ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS LAW ENFORCEMENT PLANNING DIVISION ADMINISTRATIVE CODE

CHAPTER 305-4-4 ADECA DOMESTIC VIOLENCE CENTER PROCEDURES

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305-4-4-.01 Purpose.

The purpose of this chapter is to provide certain criteria and procedures to be used in the certification of domestic violence centers, including criteria for application, approval, suspension, or rejection of certification. In addition, this chapter shall provide standards for membership in the Alabama Coalition Against Domestic Violence.
Author: Chris Murphy
Statutory Authority: Code of Ala. 1975, §§30-6-1 et seq.
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305-4-4-.02 Definitions.

In this chapter, the following words shall have the following meanings unless the context clearly indicates otherwise:

(1) Abuse. As defined in Code of Ala. 1975, §30-5-2.

(2) ACADV. The Alabama Coalition Against Domestic Violence, Incorporated.

(3) Advisory Board. The group of individuals whose purpose is to make recommendations to the board of directors regarding the operation of the domestic violence center, if the board of directors does not directly oversee that operation.

(4) Advocate. An employee or volunteer of a program for victims of domestic violence receiving funds under this chapter who has a primary function of rendering advice, counseling, or assistance to victims of domestic violence; who supervises the employees or volunteers of the program; or who administers the program.

(5) Agency. The Alabama Law Enforcement Agency.

(6) Board of Directors. A legally constituted group of individuals whose function is to oversee operations of a certified domestic violence center.

(7) Certification. The formal recognition that a domestic violence center meets the minimum standards set forth in Code of Ala. 1975, §30-6-6 and these rules.

(8) Client. Any individual receiving services from a certified domestic violence center.

(9) Department. The Alabama Department of Economic and Community Affairs.

(10) Designated agent. The Alabama Coalition Against Domestic Violence, or other qualified entity.

(11) Director. The Director of the Department of Economic and Community Affairs.

(12) Domestic violence. Abuse as defined in subdivision (1).

(13) Domestic violence center. An entity that provides services or shelter to domestic violence victims and their accompanying children and is a member of the ACADV or other qualified entity.

(14) Evaluation. The process of reviewing the administrative and programmatic components of a certified domestic violence center to ensure compliance with minimum standards as set forth in this rule chapter, and, if applicable, as stipulated in contract.

(15) Executive Director. The full-time employee who is responsible for the overall operation and day-to-day management of a certified domestic violence center.

(16) Other qualified entity. An entity designated by the director to fulfill the duties of the ACADV in the event the ACADV ceases operations or is otherwise ineligible to receive federal funds for domestic violence programs in this state. Such designation is dependent upon the U.S. Department of Health and Human Services' designation of the entity as the State Domestic Violence Coalition.

(17) Victim. As defined in Code of Ala. 1975, §30-5-2.

Terms not otherwise defined by this chapter shall have the meaning given to them by the Alabama Criminal Code, Title 13A, or other provisions of law, as the case may be.

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305-4-4-.03 Minimum Standards.

In addition to the minimum standards set forth in Code of Ala. 1975, §30-7-2 et seq., the following minimum standards for domestic violence centers shall be used by the Department of Economic and Community Affairs to determine membership in the coalition or other qualified entity and eligibility for receiving funds administered by the Department of Economic and Community Affairs. Coalition members and their board members may participate in the development of standards, but are prohibited from participating in the review process and final approval of standards.

(1) Design, Construction, and Accessibility. The domestic violence center shall ensure that the design and construction of new shelter facilities or alterations to an existing facility meet the minimum requirements of the applicable state and local governing agencies. No new certifications shall be issued after September 30th, 2015 to any domestic violence center whose shelter facility is not in compliance with the Americans with Disabilities Act Standards for Accessible Design in the Code of Federal Regulations, Title 28, Part 36, Appendix A. Facilities certified prior to the effective date of this rule must meet these minimum standards except where the cost of compliance with a particular standard would impose an undue burden on the domestic violence center, as described in the Code of Federal Regulations, Title 28, Section 35.150. Non-compliant facilities must have policies and procedures in place detailing what accommodations will be made to ensure service needs are met. Any alteration to a shelter facility certified prior to the effective date of this rule must meet the accessibility guidelines described above, as provided in the Code of Federal Regulations, Title 28, Section 36.402.

