

Program Guidelines 2007-2008

A Guide to Applying for
Community HAtE-crimes Response Grants Program

July 2007

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1. The Ontario Government's Response To Hate Crimes

In recent years, there has been a significant increase in hate crimes and hate incidents committed against members of Ontario's vulnerable communities. These diverse groups experience disproportionately high levels of victimization and violence.

The Government is committed to combating hate crimes, assisting victims of hate, and finding ways to prevent these acts. It is also committed to maintaining its leadership role in promoting human rights, equality, diversity and tolerance.

This Government has already taken a number of steps to combat hate crimes including:

- Expanding the categories of projects eligible for funding under the Ontario Victim Services Secretariat's Community Grants Program to include community-based projects that support victims of hate crimes.
- Under this program, providing 21 community organizations with over \$ 1.3 million in funding to support victims of hate crimes.
- Providing special training to a team of Crown counsel to offer legal advice to police and other Crown prosecutors on matters related to hate crimes.
- Updating the Crown prosecution policy on hate crimes to ensure that it reflects legal developments and addresses the current social environment relating to hate activities.
- Providing \$200,000 in renewed funding in 2006-2007 to support the work of officers from 10 police services across Ontario who are members of the Hate Crimes and Extremism Investigative Team.
- Committing \$50,000 in additional funding for police training on hate crimes victimization.

To further address this serious problem, in December 2005, the Attorney General and the Minister of Community Safety and Correctional Services appointed the Hate Crimes Community Working Group (the Working Group), consisting of 10 members with expertise and knowledge in countering hate.

The Working Group's mandate was to advise the Government on an overall strategy to address individual and community-based hate crimes victimization, and to prevent and reduce hate crimes and hate incidents. In addition, it was asked to make recommendations on how the Government might deal with the unique scope and impact of community-based hate crimes.

In October 2006, the Working Group provided the Ministers with its final report, entitled *Addressing Hate Crimes in Ontario – Strategy, Recommendations and Priorities for Action*. The report identified a proposed strategy with 81 recommendations to improve responses, services and supports for victims of hate crimes and hate incidents, and to prevent re-victimization.

To address these recommendations, the Government has established a Hate Crimes Review and Implementation Project with an 18-month mandate to consider the proposals made and to provide advice on how they might best be implemented.

The Province has also allocated \$1.35 million from the Victims' Justice Fund to address the Working Group's priority recommendations.

In its report, the Working Group underscored the pivotal role played by community agencies, which serve the great majority of hate crimes victims. It pointed out that these groups often lack the capacity and resources to meet the needs of victims, while hate crimes and hate incidents continue to rise.

To respond to this need, the Government has determined that the available funding should be offered to communities impacted by hate crimes to build capacity to better undertake their work. In addition, some of the funding has been earmarked for multi-community initiatives that will build awareness of hate crimes and make resources more readily available to service providers and hate crimes victims.

This funding will flow through the Community HAtE-crimes Response Grants Program. The program will be administered by the Ontario Victim Services Secretariat of the Ontario Ministry of the Attorney General.

2. About The Ontario Victim Services Secretariat

The Ontario Victim Services Secretariat (OVSS) provides leadership in victim services, policy and program development, and a range of related support services to victims of crime. The Secretariat is part of the Ministry of the Attorney General, but it also works in partnership with other ministries and government agencies that provide, fund and/or co-ordinate services benefiting victims. These agencies include sexual assault centres, community-based victim crisis assistance and referral services, a dedicated victim support telephone line, safety planning and wireless telephones for persons at risk of violence, and victim/witness assistance programs to support individuals during the criminal court process.

The OVSS also has oversight for the Victims' Justice Fund (VJF) - a special purpose fund established in the *Victims' Bill of Rights, 1995*. It is maintained through fine surcharges credited to the VJF under the *Provincial Offences Act*, as well as fine surcharges collected under the *Criminal Code*. The fund was created to assist victims of criminal offences and has been used to support both core victims programs as well as time-limited project grants to community agencies assisting victims.

3. Definitions Of Victim And Hate Crime

There is funding of \$1.35 million available to support the Community Hate-crimes Response Grants Program. Since these monies derive from the VJF, the funds advanced must be used to support victims of crime as defined in the *Victims' Bill of Rights* and for the purposes permitted under the legislation.

Definition of Victim - Victims' Bill of Rights

According to section 1 of the *Victims' Bill of Rights*, a victim is a person who, as a result of the commission of a *Criminal Code* offence by another, suffers emotional or physical harm, loss of or damage to property, or economic harm. If the offence results in the death of a person, that person's child(ren), parent(s), dependent(s), spouse and/or same-sex partner are also considered victims. Charges do not have to be laid for a person to be a victim.

Individuals may be considered victims regardless of whether they identify themselves as such. In this grant program, we will consider projects on community education initiatives to increase awareness of victimization and victims' issues eligible for funding because these projects help victims to self-identify, encourage them to seek support and assistance, and ultimately reduce re-victimization.

Definition of Hate crimes– Criminal Code

According to the *Criminal Code*, 'hate crime' means any criminal offence committed against a person or property that is motivated, in whole or in part, by bias or prejudice based on real or perceived race, ancestry, national or ethnic origin, language, colour, religion, gender, age, mental or physical disability, sexual orientation or any other similar factor.

