

## About Hardship Waivers for Individual CAC Subawards

NCA recognizes that, for some individual CACs, subaward funds may be crucial to operating a CAC or providing services. That's why CACs that are experiencing hardship may apply for a hardship waiver. However, FY21 is the last year where NCA can accommodate these requests. Only CACs that received such a subaward in FY20 can still apply for this award.

### What's the definition of a hardship condition?

Chapters consider requests for hardship waivers and their accompanying subaward applications within the scope of broad, general guidelines. Below are some circumstances that may qualify or disqualify CACs from receiving a hardship waiver. No list can cover every circumstance that could occur. If you have a question regarding your CAC's circumstance, please contact your Chapter. Your Chapter will seek guidance from NCA as necessary to determine your Center's eligibility for a waiver.

### Circumstances that generally qualify a CAC for a hardship waiver

- If loss of the subaward would cause a CAC to cease operations;
- If no other funding is available and loss of the subaward will result in lost positions and impact the service hours for core services;
- If a CAC experienced significant staff loss during the previous year and can identify the number of staff before the loss, how many and what positions were cut, and its impact on service provision;
- If a CAC experienced significantly increased demand for services (comparing data from the last 2 years from NCA statistical reports) and stagnant staffing;
- If a CAC experienced significant delay in expected funding stream, documenting uncertain outcome until at least the end of the first quarter;
- If a CAC experiences an inability to pay for the provision of core services, rent, and utilities with no other resources available to redirect toward these necessities; and/or
- If the CAC has experienced unexpected expenses or lack of revenue related to a natural disaster

### Circumstances which alone don't qualify a CAC for a hardship waiver

- If a CAC had budgeted to receive the subaward funds prior to their disbursement
- If a CAC has unmet training needs (such needs may be met through direct support, thus releasing other CAC-budgeted funds to be redirected to core service provision and staffing)

### Circumstances that disqualify a CAC from receiving a hardship waiver

- If VOCA (Victims of Crime Act) funds are available to the CAC to meet any needs which would otherwise qualify a CAC for a hardship waiver
- If a CAC did not receive the subaward in FY2020

## What are some examples of hardship situations that meet these guidelines?

While the below scenarios are not the only ones under which hardship waivers may be approved, here are two examples under which Chapters could consider a hardship waiver application under NCA's guidelines.

- A CAC receives word in December that its United Way funding for the upcoming year has been cut by 25%. These funds would have been used to pay a portion of the Executive Director's salary and alternative funds are not currently available to cover this cost.
- A small rural CAC in a state in which CACs do not receive VOCA funding uses their subaward funds to pay for a third of a Victim Advocate position. They do not have access to other sources of funds for this position and it will be lost without the subaward funding.

## How did NCA decide on these guidelines?

All Chapters were asked to submit their feedback on what constitutes a hardship waiver as a stipulation for NCA subawards in 2017. Forty-one Chapters sent their detailed feedback. The respondents were asked, *if DOJ approves a hardship waiver for the 2018 subawards, what would be the preferred type of definition?* Sixty-seven percent replied that they recommend **broad, general guidelines** that maximize flexibility for hardship definitions, while 33% preferred a **set definition** issued by NCA that must be applied consistently across all states. Based on their feedback, NCA is issuing hardship considerations only as broad, general guidance for Chapters in deciding whether to grant hardship waivers.

When asked to specify the primary presented reasons that led to a hardship waiver previously, the majority of the chapters identified budget cuts and funding losses as a lead reason followed by awaiting payments from major funders and increased demand for services:

#	Stated reasons for a hardship waiver	Total
1	Federal/state/local budget cuts and/or funding loss.	27
2	Cash flow issues, i.e., major funder slow in paying.	15
3	Significantly increased demand for services.	9
4	CACs in this state did not receive VOCA funding for core services (FI, MD, MH, VA).	4
5	Some CACs in this state received VOCA funding for core services, but not the CAC receiving the waiver.	2
6	Other (please specify)	23
7	Not applicable - our Chapter did not provide hardship waivers.	12

Additional reasons that were noted: in terms of organizational type - government agencies that are unable to fundraise; and by geodemographic criteria - rural CACs in remote areas with very limited funding potential, are CACs that may need special considerations for hardships.

### How can my CAC apply for a hardship waiver?

CACs that qualify for a hardship waiver should contact their Chapter only if they received such an award in FY20. Your Chapter will help you apply for a hardship waiver and submit a subaward application. Your Chapter will review your waiver application against NCA's hardship guidelines, then forward the subaward application to NCA for review. They'll let you know if your waiver has been approved and let you know about any next steps.

Because annual funding is awarded on a competitive basis, the amount available for each individual subaward may vary. Therefore, CACs in a hardship situation need to discuss with their Chapters how they plan to use these funds **before** submitting the subaward application.