(2) Physical Safety and Well-being. The domestic violence center shall take precautionary measures to provide for the safety, confidentiality, privacy, and well-being of shelter residents.

(a) All shelter facilities maintained by the domestic violence center or its subcontractors shall meet all applicable county and municipal building code enforcement requirements when performing new construction or additions to existing facilities.

(b) All shelter facilities must be in good repair, free from health and safety hazards, clean, and free from vermin infestation.

(c) To protect the privacy of shelter clients, electronic surveillance systems may not be installed in the clients' bedrooms or bathrooms of the shelter facilities. Electronic surveillance systems may be installed at entrance and exit doors and parking areas.

(d) All outside doors shall remain locked from the inside at all times; all windows shall be secured against entry; and outside and entrance way lighting shall be in place and functioning.

(e) If an outside play area is made available for children, the area shall be free of debris and broken or dangerous materials, and shall be routinely checked for safety. Play areas shall be fenced in accordance with local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention, and fish ponds. The outdoor play area shall have and maintain safe and adequate fencing or walls a minimum of four feet in height. Fencing, including gates, must be continuous and shall not have gaps that would allow children to exit the outdoor play area. The base of the fence must remain at ground level and be free from erosion or build-up to prevent inside or outside access by children or animals. If the play area is in view of the public, privacy fencing is required.

(f) No firearms or weapons shall be allowed within any building or upon any person located on the premises, excluding federal, state, or local law enforcement officers.

(g) No narcotics, alcohol, or other impairing drugs shall be present on the premises; except those prescribed by a licensed medical professional.

(h) Smoking is prohibited within the shelter facilities, all outdoor play areas, and in vehicles when being used to transport center clients. The domestic violence center shall designate specific areas for smoking.

(3) Fire Safety. The domestic violence center shall ensure that each shelter facility has sprinklers or smoke alarms in each bedroom, and in all hallways and common areas. The domestic violence center shall ensure that an annual fire safety inspection, which conforms to fire safety standards as determined by each municipality, county, and special district is conducted for each shelter facility. A current inspection report shall be maintained in the center records and made available for inspection upon request

(4) Telephone. The shelter facility shall have telephones that are centrally located and readily available for staff member and client use. Emergency numbers such as emergency medical services, fire department, law enforcement, hospital, and poison control center shall be posted by each telephone. There shall be at least one cellular telephone available for use at all times in the event of power and telephone line outages. TDD/telephone/video relay service for the hearing impaired is required.

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305-4-4-.04 Services.

In accordance with, and in addition to the minimum services set forth in Code of Ala. 1975, §30-6-6, to be eligible for certification a domestic violence center shall provide the minimum core services as set forth below. Domestic violence centers may provide additional services beyond the minimum requirements.

(1) Information and Referral. Education and recommendations on services to those persons seeking assistance. The domestic violence center shall utilize a comprehensive and current database of information and referral resources, which shall be made available for use by all direct service staff.

(2) Counseling. Supportive activities with victims of domestic violence.

(a) Counseling services shall incorporate supportive advocacy services such as crisis intervention, safety planning, assessment of risk, and intervening with the various social and legal agencies on behalf of the center client, including legal advocacy, medical advocacy, housing advocacy, interpretation services, and additional services as needed.

(b) Counseling services may be based on the peer-counseling model. Individuals who may need or want mental health counseling services may be served through referral to an appropriate mental health/counseling practitioner or agency.

(3) Case Management. A collaborative process of assessment, planning, facilitation, and advocacy for options and services to meet a center client's needs. The domestic violence center shall develop procedures and maintain documentation for case management meetings. Case management meetings shall be held regularly for the purposes of ensuring effective communication among staff about the progress of clients toward meeting their goals and objectives, as well as addressing individual client issues.

(a) The domestic violence center shall provide one-on-one case management to clients who reside in shelter for 72 hours or more. This provision does not preclude domestic violence centers from providing case management to residents housed less than 72 hours or to non-resident clients. Signed documentation will be placed in the file if the client opts out of case management services.