Hate crimes are *Criminal Code* offences involving hate, such as the spreading of hate propaganda against an identifiable group, or other crimes where hate is a motivating factor.

The *Criminal Code* imposes a criminal sanction against advocating or promoting genocide and wilfully promoting hatred against an identifiable group. It also prohibits communicating statements in any public place that incite hatred against an identifiable group where such incitement is likely to lead to a breach of the peace. Finally, it prohibits the wilful promotion of hatred against an identifiable group by communicating statements other than in private conversation.

There are also *Criminal Code* offences that target hatred against an identifiable group, which may not involve hate propaganda. Such offences can range from mischief (e.g. defacing synagogues or mosques with anti-Jewish or anti-Muslim statements) to assaults and murder.

Since 1996, the *Criminal Code* has provided for longer sentences for hate-motivated crimes. These relate to categories including bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor.

Definition of Hate Crimes – Hate Crimes Community Working Group’s Report

In its report, the Hate Crimes Community Working Group concluded that acts of hate are not isolated occurrences. Rather, it characterized them as occurring in environments where prejudice, bigotry and contempt are pervasive. It also depicted them as both individual and systemic in nature. The Working Group also pointed out that it is necessary to consider the environments and conditions in which hate occurs and that the phenomenon of hate is much broader than that represented in the *Criminal Code* definition. As well, the Working Group emphasized the unique experiences of Aboriginal peoples as victims of hate.

The OVSS recognizes that hate propaganda and hate crime, whether prosecuted or not, can cause harm not only to the individuals and groups that are specifically targeted, but to the broader community as well. On this basis, we will consider applications for projects intended to assist communities by increasing awareness among their members, making links among service providers and/or addressing service gaps, that prevent revictimization.

4. Projects Requested

The Government has made \$1.35 million available to fund a number of time-limited community grants to address hate crimes and related incidents in Ontario.

The OVSS is inviting applications for four different kinds of community projects that broadly respond to some key recommendations of the Working Group. These are described more fully below:

1. Community projects that will enhance community resources to respond to hate crimes victimization in communities targeted by hate crimes.
2. A community-based project to develop a Hate Crimes Reduction Internet Site that will disseminate information related to hate crimes and hate crimes victimization.
3. A project to document best practices and create resources and protocols to enhance the production of community based victim impact statements.
4. A project to plan/coordinate a Hate Crimes Victimization Community Forum, with involvement from victims’ groups, communities, educators and justice sector personnel.

Our project expectations are set out below:

1. *Projects to enhance community capacity to respond to hate victimization in communities targeted by hate crimes.*

Applicants must identify short-term initiatives (to be completed by the end of March 2008) that will enhance the capacity of community agencies serving hate crimes victims in their communities to better meet the needs of their clients.

Examples of such capacity enhancement initiatives include, but are not limited to:

- The development of information resources for communities targeted by hate.
- The enhancement of services and organizational supports in community agencies.
- Training for community agency staff to increase sensitivity to hate crimes issues.
- Strengthening relationships among community organizations, traditional victim services providers and/or the police.

Examples of other projects that could be eligible include:

- Creating resources and supports for victims.
- Developing a DVD or website for members of a community targeted by hate.
- Initiating community education projects that encourage communities affected by hate and their members to disclose hate crimes.
- Providing training to community leaders regarding hate.
- Devising a strategy for different community agencies to share information and resources.

Preference will be given to applications that (1) include the direct participation of community(ies) affected by hate, (2) promote community partnerships and (3) include a resource sharing strategy that will make outcomes available to the broader community base in Ontario.

The maximum amount awarded for each community grant in this category will be \$70,000.

Successful applicants must agree to place their work products on the Hate Crimes Reduction Internet Site and to make them available at the Hate Crimes Victimization Community Forum, discussed more fully below.

2. *The development of a Hate Crimes Reduction Internet Site that will disseminate information related to hate crimes and hate crimes victimization.*

The Working Group recommended that the Government create networks for sharing information, resources and best practices among community organizations and with the government. It also identified an important need to develop electronic resources that would bring together information on services and supports available to hate crimes victims.

The OVSS has reviewed the available electronic resources for hate crimes victims and agrees that there is a significant gap in the provision of information.

The successful applicant will consult with the targeted communities affected by hate and with the OVSS to determine the content of the site. The applicant must also agree to work closely with a project advisory committee, which will provide advice on site development and ensure that it contains relevant information that meets the needs of different target audiences.

The final product must bring together information on the services, resources and supports available to victims of hate crimes both inside and outside of government. Some very useful information for this purpose has already been assembled in the Background Documentation and Resources volume of the Working Group's Report.

The successful applicant will also be required to:

- Research available resources and information for site content.
- Work closely with a project advisory committee to name, design and develop the site and content.
- Identify and web-enable appropriate information, including products created through the other grants.
- Develop, design and make the site host-ready.
- Produce plans, including a mock-up and a pilot test site.
- Adhere to prescribed privacy protection protocols and ensure that any personal information collected is kept confidential and retained within Canada.

The Internet site will also:

- Contain information on services and supports for victims of hate crimes.
- Provide information and resources on hate crimes and hate crimes victimization.
- Identify linkages to other sites providing information about services and supports to, and resources for, victims of hate crime.
- Have design features that incorporate best practice principles for usability, readability and accessibility.
- Contain graphic designs.
- Have a unique logo.

