

Idaho Council on Domestic Violence and Victim Assistance
February 25, 2022 Minutes
9:00 a.m.
Via Zoom

Members Present: Jodi Nafzger Nafzger, Rachel Kaschmitter, Jessica Uhrig, Laura Diaz,
Members Present a portion of the meeting: Alan Boehme, Wes Somerton, Clinton Lemieux
ICDVVA Employees Present: Heather Cunningham, Jessica Marshall, Dana Wiemiller,
Kristina Larkin
ICDVVA Interns Presenting: Julie Leavitt, Alaa Al Hamadani, Harmony Beagley

Jodi Nafzger, called the meeting to order at 9:04 am

1. Action Item: Minutes from December 3, 2021 Meeting

Review and approval or revision of December 3, 2021 Meeting Minutes

Action: Councilmember Uhrig moved to approve the December 3, 2021 minutes.
Councilmember Lemieux seconded. Motion was unanimously approved.

2. Action Item: Confirmation of Revised OIP Minimum Standards and Data Collection Commencement

Director Cunningham advised Council of need to confirm the prior email vote due to guidance that votes should not be conducted via email and need to be in open meetings.

Action: Chairwoman Nafzger moved to confirm email vote from December approving the new OIP Minimum Standards to take effect January 1, 2022, and the new OIP data collection to commence January 1, 2022. Councilmember Boehme seconded. Motion was unanimously approved. (Councilmember Somerton not present).

3. Action Item: Adoption of Council Governance Policy

Director Cunningham referenced guidance for state agencies to transition from agency by-laws to governance and policy documents. The existing by-laws were revised into proposed policy and updated to reflect additional items which belong in a governance policy. Legal Intern Julie Leavitt, a 3rd year law student, has assisted with the proposed draft governance policy.

Presentation by ICDVVA Legal Intern Julie Leavitt

Draft Governance policies were reviewed; no ability to vote via email, difference in quorum for voting on policy vs other decisions, changed the “Task Force” language of bylaws to “Non-Standing Committees” to comply with guidance. Contains a conflict of interest section; any conflict of interest should be submitted in writing. Added new sections – including record retention with all records after 2019 saved digitally on ICDV main server, grant administration records saved for 5 years, not just 3 as required under fed guidelines; media inquiries policy, DHW travel policy, DHR policies. Executive Director duties spelled out and policy recommendations shifting from Chair to ED since a

Chair cannot be expected to be familiar with policies as the bylaws had required. Director Cunningham reported the document includes detail and hyperlinks since it was difficult for new staff to determine relevant policy on travel, honorariums, etc., this governance policy sets everything out in one place for continuity and convenience of both staff and Council members moving forward. The Executive Director is identified as custodian of record for freedom of information act requests, which is also new.

A concern has been raised about the OIP committee having no statutory authority to include public members and no rule making authority; this keeps the subcommittee as is but a future legal intern will look into this. Also includes need for timely request for honorarium otherwise waived. Also includes formal conflict of interest policy modeled on sample provided by AG. Chairwoman Nafzger asked about OIP committee membership to include Idaho to accurately reference Idaho Coalition Against Sexual and Domestic Violence. Director Cunningham clarified the role of Coalition within the state. Quorum Requirement – 4, but 5 for revision of council policies. Does council want to change that? Quorum can be difficult to achieve. There was no request to change.

Action: Councilmember Uhrig motioned to approve the Council Governance and Administrative Policies document as presented. Councilmember Lemieux seconded. Motion was unanimously approved.

4. Action Item: Repeal of Council Bylaws

Presentation by ICDVVA Legal Intern Julie Leavitt

Director Cunningham explained that most Councils don't operate under by-laws any longer and have converted to policies/governance documents. The Attorney General's office recommended transition to policies and simultaneous repeal/approval process. Chairwoman Nafzger asked if there's anything in by-laws not included in new policy document. Legal Intern Julie Leavitt stated that no, the new document is expanded from the by-laws document. Director Cunningham stated that the Attorney General's office reviewed the draft.