(b) Individual case records shall be maintained, shall be current, and shall include at a minimum:

1. Identification data including name, age, ethnicity, and other relevant information for the client and any dependents; and

2. A case management plan that includes safety planning and service referrals.

(c) In order to ensure the safety of clients and their dependents the domestic violence center shall protect the confidentiality and privacy of persons receiving services. Center staff shall not disclose any personally identifying information collected in connection with services or reveal individual client information without the informed, written, time-limited consent of the client, except in limited circumstances described in Code of Ala. 1975, §30-6-8.

(4) Emergency Shelter. Safe housing provided for adult victims of domestic violence and their dependents. The domestic violence center shall provide temporary emergency shelter to victims and their dependents for more than 24 hours. Shelters shall be staffed by advocates 24 hours a day, seven days a week, including holidays.

(5) Hotline Services. A telephone operated 24 hours a day, seven days a week to provide crisis intervention, safety

planning, information, and referral to victims of domestic violence or on behalf of a victim.

(a) The domestic violence center shall provide hotline services, available 24 hours a day, seven days a week staffed by advocates who have successfully completed training for privileged communications. The hotline telephone shall have a TDD/telephone/video relay service.

(b) The use of commercial telephone answering services or automated voice mail to cover the hotline are not permitted, except for the purpose of directing calls to an advocate.

(6) Child Assessment. Evaluation of the basic needs of children served by the center and the referral of children to services if needed.

(a) Each child in emergency shelter for 72 hours or more shall be assessed for basic needs and given service recommendations by an advocate with experience working with children. This provision does not preclude domestic violence centers from providing an assessment of children housed less than 72 hours.

(b) Any person who knows, or has reasonable cause to suspect, that a child is abused or neglected shall report such knowledge or suspicion to the Department of Human Resources as provided for in Code of Ala. 1975, §26-14-3.

(7) Professional Training. Education on the dynamics of domestic violence provided to law enforcement personnel, other professionals, and paraprofessionals who have contact, as part of their work, with victims of domestic violence.

(8) Community Education. The efforts, activities, and presentations performed to increase public awareness about domestic violence and the availability of services for victims of domestic violence.

(a) The domestic violence center shall provide community education to promote awareness of the incidence, causes, and prevention strategies of domestic violence. Community education shall be presented both face-to-face and through the utilization of various media.

(b) Center employees, when able, should participate in community task forces, interagency councils, and other organizational groups whose efforts are intended to improve services for victims of domestic violence.

(9) Exempted Services. The Director may exempt the 24-hour hotline, professional training, and community education

requirement for centers where this requirement is already being met by another certified center in the same service area, pursuant to Code of Ala. 1975, §30-6-6.

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305-4-4-.05 Application.

(1) Applicants for initial certification and renewal of certification must demonstrate an ability to operate, garner community support, and maintain solvency by providing proof of the following:

(a) Satisfactory fire safety inspection report completed within the last 365 days by the local fire authority.

(b) Provide an independent financial audit after the initial 12 months of operation and demonstrate financial ability to provide services and shelter.

(c) Maintenance of all records pertaining to the operation of the domestic violence program and provision of services in a manner such that the records are readily accessible.

(2) An applicant must agree to become a member of the designated qualified entity as a condition of certification. Failure to obtain membership shall be grounds for revocation of certification.

(3) Application. Application for initial certification or renewal of certification shall be completed by the full-time executive director, board president, or the designated representative of a corporation. The initial application and applications for renewal shall include the following attachments:

(a) Business Plan. The business plan shall provide a comprehensive description of all administrative and programmatic activities for current and future operations. The business plan shall be updated every three years and include the following:

1. Market Analysis and Plan. The market analysis shall include a description of the local need for domestic violence services and how those needs are met or unmet. The applicant must demonstrate that services address an unmet need identified by the community. Descriptions of the service area and demographics, as well as strategies

for public awareness and fundraising, shall also be included.

2. Community Support. The applicant must demonstrate that the organization is publicly supported, both programmatically and financially. The financial documentation shall demonstrate a 10 percent local match in the form of cash, in-kind services, or a combination thereof. The application must provide three letters of support from community partners.