- Incorporate site maps to facilities.
- Have customized graphics banners, buttons and home pages.
- Have an 'about us' page with direct email contact to organization.
- Incorporate search features/search engine capability.
- Have cross browser compatibility.
- Contain navigation aids.
- Track usage.

The maximum amount awarded for the grant in this category will be \$75,000.

3. *Documentation of best practices and creation of resources and protocols to enhance the production of community based victim impact statements.*

The Working Group and the Ministry have identified an important need to develop a protocol to guide the creation of community-based victim impact statements, based on existing best practices, precedents and protocols. It is believed that a well-crafted document of this sort could help to demonstrate the impact of hate crimes on communities, which could, in turn, result in stiffer sentencing.

If an offender is convicted of a crime, section 722 of the *Criminal Code* permits a victim to submit a written victim impact statement. This document is given to the presiding judge to consider when determining the sentence that the offender will receive. A victim is any person who has suffered harm, or physical or emotional loss as a result of the offence. A community based victim impact statement can be made by a member of a community that describes the effect of a crime on the individual's community.

The successful applicant will:

- Develop a protocol to assist criminal justice professionals (including police, Crown Attorneys, and victim services staff) to more effectively engage with communities targeted by hate in order to record the impact of discrete hate crimes on the broader community.
- Document existing best practices, precedents and protocols regarding the creation of community based victim impact statements.

The successful applicant will work closely with a project advisory committee, including representatives from the police, the OVSS and Crown Attorneys, which will provide guidance and feedback throughout the project. Materials will be pilot tested in cooperation with the advisory committee.

The maximum amount awarded for the grant in this category will be \$75,000.

4. *The planning and coordination of a Hate Crimes Victimization Community Forum, with involvement from victims' groups, communities, educators and justice system personnel*

The Working Group also recommended that efforts be made to strengthen networks for sharing information, research and best practices between community organizations and government, and to increase the public's awareness of hate.

The Government agrees that these objectives are critical and is making a grant available for a community group to develop and organize a hate crimes victimization forum, in consultation with the OVSS.

The purpose of the forum would be to enable community organizations, victims, police, Crown attorneys, traditional victim services providers, organizations and educators to network on hate crimes issues, to increase knowledge of hate crimes victimization, to share best practices and to form new alliances.

The successful applicant will:

- Prepare materials for the forum that could be made available through the Internet and be widely disseminated.
- Identify and invite appropriate representatives from organizations that serve communities affected by hate, Crown Attorneys, police, and victim service providers.
- Identify and arrange keynote speakers and other presenters representing different stakeholders and expertise in the field.
- Prepare the agenda, including workshops on specific issues.

The successful applicant will work closely with a project advisory committee, which will provide input to the community organization throughout the development work. The advisory committee will ensure that resources and products are appropriate to the different audiences, and that appropriate forum participants and presenters are identified.

The maximum amount awarded for the grant in this category will be \$80,000.

5. Who Can Apply

All interested incorporated, not-for-profit bodies are eligible applicants, including:

- community-based social and human service agencies and organizations, and related professional associations;
- victim service providers and victim advocacy organizations;
- First Nations, Aboriginal not-for-profit organizations and Métis Nation of Ontario (MNO) Charter Communities sponsored by the MNO Secretariat;
- police services and police service boards;

- schools, school boards, universities and colleges;
- health care facilities, agencies and associations; and
- municipalities.

Applications will not, however, be accepted from:

- individuals;
- for-profit organizations; and
- agencies of the provincial and federal governments or agencies partnering with the provincial or federal government.

In addition, applicant organizations must have been in existence for at least two years, be incorporated, have an audited financial statement and have a track record of providing quality service to their communities. Where an interested group does not meet one or more of the first three requirements, it may seek sponsorship from a qualifying organization. In that case, the latter organization would become the applicant.

The OVSS encourages partnerships between organizations to deliver capacity enhancement projects. Applicants are requested to demonstrate how their applications build upon existing community services/ supports or address a resource gap. A consortium of organizations with appropriate expertise is acceptable provided that there is one lead applicant that is the legal entity responsible for the application and ensuing contract.

Where the project involves multiple partners, the applicant must clearly describe the role and responsibility of each partner. While we recognize projects may involve different levels of partnerships, where there is a significant program management and delivery role performed by key partners, the applicant must obtain letters of support from these partners.

6. Mandatory Requirements

What follows is a list of mandatory requirements pertaining to this grant program:

- Applicants must demonstrate their ability to successfully manage and implement projects of the type proposed.
- Applicants must demonstrate how their project will directly address the needs of hate crimes victims and/or prevent re-victimization in targeted communities.
- Applications must identify all project team members and include a detailed outline of members' experience and expertise.
- Applications must include a credible evaluation component.
- All projects must be completed by March 31, 2008.
- All applications must be drafted using the Application Outline Template (Appendix B) as a guide.

- All applications must include a detailed schedule of deliverables using the Workplan Template (Appendix C) as a guide.
- All applications must include a detailed budget using the budget template provided (see Appendix D) as a guide.
- All successful applicants must provide a final report, to include status of project deliverables, identification of any issues and/or concerns encountered and identification of any departures from projects scope, key deliverables, dates and related responsibilities.