Action: Councilmember Uhrig moved to approve the repeal of Council Bylaws. Councilmember Lemieux seconded. Councilmember Boehme abstained. Motion was approved.

5. Historical Research Update

Presentation by Intern Harmony Beagley and ICDVVA Staff

Grant Manager Kristina Larkin gave an introduction of the project purpose, and history of Crossroads Harbor funding history. Intern Harmony Beagley shared VOCA/FVPSA historical funding charts & provided history on decision to deny funding to Crossroads Harbor, formerly known as Mini Cassia Center. Intern Harmony Beagley shared an overview of the funding history by reviewing prior funding applications, letters/correspondence, and interviews of Crossroads staff and former staff. Funding decisions were made without clear expectations/policies in place. A former ICDVVA

Director apparently wanted the Rupert shelter to be consolidated into a Twin Falls shelter, which may have contributed to the reason why funding wasn't awarded. Director Cunningham shared documents related to the 2017-18 grant application; however, no records were found on scoring criteria/decisions. Director Cunningham explained that current ICDVVA practice is to be transparent in funding decisions, policy guidelines, and monitoring activities and will work with agencies to cure any deficiencies. Intern Beagley's next project will be to research the closing of the Post Falls shelter, Oasis, and will share results with the Council.

6. Action Item: Adoption of Strategic Plan

Presentation by Director Cunningham

Director Cunningham provided an overview of the plan development process. No public comments were received since the draft plan was posted February 1st. Director Cunningham also checked with funded programs and the Coalition and no concerns were raised. FVPSA requires a State Plan. The Council intends to use the Strategic Plan for the FVPSA State Plan; however, the plan needs a few edits including: a definition of underserved which is included on agenda and the final, Council-approved definition would be added to document; and 1-2 paragraphs to elaborate on collaboration with other state agencies and community partners.

Chairwoman Nafzger asked if there had been any other edits/additions since the Council reviewed the last draft. Director Cunningham stated that updates were made to revenue figures to include the latest FY22 projections but there were not changes to the approved goals and tasks since last Council approval. Director Cunningham explained that State DV revenue has had a significant decline in last two years. Director Cunningham explained how this impacts the ability to conduct OIP activities and grant funding for DV programs. Dedicated funds must be used to support staff OIP activities since no federal grants may be used. Director Cunningham intends to ask for operating funds for OIP in next year's budget. Chairwoman Nafzger asked to change her designation on page 4 to College Administrator. The change was made during the meeting. Chairwoman Nafzger asked if goals are measurable and if enough input has been received to make a determination. Director Cunningham forwarded the draft performance measures to DHW staff for review. She has not received feedback. Director Cunningham will fine-tune the performance measures going forward, after receiving additional direction/recommendations.

Action: Councilmember Uhrig moved to approve the adoption of the Strategic Plan. Councilmember Lemieux seconded. Motion was unanimously approved. (Councilmember Boehme was not present for vote)

10:07 – 10:30 a.m. Mid-Morning Break

7. Statewide & Regional Historical Victimization Data

Presentation by ICDVVA Criminal Justice Intern Alaa Al Hamadani & Senior Research Analyst Jessica Marshall

Intern Alaa Al Hamadani gave a presentation on the historical total funding in each region since 2015. Jessica Marshall mentioned an increase in some funding since 2020 due to supplemental pandemic funding. She also referenced regional differences in supplemental funding as some regions had more agency requests than others. Jessica Marshall provided an overview on VOCA data & top/bottom 5 victimizations recorded in VOCA data 2016-2021 – same top/bottom five each year. Trends – increase in DUI/DWI victimizations predominantly reported in Region 4, increase in human sex trafficking is occurring statewide, increase in child abuse/neglect reported anecdotally and impacted by Covid-19. Shelter statistics show a dramatic decrease in shelter nights provided, impacted capacity due to Covid. Director Cunningham provided background on federal reporting requirements and the beginning of analysis of the historical data and intention to use data going forward to make better, data-informed funding decisions.