3. Personnel Policies and Procedures. The personnel policy shall include an organizational chart identifying all center positions. The plan must include a full-time executive director, responsible for the management of the domestic violence center who reports to the board of directors. In the event the executive director position becomes vacant, an interim director must be appointed until the position can be filled permanently. A board member may not serve in the position at any time. The plan must include a full-time or part-time financial manager responsible for ensuring the integrity of the center’s financial records and preparation of financial statements. The plan must clearly describe each position’s responsibilities, and include clear lines of authority, accountability, and lines of communication; processes for evaluations and disciplinary action; and position descriptions. The personnel plan must also include the domestic violence center's staff training and development plan and meet the requirements provided in Rule 305-4-4-.07.

4. Service Plan. The service plan shall include an identification and comprehensive description of each service required by Code of Ala. 1975, §30-6-6, and any additional services and programs provided by the domestic violence center. The description must illustrate the manner in which services will be integrated with existing resources for domestic violence victims, for example, inter-agency agreements. For each of the core services, the applicant must address the needs of underserved populations, including populations that are underserved because of disabilities, ethnicity, race, language, or geographic isolation, and specific efforts to reach each of these populations within the organization's service area. Documentation of services shall include services provided during the previous 12 months of operation as a domestic violence program, and include the number of persons served for each required service, and the gender, age, and ethnicity of the people served.

5. Operating Policies and Procedures Manual. The applicant's operating policies and procedures manual must meet the requirements provided in Rule 305-4-4-.07.

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305-4-4-.06 Certification.

(1) Certification is for one year and automatically expires on June 30th on an annual basis.

(2) Failure to comply with any of the requirements in Code of Ala. 1975, §30-6-6 or this rule chapter constitutes grounds to revoke the certification.

(3) Certification is non-transferable and valid only for the center and location(s) listed on the certificate issued by the Director.

(4) The domestic violence center may operate satellite service centers at different locations. If the domestic violence center wishes to change the location of service, close a service center, or open additional service centers during an existing certification period, the domestic violence center must notify the Director in writing, at least 30 days prior to the change or addition, and request approval from the Director for an amendment of the certification. The Director will amend the certification if the domestic violence center is financially and programmatically capable of supporting additional service locations, the new or additional location is within the center's designated service area, and there is no pending corrective action pertaining to the domestic violence center. If the Director does not amend the certification to include additional sites, the domestic violence center may not utilize Department funds to operate those locations.

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Statutory Authority: Code of Ala. 1975, §§30-6-3, 30-6-6, 30-6-10.
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305-4-4-.07 Administration and Operations.

The domestic violence center shall develop and implement written policies and procedures that ensure compliance with all provisions of this rule chapter. The domestic violence center shall provide a copy to all employees and volunteers upon their beginning date of

employment or service, and, thereafter, as revised. Employees and volunteers must indicate in writing that they have read and understand the policies and procedures, which must be documented in their personnel file. At a minimum, the operating policies and procedures shall include the following:

(1) Admission. The domestic violence center shall identify who is eligible for services and how those services are accessed. Services shall not be denied to any person on the grounds of race, religion, color, national origin, sex, gender identity, sexual orientation, handicap, or limited English proficiency as outlined in 45 CFR Parts 80, 83, 84, and 90. Prospective clients must be informed of the admission criteria and, if ineligible, the domestic violence center must provide referrals to other organizations that can provide assistance.

(2) Board of Directors. The domestic violence center shall establish and maintain a board of directors, which shall be composed of at least three citizens who reside within the center's service area, one of whom must be an employee of a local, municipal, or county law enforcement agency whose jurisdiction includes some or all of the center's service area as required in Section 30-6-6. The board of directors should racially and ethnically reflect, to the extent possible, the clients served by the domestic violence center. The board of directors shall serve as the governing body responsible for fiscal oversight and strategic leadership specific to the operation of the center. The domestic violence center shall develop by-laws, which must include membership selection process, term limits, code of conduct, conflict of interest, duties and responsibilities, and orientation and training requirements for the board of directors and any advisory boards.

(3) Confidentiality. The domestic violence center shall establish and implement policies and procedures for maintaining safety, confidentiality, and privacy of persons receiving services.

(a) The domestic violence center shall safeguard information identifying domestic violence emergency shelters and center clients as provided in Code of Ala. 1975, §30-6-8. Confidential information may be in hardcopy or electronic format and may include name, address, phone number, case management plan and notes, safety plan, service plan, services provided, referrals, and other related information. Access to any client identifying information shall be limited to staff members who have a legitimate interest in the case and have a need to know to carry out their job duties.