7. Eligible Expenses

Project operating costs will be limited to the following expense categories:

1. Project Staff Salaries and Benefits

The applicant is to include salaries and benefits for all full-time and part-time staff involved in the Project.

2. Support Costs

These will relate to:

- a. Travel - Includes all costs related to road, rail and/or air travel, as well as associated food and accommodation expenses within the terms of the project.
- b. Telephone/fax - Includes all regular and long distance charges for project costs only.
- c. Mail/Postage - Includes all regular postage costs related to the project.
- d. Rentals - Only the approved rent/lease costs for the project.
- e. Supplies and Equipment - Includes office supplies, stationery, printing, any equipment, furniture rentals and repairs related to the project.
- f. Participant/client costs to participate in the project.

Prior approval by the Ministry for other expenses is required. Full advance disclosure of other costs charged to the project is required.

8. Funding Amounts And Duration

These grant projects are all time limited and must be completed by March 31, 2008.

The first instalment of the award (85% of the approved funding) will be released after a Letter of Approval has been sent to successful applicants, except for Internet site applications, where the funding will be provided after the successful applicant enters into a subsequent contract. The remaining 15% of the approved allocation will be released after the OVSS receives a satisfactory Final Report confirming that all deliverables specified in the grant application have been completed.

9. Assessment Process

As in the case of previous OVSS grant runs, a Review Committee comprised of representatives from the OVSS, the Office for Victims of Crime, and regional community representatives will review all submitted applications. This group will, in turn, provide advice to the Attorney General, who will make the final decisions. Each applicant will be notified in writing to indicate whether or not its application has been accepted.

If your application is successful, you will be sent a Letter of Approval outlining the terms and conditions of the funding, the payment and reporting schedule and the expected timelines and outcomes.

Application Assessment Criteria

All Applications will be assessed using the following criteria:

- Demonstrated community need for the project.
- Clear, measurable benefits to the community.
- Sound project workplan to achieve the desired results.
- Community involvement in planning, doing or evaluating the work.
- Scope of community members likely to be impacted.
- Ease with which community members can access project deliverables.
- Key involvement of persons with knowledge of hate crimes, the community and/or the particulars of the application.
- Community support in the form of volunteer time, contributions from other organizations, and cash or in kind support from other sources
- Reasonableness of the proposed budget.
- Proposed evaluation of the effectiveness of the project

Organizational Assessment Criteria

Organizations seeking funding will be assessed using the following criteria:

- Relevant mandate and proven track record.
- Credible history of providing services to victims of hate crimes or communities affected by hate crimes
- Organizational capacity and infrastructure needed to implement the proposed initiative.
- Satisfactory financial management policies and practices.
- Established systems for monitoring and evaluating activities.

Organizations are required to have commercial general liability insurance of not less than \$2.0 million for property damage, bodily and personal injury to receive funding.

In addition to the above application and organizational assessment criteria, Internet site applications will be assessed using the following criteria:

- Knowledge of information technology.
- Expertise in web design, development and implementation.
- Knowledge of Ontario Public Service (or analogous) security and architecture standards.
- Expected service levels for change requests, such as changes to web site/uploading capabilities.
- Availability of business resources for upfront analysis and design.
- Ability to assimilate, synthesize and interpret information into site appropriate materials.

In addition to the above application and organizational assessment criteria, the community based victim impact statement applications will be assessed using the following criteria:

- Experience relating to resource design and research methodology.
- Experience in developing and implementing research.
- Experience in data collection, analysis and report writing.
- Interview skills.

In addition to the above application and organizational assessment criteria, community forum applications will be assessed using the following criteria:

- Experience in events planning, coordination and program/material development.
- Ability to work with stakeholders and to work sensitively with communities affected by hate.

Where necessary, OVSS staff may contact the applicant during the evaluation process to clarify issues and/or to request additional information relevant to the overall review process, including potentially contacting other funders of the applicant as references.

All applicants will be notified regarding the results of the evaluation. Successful applicants for all grants except those relating to the Internet site will be notified that their application has been accepted. The successful applicant for the Internet site grant will be notified of the government's intention to enter into a contract regarding the grant.

10. Submission Requirements

While applicants may submit applications for more than one grant category, no more than one grant will be allocated to an organization under this program.

Applicants are required to submit one unbound original, suitable for photocopying, plus three hard copies of the application, with all mandatory attachments, no later than August 24, 2007 by 4:00 p.m.

Please send these documents to the appropriate OVSS regional office. Please note that we have outlined contact information for the regional offices in Appendix E.

If possible, please also send an electronic version of the application to CHARG@ontario.ca.

11. Applicant Questions

In addition to the Questions and Answers outlined in Appendix A, applicants may direct questions regarding the grants program guidelines to the appropriate OVSS regional office. For information on proposal development please contact Abena McKenzie at 416-325-3279.

Appendix A - Fact Sheet on Grants

What is the Community HAtE-crimes Response Grants Program?

This grant program is part of the Government's response to the need to enhance community capacity and resources to meet the needs of victims of hate crime.

What will these grants do?

The Ministry will provide funding for four different kinds of community projects:

- Community projects that will enhance community resources to respond to hate crimes victimization in communities often targeted by hate crimes.
- A community-based project to develop a Hate Crimes Reduction Internet Site that will disseminate information related to hate crimes and hate crimes victimization.
- A project to document best practices and create resources and protocols to enhance the production of community based victim impact statements.
- A project to plan/coordinate a Hate Crimes Victimization Community Forum, with involvement from victims' groups, communities, educators and justice sector personnel.