8. Report: First 6 Months of Housing and Counseling Demand Data

Presentation by Research Analyst Jessica Marshall

Jessica Marshall summarized the initial data collected from July 1, 2021 to December 31, 2021; housing and counseling are two basic services which will be important to sustain as funding decreases. She described emergency housing options, including shelter and hotel/motel vouchers, noting that all housing is subject to availability, some rural programs have limited space and/or limited hotel/motel options, and that the tourist season can impact hotel/motel availability. Average length of shelter stay was 28.3 days; 641 victims were waitlisted for shelter; and 719 victims were provided shelter. Transitional housing had an average occupancy of 83% with an average length of stay of 200 days. Permanent housing has challenges across the board for victims and the public. Lack of availability & affordability of permanent housing results in victims remaining in emergency/transitional housing for a longer period of time. Noted housing barriers includes lack of privacy, covid, criminal history, limited funding for vouchers, shelter expansion, food/toiletries in hotel/motel.

Jessica described the average wait list time for counseling for an adult is 48 days. The average wait list time for children is 52 days. Counseling barriers include a lack of providers, transportation, childcare, language access, and funding. Director Cunningham added that demand data analysis in these areas are intended to assist in funding decisions going forward. The Council may be able to target funding gaps using ongoing, enhanced data collection/analysis. The Council will include service gap discussion in upcoming regional roundtables.

9. Review of available uses for supplemental FVPSA funds

Presentation by Director Cunningham and Council Discussion

Director Cunningham provided an overview of supplemental FVPSA funds for COVID

testing, vaccines, and mobile health (TVMH), and sexual assault (SA) funds. Director Cunningham shared allowable expenditures lists for both sources and explained that Council staff had discussed these lists with our FVPSA administrator before releasing proposals.

Categories of allowable expenditures under TVMH include workforce development, emergency housing, behavioral health and preventive services. \$2.15 million available thru 2025. Categories under SA include training/education, workforce development, housing, sexual assault equipment, supportive services for SA survivors. All of these need to be specific to SA clients under this funding source - not available for DV clients. \$1 million available thru 2025.

Director Cunningham explained that these funds will help fill a funding gap during the decline in VOCA funding. The Council is still waiting for approval of a \$6 million request of supplemental State ARPA funds which could help mitigate declines during the next few years. Multiple funding sources increases administrative challenges. The Council staff is hopeful that we can use SA funding to support items we would otherwise be unable to fund, including statewide training for SANE nurses across state and regional Cortexflo equipment through subaward to ISP. Director Cunningham explained that targeted/non-competitive funding is allowable under FVPSA and state rules and asked for Council feedback on recommendation to fund these proposals.

Councilmember Uhrig asked about funds being prioritized for counseling services? Or possible trauma-informed training for judicial staff? Director Cunningham stated that these are allowable. Supplemental funds may help sustain counseling funding. Councilmember Kaschmitter agrees with proposal to fund training for people engaged in the process, including LE, judicial system. This may help reduce demand for therapists if victims are receiving trauma-informed care across all assistance providers.

Chairwoman Nafzger asked if these expenditure categories are allowable. Director Cunningham stated that these are approved categories and reviewed with our FVPSA officer, but the Council does not have to approve everything that is allowable – the lists provide the widest list of possible expenses. Director Cunningham shared that some other states are focusing on one-time personal benefits but would prefer Idaho focus on statewide service enhancements such as training and equipment. Chairwoman Nafzger supports proposed direction for Idaho supplemental funds.

10. Action Item: Caps on Subrecipient Workforce Benefits for FVPSA supplemental funds

Presentation by ICDVVA Staff

Director Cunningham discussed desire for Council input on whether or not boundaries/caps on these expenses should be established and what types of workforce benefit expenses should be prioritized. Grant Manager Amy Duque shared an example from an application that included personal benefits expenses such as massages, gift cards, and paid time-off for staff. She mentioned that staff does not recommend funding for gift

cards and massages as these items are not currently funded. Director Cunningham said she anticipates more of these types of requests and want to ensure there is a clear, agreed upon direction on allowable workforce benefit expenses.

