive groups

- A grantee shall provide supportive group services, as defined in <DEFINITIONS>, to participants.
- A grantee shall have written policies and procedures addressing the process by which participants will be provided with or referred for supportive groups.

## Participant records and service documentation

- Documentation is an important component of ethical, responsible service provision. The information contained in participant records is confidential and may only be disclosed according to the exceptions described in <CONFIDENTIALITY>.
- Prior to documenting any information, a grantee shall ensure that survivors understand their confidentiality rights, including exceptions to confidentiality and agency policies regarding the retention and destruction of participant records.

- A grantee shall have written policies and procedures that ensure all service provision, including termination of services, is documented, signed, and dated in written form by the service provider a manner that protects the participant's confidentiality.
- A grantee shall have a standardized system for keeping confidential records for participants. Separate records shall be maintained for dependent children accompanying a survivor. These records must include, at minimum, the following information:
  - a unique record identifier that does not include any of the participant's personally identifying information;
  - identifying information, including the participant's name, age, ethnicity, an individual who can be contacted in case of an emergency, and other relevant information;
  - an intake that clearly documents the participant's eligibility for services;
  - documentation of any services that were provided to the participant; and
  - copies of required releases and participant notices.
- A grantee shall have written policies and procedures that include a review of current participant records every six months and shall destroy all documents except those
  - essential to ongoing service provision; or
  - required by the Council.
- A grantee shall have written policies and procedures for the handling, retention, and disposal of paper and/or electronic participant records in a manner that ensures participant confidentiality is protected. These must
  - include procedures for disclosure of privileged communications and confidential information in accordance with AS 25.35.100 - AS 25.35.150, including the use of forms for documenting the disclosure and for obtaining the participant's written consent;
  - comply with applicable laws and regulations on privileged communications and confidentiality of participant records;
  - ensure the records of active and inactive participants are stored in a locked file cabinet or other locked, secure area;
  - address the use and disclosure of participant information by anyone other than program personnel;
  - include procedures for regularly closing and storing inactive participants' records, which must be retained for three years after the last date of service unless otherwise requested by the participant;
  - address the way in which the physical security of the records will be maintained; and
  - include the criteria and methods by which records will be destroyed. After three years have passed since the last date of service, retained participant records shall be destroyed, except information required by the council to remain on file, including the participant's name and unique record identifier.

## Civil Rights of Participants [Chapter 95]

- A grantee shall comply fully with 42 U.S.C. 2000d (U. S. Civil Rights Act) and 29 U.S.C. 794.

- A grantee shall establish and operate internal information-collection systems to provide necessary racial statistics for staff, participants, beneficiaries, or participants annually. Records and reports must be available for review by the council and by the appropriate federal agency upon request.
- A grantee shall make available to beneficiaries, participants, and other persons affected by the grantee's grant project, information relating to 42 U.S.C. 2000d and 29 U.S.C. 794 and federal regulations promulgated under those laws.
- A grantee shall inform and instruct staff members concerning obligations under 42 U.S.C. 2000d and 29 U.S.C. 794 and federal regulations promulgated under those laws.
- A grantee shall establish procedures for processing complaints alleging discrimination on the basis of sex, race, religion, color, national origin, age, physical disability, mental disability, sexual orientation, gender identity, marital status, change in marital status, pregnancy, or parenthood.

## Cost Policies [Chapter 95]

- A grantee may use money received from a grant to pay a cost described in 13 AAC 95.140 - 13 AAC 95.200. A grantee may make a payment only
  - in accordance with the limitations established in 13 AAC 95.140 - 13 AAC 95.200;
  - if the council determines that payment of the cost is necessary for the accomplishment of the objectives of the grant project; and
  - if the cost is reflected in the budget of the grant project.
- A grantee may pay for costs other than those described in 13 AAC 95.140 - 13 AAC 95.200 only after receiving approval from the council.
- A grantee may pay for fees, transportation expenses, and per diem or subsistence expenses of consultants. Before paying expenses of consultants, the grantee must establish written policies that provide, at a minimum, that
  - the consultant's services must be essential to the grant project and cannot be provided by a person whose salary is paid, in whole or in part, with money from the grantee's grant;
  - the grantee will establish and use a selection process to secure the most qualified consultant available; and
  - the consultant's fee must be appropriate considering the qualifications of the consultant, the consultant's normal fees, and the nature of the services rendered by the consultant.
- If a grantee has a written travel policy that is more restrictive than 13 AAC 95.160(a), the grantee may pay no more for the travel expenses than the amount that is allowed under that policy.
- For air travel, the expenses paid may not include first class seating or travel on a carrier other than a United States carrier unless no other form of air travel is available.
- Before paying a relocation cost under 13 AAC 95.160(c), a grantee must establish written policies that
  - state the circumstances under which the grantee will pay for the relocation costs;
  - state the maximum amount the grantee will pay; and

- require the employee to reimburse the grantee for the relocation costs if the employee resigns for reasons within the employee's control less than 12 months after the relocation.
- A grantee may not charge a fee for services provided to survivors or their dependent children.
- A grantee may not pay for the following
  - interest costs on loans;
  - contingencies;
  - lobbying;
  - fines, penalties, or bad debts;
  - contributions or donations;
  - entertainment, including luncheons, banquets, gratuities, or decorations; or
  - activities that compromise survivor safety and recovery.