From where does the funding originate?

Funds for this program are provided through the Victims' Justice Fund. Money for the Fund is collected through a provincial surcharge, which is applied to all fines under the *Provincial Offences Act* (except parking violations). Federal fine surcharge revenues are also collected for this fund. Money collected through the victim fine surcharge is dedicated exclusively to providing services for victims.

Will this grant program fund ongoing program operations?

The program provides time-limited project-based grants, not operating funds.

What are the criteria for evaluating the grant applications?

Successful applications under this program must demonstrate how the proposed projects will directly address the needs of hate crimes victims and/or prevent re-victimization in targeted communities.

When are applications due?

The deadline for applications is August 24, 2007 by 4:00P.M.

Who will decide on the grant recipients?

A Review Committee comprised of representatives from the OVSS, the Office for Victims of Crime, and regional community representatives, will review all submitted applications. This group will, in turn, provide advice to the Attorney General, who will make the final decisions.

Appendix B - Project Application Outline Template

Applicants must submit one unbound original, suitable for photocopy, plus three copies of the application and if possible, one electronic version via e-mail.

Applications should contain the following information, and should not exceed six pages in length:

A. Project Name

B. Lead Organization Name and Partners

Where the project involves multiple partners, the applicant must list all partners and describe the role and responsibility of each. The applicant must also provide letters of support from all named partners indicating their contribution to project.

C. Contact Person for the Project and Back-up Contact Person

- Name, title
- Organization
- Mailing address
- Telephone, fax and e-mail address

D. Project Summary (one page or less)

The Project Summary should include the project name, identify key partners, describe the work to be completed, the community(ies) targeted by hate crimes to be served, the results/outcomes to be achieved, and the total budget requested.

E. Project Plan

Please see attached budget template (Appendix D) for all projects. Completion of this template is a requirement of the submission. Please be aware that the budget must include key milestones and associated costs.

For Internet site applications, details of proposed expenditures must be provided, including proposed costs for:

- Domain name registration.
- Hosting fees.
- Outsourcing sections of site development.
- Travel, meals, accommodations, telephone.
- Staffing costs – resources for community liaison, content, analysis, design, development, ongoing maintenance.
- Coding – development.
- Testing.

- Implementation of new forms (layouts).
- Associations to new programs-interfaces.
- Development - system modules, tables, automated scripts, system design changes.
- Hardware - handling frameworks to system upgrades.
- Maintenance costs.

The project work plan should include all work related to a chronological timeline. Please use the attached template. Completion of this template (Appendix C) is a requirement of the submission.

F. Project Accountability

Identify the project structure, including all staff to be involved in the project, along with the role of each individual. Please identify outsourced talent as well as subject matter expertise. Individual titles must align with information provided in the project budget.

G. Project Team and Experience

The application must describe previous related assignments that the applicant has successfully managed and developed. A copy of the product may be requested during evaluation.

The application must identify the applicable proposed member/(s) and include a detailed outline of experience and expertise as required in the request for applications.

The team's skills and experience must demonstrate subject matter expertise, and relevant project management experience.

H. Budget

The application must also include a detailed budget based on the attached template (Appendix D). The budget must provide a detailed breakdown of project costs, by key deliverables. Only eligible cost categories are to be included. Completion of this template is a requirement of the submission. Please be aware that the budget must include key milestones and associated costs.

I. Signature

An officer authorized to bind the applicant must sign the application, in the following form:

The undersigned certify that the information given in support of the Application is true, correct and complete in every respect.

Print Name _____

Signature _____

Title _____

Date _____

Representing

(Organization Name)

J. Terms and Conditions

In the event that an application is accepted, the terms and conditions outlined in Appendix F will form part of the contract for funding between the Ministry and a successful applicant. For all applications except those for the Internet site, an officer authorized to bind the applicant must sign an acknowledgement, in the following form:

The undersigned certify that we have read and understand the terms and conditions contained in Appendix F of the Community HAtE-crimes Response Grants Program guidelines.

In the event that the Ministry accepts our application, we agree to be bound by each and every one of these terms and conditions, as part of our contract to fulfill the components of our application, in consideration for the grant provided by the Ministry.

Print Name _____

Signature _____

Title _____

Date _____

Representing

(Organization Name)

The successful applicant for the Internet site project will be required to agree to similar terms as part of the contract to be entered into subsequently.

Appendix C - Work Plan Template

The plan should outline key milestones, activities/tasks and indicate details such as the establishment of the project terms of reference, reporting structure, project development, evaluation, revisions of content as required, and completion of final products and deliverables.

Project Start Date _____ **Project End Date** _____

Key Milestone	Activities (In chronological order)	Personnel	Outcomes	Number of day/wks	Deadline

Appendix D - Budget Template

Detailed Work plan (List Activities)	Project Team Salaries and Benefits*	Days	Daily Rate	Support Costs**	Sub-total Costs	Total
Total Budget Costs						

*Please detail all staff involved

** Detail all project expenditures

Appendix F - Application Submission Checklist

Please ensure that information pertaining to each item listed below is included:

- a. Application Summary**
- b. Completed and signed Project Application Outline template**
- c. Signed Terms and Conditions acknowledgement**
- d. Completed Work Plan template**
- e. Completed Budget template**
- f. Letters of support from sponsor/partners, if appropriate**
- g. Work samples, if appropriate**

Appendix G

Ministry Of The Attorney General

Community HAtE-crimes Response Grants Program

Terms And Conditions

All Community HAtE-crimes Response Grants are governed by the Terms and Conditions as outlined in this Appendix.