Chairwoman Nafzger asked if there are policies on this? Director Cunningham replied no, FVPSA has not provided policies on these types of expenses. Director Cunningham advised that the Council has options on how they can set policy on this. FVPSA guidance is just that we follow our established policy. Councilmember Kaschmitter understands burnout and need for employee retention. Requested the Council ask agencies to explain how they will be using employee retention efforts long-term rather than just one-time. Director Cunningham replied the Council could also ask agencies to tell us what their employees want to ensure the benefits offered are employee-driven rather than an employer guess that may not actually result in employee retention.

Chairwoman Nafzger asked about the Council having discretionary funds for these types of expenses? Councilmember Somerton asked about the limitations on spending imposed by federal guidelines? Director Cunningham explained the guidelines for allowable expenses have been broadly interpreted by FVPSA and ICDVVA has used this guidance when developing our list of eligible expenses.

Councilmember Kaschmitter suggested providers have biggest burden in the amount of work and the amount of time they're doing it, particularly with counselors. High burnout. Hard to retain employees when pay is low and work is stressful. Would like to see funds spent in way that lightens or disperses workload. Councilmember Uhrig suggested allowing PTO and hazard pay under an agency's policies seems reasonable, questioned whether it would be helpful to use funds for employee time off. The time off could be used for childcare, elder care, etc.

Councilmember Somerton was in favor of paid time off and hazard pay. Councilmember Somerton does not support gift cards and/or staff retreats. Councilmember Kaschmitter likes Director Cunningham's idea to ask programs to consult with employees on what benefits they'd like to receive.

Chairwoman Nafzger questioned whether these suggestions were doable? Director Cunningham explained it is likely. The Council would need to factor in how these are reported. Agencies have been made aware that there will be reporting requirements with these funds. Appears that everyone agrees that long-term investment is important, rather than short-term items and that staff input into workforce benefits would be beneficial. Whatever is decided, we want to ensure transparency and fairness. These initial awards are non-competitive grant funds, so transparency is important. Not ready to vote on a cap today. May revisit action item at next meeting in April when evaluating extension budgets.

Chairwoman Nafzger stated that the committee agrees, a cap won't be imposed today and the committee supports pay raise, hazard pay, PTO types of workforce development items.

11. Action Item: Approval of FY22 FVPSA Immediate Need Awards

Presentation by Director Cunningham and Grants Supervisor Dana Wiemiller

Applications were released on February 7, 2022 and closed on February 22, 2022 for funding period March – Sept 2022, pending legislative approval of supplemental FVPSA funds. Director Cunningham and Grants Supervisor Wiemiller shared a funding summary spreadsheet including nine requests for a total of \$208,395 in FVPSA supplemental funding. The Council staff is recommending \$203,395 in awards. Non-funded programs were also eligible and notified; the opportunity was posted on the Council website. Staff is able to approve and advance these funding requests without Council approval; however, staff wanted to solicit Council input and have a vote to ensure transparent award decisions. Legislative approval is currently pending for an additional \$250k in spending authority for FY22. Director Cunningham explained upcoming Council decision in April will be to approve 3-month extension budgets.

Chairwoman Nafzger asked about equity issue with VAV request? Their request is much higher than others and asking for staff? Grant Manager Larkin provided additional information on request, the need to use contracted counseling services until staff counselor is replaced and need for additional funds for housing assistance.

Director Cunningham explained sense of urgency from FVPSA administrators in getting funds awarded so the plan is to issue awards as soon as legislative approval is in place.

Action: Councilmember Nafzger moved to approve recommended awards. Councilmember Uhrig seconded. Motion was unanimously approved by the four Councilmembers present – Chairwoman Nafzger, Councilmember Uhrig, Councilmember Kaschmitter, Councilmember Diaz.

12. Action Item: Approval of FY23 “Underserved” Definition

Presentation by Director Cunningham and Research Analyst Jessica Marshall

Council received an overview of the updated definition of underserved populations and explained that it’s important to ensure the definition is in compliance with both VOCA and FVPSA regs. Section A of the definition includes specific types of crimes to include in underserved. Section B includes victim characteristics with some language updates to some characteristics (i.e. – LGBTG to LGBTQ+, tribal members to Indigenous people). Director Cunningham mentioned the inclusion of economic exploitation and fraud and the concern among some Council members last year about including this in definition. Councilmember Uhrig supports including it in the definition.

Chairwoman Nafzger struggles with definition and is concerned about leaving out some populations. Is this a workable definition for applicants? Research Analyst Marshall stated it is important to be inclusive to ensure we’re able to meet the 10% underserved requirement. Jessica mentioned the ICDVVA staff effort to revise the grant application and the scoring component to better evaluate what populations are underserved. She also

mentioned that most characteristics in definition are included in VOCA reporting and walked the Council through the support for the definition.

Action: Councilmember Uhrig moved to approve adoption of definition and to include it in the 2022 Strategic Plan. Chairwoman Nafzger seconded. Motion was unanimously approved by those present. Councilmember Somerton and Councilmember Lemieux were not present.

13. Safety & Resilience Conference Updates

Presentation by Director Cunningham and Council Discussion

Director Cunningham provided a status report on conference planning activities. A hybrid of live & virtual conference is too expensive. Director Cunningham recommended a live conference in order to maintain the deposit with the conference venue; it's been deferred for two years due to Covid. Most attendees are already working in-person/with clients so likely less concerned about live attendance. Also recommending alternating each year between live and virtual moving forward. Years with virtual conference would have live regional roundtables, vice-versa. A virtual conference provides both financial and training benefits. Chairwoman Nafzger likes going live this year and alternating year-to-year between live and virtual. Councilmember Boehme, Councilmember Kaschmitter, and Councilmember Uhrig agreed.

Director Cunningham shared the current draft schedule and provided overview of sessions confirmed to date and others unconfirmed. Also mentioned effort to hire an assistant to help organize the conference and asked everyone to share the application with anyone they know. Also discussed need for conference app and asked for any recommendations. Requested Council feedback now – too late at next meeting in April.

14. BSU Contract: Emerging Issues Report Proposal, Victim Survey as of 10-1-22

Presentation by Director Cunningham and Research Analyst Jessica Marshall

Director Cunningham shared proposed scope of work on the next emerging issue housing report. She mentioned that there have been significant discussions with BSU on what will be included in the report but they came to an agreement on housing. Research Analyst Marshall clarified that this report will evaluate data across state from a variety of sources. ICDVVA housing data only collected from funded agencies.

Director Cunningham mentioned difficulties in obtaining victim surveys as they were too long, victims don't want to participate, and agencies want to use their own surveys. Staff still doing aggressive push with agencies to collect data from the surveys. Staff is evaluating what is best way to collect data once this survey effort with BSU is complete. A survey topic will be included in this year's regional roundtable discussions. Chairwoman Nafzger believes the housing report is a good use of the BSU contract.

15. Funding Updates on Available Funds for Victim Services

Presentation by Director Cunningham and Council Discussion

Director Cunningham provided an overview of funding requests included in FY23 budget. Approved by JFAC, but still waiting for legislative approval. Request includes \$6 million in State ARPA funds. Also need approval of \$250K supplemental for FY22.

16. Action Item: FY23 Caps on Subrecipient Training, ED Salary

Presentation by ICDVVA Staff

Director Cunningham explained that VOCA does not allow Executive Director salaries, but that most of our small agencies have Executive Directors who also provide direct services. ICDVVA had a history of funding 100% Executive Directors; however, they must be doing *some* administrative/HR/fund-raising/etc., which would be unallowable. The maximum ED salary request was therefore reduced to 95% for FY22; considering a further reduction for FY23 and would like Council input. Grant Manager Kristina Larkin explained it could possibly go down to 93% or 90%, but another 5% decline could pose problems for some smaller agencies.