The following Terms and Conditions will form part of your contract with the Ministry if your project is approved for funding.

1. Definitions

“**Applicant**” means the not-for-profit body, First Nations, Aboriginal not-for-profit organization, or Métis Nation of Ontario (MNO) Charter Community sponsored by the MNO Secretariat;

“**Grant**” means funds provided to the Recipient, as a Community HAtE-crimes Response Grant, by the Ministry pursuant to these Terms and Conditions;

“**Ministry’s Letter of Approval**” means the Ministry’s letter to the Recipient announcing the approval of a Community HAtE-crimes Response Grant;

“**Ministry**” means Her Majesty the Queen in right of Ontario as represented by the Attorney General;

“**Project**” means the Project for which funds have been awarded to the Recipient under the Community HAtE-crimes Response Grants Program;

“**Recipient**” means the applicant, which has agreed to be bound by these, and any subsequent Terms and Conditions and has been awarded a Special Victims Project grant by the Ministry;

“**Terms and Conditions**” means the Terms and Conditions contained in this application, and the additional Terms and Conditions contained in the Ministry’s Letter of Approval.

The Terms and Conditions shall be in effect for the length of time specified in the Ministry’s Letter of Approval, unless stipulated otherwise by the Ministry in writing or unless cancelled under section 12.

The recipient acknowledges and agrees that it will not make any financial commitments based upon the funding provided under these Terms and Conditions of the nature or kind that imposes any obligation or liability on the Ministry or Her Majesty the Queen in right of Ontario.

Funding under these Terms and Conditions is subject to Government budgetary constraints and funding availability.

2. Community HAtE-crimes Response Grants

Unless stipulated otherwise by the Ministry in writing, the Recipient shall use the grant to:

- a. complete the Project described in the applicant’s application, including any revisions to the Section E of the application as agreed to by the applicant and the Ministry; and
- b. complete the Project by the Project completion date provided in the applicant’s application, including provision of a Final Report as specified in section 18 of these Terms and Conditions.

The Recipient shall not make any changes to the Project without the prior written approval of the Ministry.

The Recipient shall carry out the Project according to all federal, provincial or municipal laws or regulations, or orders, rules or by-laws related to the Project.

3. Eligibility Requirements

The Recipient acknowledges that it has complied with and will continue to comply with Ministry eligibility criteria for the Project as set out in the grant guidelines and shall notify the Ministry immediately if the Recipient, at any time, ceases to meet any or all of the said criteria.

4. Time of Essence

Time shall be of the essence of these Terms and Conditions in all respects.

5. Funding

Subject to these Terms and Conditions, if the application is approved, the Ministry shall provide the Recipient with a grant up to the amount indicated in the Ministry's Letter of Approval, provided that the Recipient performs all obligations, including those outlined in these Terms and Conditions.

If the application is approved, the Ministry will provide the grant as outlined in the Funding Amounts and Duration section of the grant guidelines.

Unless stipulated otherwise by the Ministry in writing, the Recipient shall use the grant only for the purpose of completing the Project in accordance with the grant guidelines and final approved budget.

6. Interest on Grant Funds

The Recipient shall place the grant in an interest bearing account and shall account to the Ministry in the Final Report provided to the Ministry on the interest earned on the grant. The Recipient agrees that all interest earned on the grant funds belong to the Ministry and shall be used only for the purposes authorized in writing by the Ministry or shall be returned to the Ministry immediately on the request of the Ministry.

7. Assignment of Application or Grant

The Recipient shall not assign this application or any grant or part thereof to another entity without the prior written consent of the Ministry.

8. Not Exclusive

The Ministry has the right to grant rights and privileges of the same or of a similar nature as these Terms and Conditions to any person, firm, corporation, agency or other entity without restriction whatsoever.

9. Further Conditions

The Ministry may, at any time, impose upon the Recipient such additional terms or conditions which the Ministry, in its sole discretion, considers appropriate for the proper management and expenditure of the grant and may impose terms and conditions on any consent granted pursuant to this Contract.

10. Unused Funds

The Recipient agrees that any part of the Grant which has not been used or accounted for by the Recipient by the time these Terms and Conditions expire shall belong to the Ministry and shall be used only for the purposes agreed upon by the Ministry or shall be returned to the Ministry immediately on the request of the Ministry.

11. Cancellation of Terms and Conditions and Request for the Repayment of Grant Funds

The Ministry reserves the right to:

- a. cancel any Grant installments; and
- b. request the repayment of any Grant funds or an amount equal thereto,

if the Recipient:

- i. does not commence and carry out the Project according to the plan as set out in the applicant's approved application or as otherwise provided by the Ministry in writing;
- ii. fails to complete the Project by the date set out in the applicant's application, or as otherwise provided by the Ministry in writing;
- iii. ceases to operate;
- iv. has knowingly provided false or misleading information in its funding request, in any other communication with the Ministry, in any public communication, or regarding the Project;
- v. breaches any Term or Condition governing the Grant;

- vi. makes an assignment, application, compromise or arrangement for the benefit of creditors or has commenced against it any proceedings in bankruptcy or is adjudged bankrupt or files for the appointment of a receiver;
- vii. in the Ministry's opinion, is unable to complete the Project, is likely to discontinue it or could not reasonably complete it; or
- viii. uses the Project developed with the assistance of the Grant for any Political Activity; or
- ix. uses the Project developed with the assistance of the Grant to portray individuals or groups in a discriminatory or derogatory fashion contrary to law.

If, pursuant to any Terms and Conditions governing the Grant, the Ministry requests the repayment of the whole or any part of the Grant the amount requested shall be deemed to be a debt due and owing to the Ministry and the Recipient shall pay the amount immediately.

The Recipient shall repay the amount demanded by cheque payable to the Minister of Finance and mailed to the Ministry of the Attorney General, Ontario Victim Services Secretariat, 18 King Street East, 7th Floor, Toronto ON M5C 1C4.

The Ministry reserves the right to demand interest on any amount owing by the Recipient at the then current rate charged by the Province of Ontario on accounts receivable.

12. Accounting and Audit

The Recipient shall keep and maintain all records, invoices and other documents relating to the Grant, including all documents substantiating its competitive purchasing pursuant to section 14, in a manner consistent with generally accepted accounting principles, as set out by the Canadian Institute of Chartered Accountants and its Handbook, and in accordance with generally accepted bookkeeping practices, and keep them available for review by the Ministry and its agents during the term of the Terms and Conditions and for a period of **three (3) years** from the date of expiry or cancellation of them.

The Recipient authorizes the Ministry and its agents upon 24 hours' notice and during normal business hours to visit the Recipient's premises to review the progress of the Project and/or to inspect and copy any records, invoices and documents in the possession or under the control of the recipient, which relate to the Grant.

To assist the Ministry in the task described in this section, the Recipient agrees to provide any additional information reasonably required by the Ministry. The Ministry's right of inspection in these Terms and Conditions includes the right to perform a full or partial audit.

The purposes for which the Ministry may exercise its rights under this section include:

- a. determining for what items and purposes the Recipient expended the Grant;
- b. determining whether, and to what extent, the Recipient expended the Grant with due regard to economy and efficiency;
- c. determining whether the Recipient completed the Project effectively and in accordance with these Terms and Conditions.

13. Purchase of Goods and Services

The Recipient shall acquire all goods and services through a competitive process that ensures the best value for funds expended. For goods and services, the cost of which exceeds \$25,000.00, the Recipient shall obtain at least three (3) written quotes unless:

- a. the expertise the Recipient is purchasing is specialized and is not readily available; or
- b. it is unreasonable for the Recipient to obtain three (3) quotes because the Recipient has already researched the market for another similar purchase and knows the market.

13. Inspection

The Ministry reserves the right to inspect any aspect of the Project at any time.

14. Conflict of Interest

The Recipient shall ensure that any person associated with the Project in whatever capacity carries out the Project in all its aspects without a conflict of interest. For these purposes, a conflict of interest includes a situation in which the person associated with the Project or any member of his or her family is able to benefit financially from his or her involvement in the Project. Nothing in this section shall prevent volunteers from receiving reasonable out of pocket expenses incurred in connection with the Project.

The Recipient shall disclose to the Ministry without delay any actual or potential situation that may be reasonably interpreted as either a conflict of interest or a potential conflict of interest.

15. Insurance Requirements and Indemnity

The Recipient hereby agrees to indemnify and hold harmless the Ministry, its officers, employees, contractors, and agents from and against any and all claims, demands, expenses, losses, costs, actions, causes of action, and for any and all liability for

damages to property and bodily injury (including personal injury and death) howsoever caused, arising out of or in any way related to the Project.

The Recipient further agrees to indemnify and hold harmless the Ministry, its officers, employees, contractors, partners, and agents, for any incidental, indirect, special or consequential damages, or any loss of use, revenue of profit, by any person, entity or organization including the Ministry, arising out of or in any way related to the Project.

The Recipient agrees to put in effect and maintain at its own expense for the period during which these Terms and Conditions are in effect with insurers acceptable to the Ministry, Commercial General Liability to an inclusive limit of not less than **\$2,000,000** per occurrence for Property Damage, Bodily Injury and Personal Injury and including, at least, the following policy endorsements:

- a. Her Majesty the Queen in right of Ontario as represented by the Attorney General as an additional insured;
 - b. Cross-Liability;
 - c. Contractual Liability; and
- 30 day written notice by the insurer to the Ministry of material change or of cancellation.

Within thirty days of receipt of the Ministry's Letter of Approval (or of entering into the contract), the Recipient shall provide the Ministry with a valid Certificate of Commercial General Liability Insurance, naming the Ministry as an additional insured and referencing these Terms and Conditions. The Recipient shall also provide to the Ministry a renewal Certificate or proof of replacement on or before any subsequent Commercial General Liability Insurance policy renewal deadline, referencing these Terms and Conditions. The Certificates and proof of replacement mentioned in this paragraph shall confirm the coverage set out in the preceding paragraph. A copy of the policy or policies, if requested by the Ministry, shall be made available to the Ministry. The Recipient also may choose to acquire and put into effect and maintain for the period during which these Terms and Conditions are in effect, at its own cost, all the necessary and appropriate other insurance for a prudent

Recipient of this type and as good business practice, including:

- a. Property Insurance on physical assets;
- b. Automobile Insurance;
- c. Errors & Omissions Liability Insurance;
- d. Comprehensive Crime Insurance (Dishonesty\Disappearance\Destruction); and
- e. Directors and Officers Liability Insurance.