Director Cunningham has asked other state agencies how they handle this and there were no great answers. ICDVVA also received push-back from some agencies last year when 95% cap was imposed. Some of our agencies don't ask for any Executive Director salary because they are larger agencies and have other funding sources. There is a need to be careful that we aren't over-funding ED positions; it could be an audit finding and the ICDVVA could be liable to pay back anything unallowable.

Chairwoman Nafzger asked what the staff recommends? Can we consider a waiver? Director Cunningham recommended 93% and would prefer a clear policy to a waiver. Councilmember Uhrig is comfortable with 93% recommendation. Chairwoman Nafzger asked about training caps?

Director Cunningham explained that some states have already been experiencing funding cuts. Idaho spends funds in last year of the federal grant, so Idaho is finally experiencing the cuts may others already navigated. Many states imposed caps on training. We want to prioritize virtual training, ask for explanation on why training wouldn't be available virtually. Staff doesn't have specific recommendations today. Council could vote to establish a cap and allow staff to determine what it is, they could flush out the details today, or vote not to support a cap. Councilmember Uhrig – believes there should be a cap and would support allowing staff to determine what it is.

Director Cunningham stated the Council will have special meeting to approve RFP and application and will have an opportunity to approve staff decision on a training cap at that time. Chairwoman Nafzger supports a training cap.

Action: Chairwoman Nafzger motioned to cap Executive Director salary at 93% and establish a training cap that staff will determine and Council will approve at special

meeting. Councilmember Uhrig seconded. Motion was unanimously approved.

17. Action Item: FY23 Grant Application Review, Set Special Meeting, Release 4/1/22
Presentation by ICDVVA Staff

Director Cunningham requested a brief special meeting on March 30 or 31, 2022. Staff must provide RFP and application at least two weeks prior to the vote per policy. Staff will provide materials on March 17, 2022.

Action: Committee agreed to schedule special meeting to approve FY23 grant application and RFP on March 31, 2022, at 9:00 am MST.

18. OIP Staff Training

Invitation to Council; Virtual March 2, 1:00 pm -2:00 pm MST

Invited Council members to join staff training on OIP basics provided by the ICDVVA OIP intern. Session will be recorded and made available if unable to attend.

19. Legislative Update: Bills Impacting ICDV

Presentation by Director Cunningham

Research Analyst Marshall stated the JFAC presentation was shared in meeting materials if members are interested in viewing. She shared a summary regarding bills of interest to ICDVVA advancing through legislature and their current status.

Standing Items:

20. FY22 Update – Financial Report (Year to Date Grant Expenditures)

Presentation by Grants Supervisor Wiemiller

Shared FY22 Subrecipient Financial Summary with expenses through 2/18/22 which incorporates most expenses through 12/31/21. Expenses within +/- 10% of 50% spending are highlighted in red. Some agencies are slightly over/under. A couple agencies significantly underspent. Overall reimbursements for FY22 are on target at 50%.

21. Monitoring Update

Presentation by Grant Supervisor Wiemiller

Grant Supervisor Wiemiller provided overview of the 2021 monitoring effort. 46 agencies (all) were monitored. There was an average of three findings, five concerns, and four recommendations in the monitoring reports. Risk assessments will be completed for all 46 agencies once monitoring is complete. Scores based on monitoring results and additional criteria such as adherence to ICDVVA policies, timeliness/accuracy of reimbursements and reporting data, agency staff turnover. No agencies were in the high- risk category. 23 = low risk, 23 = medium risk.

22. Reimbursement Payment Timing Update

Presentation by Research Analyst Marshall

Shared information on the 30-day submission rate – reached 80% of programs submitting within 30 days as of today. Submission was a little slower during the holidays.

Month	End of Expense Period to Submitted	Submitted to Date Paid	Submitted to GM Review	GM Review to Paid
July	15	38	29	10
August	18	34	23	11
September	20	30	16	7
October	21	11	7	4
November	20	10	8	2
December	18	13	7	6
January	18	11	4	7
February	19	13	3	7

Adjourned at 3:45 pm MST