16. Reports

Within 45 days of completing the Project, the Recipient shall submit a Final Report to the Ministry in a form satisfactory to the Ministry containing all details requested by the Ministry, and any progress reporting requirements set out in the Ministry's Letter of Approval. The Final Report shall describe the following:

- Expenditures of Grant monies in relation to approved budget;
- Activities undertaken;
- Results achieved as outlined in Section E of the Application; and
- Highlights resulting from project activities such as special benefits to victims and the community, positive media attention, benefits achieved from unplanned opportunities for coordination and collaboration.
- An evaluation of benefits achieved by the Project, copies of pamphlets and other products developed for community education and victim support must be submitted as part of the Final Report.
- An officer authorized to sign for the Recipient shall sign the Final Report, and any progress reports.

17. Acknowledgement

The Recipient shall acknowledge the support of the Ministry on all public documents, printed or electronic, produced as a result of the Project, and on all advertising and publicity relating to the Project, by the following – "Funding for this Project is provided by the Government of Ontario, Ministry of the Attorney General, Ontario Victim Services Secretariat, Community Hate-crimes Response Grants Program. The views and opinions expressed in this publication/web site do not necessarily reflect those of the Government of Ontario."

18. Confidentiality

The Recipient, its directors, officers, board members, employees, agents, contractors and volunteers shall, both during and following the term of these Terms and Conditions, maintain as confidential and secure all material and information that is in the possession or under the control of the Recipient pursuant to these Terms and Conditions and shall not directly or indirectly disclose or release to any person at any time during or following the term of these Terms and Conditions, except where required by law, any information or document that tends to identify any individual in receipt of services without obtaining the written consent of the individual or in those situations where the individual is unable to give consent due to incapacity or not having attained the age of sixteen (16) years, the consent of at least one parent or legal guardian, prior to the release or disclosure of such information or document.

19. Invalid and Unenforceable Provisions to be Severed

If any provision of the Terms and Conditions governing the Grant is found to be invalid or unenforceable it shall be severed and the other provisions of the Terms and Conditions governing the Grant shall not be affected.

20. Compliance with Community Standards

The Recipient shall ensure that all publications, presentations and visual displays, including web screens, are consistent with public policy in Ontario to recognize the dignity and worth of every person, community, and institution, and to not portray these individuals or groups in a discriminatory or derogatory fashion contrary to law.

21. Waiver

To be binding, a waiver of any failure to comply with any provision of these Terms and Conditions must be written and signed by the party against whom it is sought to be enforced. Each waiver must refer to a specific failure to comply and shall not have the effect of waiving any subsequent failures to comply.

22. Ministries and Recipient Independent

The Ministry and the Recipient are and shall at all times remain independent and are not and shall not represent themselves to be the director, officer, agent, joint venturer, partner or employee of the other. No representations shall be made or acts taken by either the Ministry or the Recipient which could establish or imply any apparent relationship of agency, joint venture, partnership or employment and neither party shall be bound in any manner whatsoever by any agreements, warranties or representations made by the Ministry or the Recipient to any other person or with respect to any other action of the Ministry or the Recipient.

23. Copyright

The Recipient gives the Ministry permission to reproduce and distribute any materials produced by the Recipient with grant funds provided by the Ministry for the Application.

The Recipient shall place a copyright notice on all recorded deliverables/products it creates under the Program in the following form: "© *Queen's Printer for Ontario*, [insert year of publication]."

The Recipient further agrees to allow any materials it produces in accordance with its application to be posted on the Hate Crimes Reduction Internet Site, or the Ontario Victim Services Secretariat website, and/or to be reproduced and used at the hate crimes victims community forum to be established pursuant to grants under the Community HATE-crimes Response Grants Program.

At the request of the Ministry, at any time or from time to time, the Recipient shall execute and agrees to cause its directors, officers, employees, agents, partners, affiliates, volunteers or subcontractors to execute a written assignment of copyright in the applicable deliverable(s)/products to the Ministry. The Recipient shall deliver such written assignment(s) to the Ministry within 10 Business Days of the receipt of the request from the Ministry. The Recipient shall assist the Ministry in preparing any Canadian copyright registration that the Ministry considers appropriate. The Recipient will obtain or execute any other document reasonably required by the Ministry to protect the Intellectual Property of the Ministry.

The Ministry reserves the right to prescribe the specific manner in which the Recipient shall perform its obligations relating to this Article, including loading/publishing the deliverables/products on a Recipient/Ministry website.

The obligations contained in this Article shall survive the termination or expiry of the Contract.

24. Survival

Notwithstanding any other provisions of these Terms and Conditions, the provisions in sections **6** (Interest), **10** (Unused Funds), **11** (Cancellation of Terms and Conditions and Request for the Repayment of Grant Funds), **12** (Accounting and Audit), **16** (Insurance and Indemnity), **17** (Reports: as to the final report), **18** (Confidentiality), **23** (Copyright) and **24** (Survival) shall survive cancellation or expiry of these Terms and Conditions.