(b) The Director shall have access to shelters and center records to the extent necessary to perform the oversight

function. Domestic violence centers may not provide individual client records to stakeholders, partner agencies, and other entities that have an interest in domestic violence center operations, except as expressly authorized. Client communications that satisfy the criteria for a privileged communication under Code of Ala. 1975, §30-6-8, may be disclosed only as provided in that statute.

(c) The domestic violence center shall ensure all center employees and volunteers are aware of and understand their obligation to comply with Code of Ala. 1975, §30-6-8, which prohibits the disclosure of shelter location and any information regarding center clients without their express written, time-limited consent, except in limited circumstances described in the statute.

(4) Electronic Communication. The Director's primary communication with a domestic violence center will be electronic. A domestic violence center shall have the capability to access the Internet and to electronically submit certification documentation as required by the Director. A domestic violence center shall maintain a functional email address with the capability of receiving attachments and shall provide that address, and revisions as needed, to the Director.

(5) Emergency Management. The domestic violence center shall develop an emergency management plan that should be coordinated with the applicable local emergency management agency whenever possible.

(a) The plan must outline a comprehensive and effective program to ensure the safety and well-being of employees, volunteers, and center clients in the event of an emergency. The plan should address emergencies that the domestic violence center may reasonably expect in the center facilities. Examples are: natural or manmade disasters such as hurricanes or tornados; contamination of the air, ground, water, or food; fire; public health hazards such as outbreak of communicable, reportable diseases such as avian influenza, arboviral encephalitis, salmonella, severe acute respiratory syndrome (SARS), etc.; significant incidents such as client death or injury; security incidents such as intruders, hostage situations, kidnapping, and workplace violence; or human acts that may jeopardize the health, safety, or welfare of center employees, volunteers, or clients.

(b) The emergency management plan must include, at a minimum, the following elements: procedures for reporting emergencies or incidents as identified above; identification of essential functions, programs, and

personnel; procedures to implement the plan and personnel notification; delegations of authority and lines of succession; identification of alternative facilities; procedures for evacuation, including type of evacuation and exit route assignments; procedures to account for all staff members and clients; and identification and protection of records and databases.

(c) The domestic violence center must annually review and update the plan. A current plan shall be maintained in the center records and made available for inspection upon request.

(6) Financial Management. The domestic violence center is responsible for the sound financial management of the domestic violence center by ensuring proper financial controls are in place and by maintaining current financial documents described in Rule 305-4-4-.05. Further, the domestic violence center is responsible for submitting an independent financial audit every year at the Director's request.

(7) Personnel. The domestic violence center may not discriminate against employees, or applicants for employment, because of their age, race, religion, color, disability, national origin, marital status, sexual orientation or gender. Personnel should racially and ethnically reflect, to the extent possible, the clients they serve. The domestic violence center shall ensure that there is adequate staff coverage at all center facilities for the provision of required core services, as well as any additional services the center provides.

(a) The domestic violence center must select one full-time employee within the center to be designated as the emergency coordinator and another to be the alternate emergency coordinator. The emergency coordinator is responsible for implementing the center's emergency management plan and providing training to all employees and volunteers on their duties and responsibilities for implementing the plan.

(b) If the executive director or financial manager positions become vacant, or if the employee assigned to the position is unable to fulfill their duties and responsibilities due to an extended absence, the domestic violence center shall notify the Director within five business days of the vacancy or absence.

1. The executive director and financial officer positions may not be filled by the same individual.

(c) The domestic violence center shall ensure that employees and volunteers comply with policies and

procedures for maintaining the safety, confidentiality, and privacy of persons receiving services and with the prohibition against disclosure of any information about center clients and shelter location as required under Code of Ala. 1975, §30-6-8.

(d) The domestic violence center shall develop and implement standards of conduct and disciplinary action for violation of standards.

(e) The domestic violence center shall maintain current, accurate, and complete personnel records for all employees and direct-service volunteers, which shall include position descriptions and training records.

(8) Record Keeping. The domestic violence center shall provide for the maintenance of records, including electronic storage media, regarding the administrative, fiscal, and programmatic operation of the domestic violence center. Records shall be current, complete, accurate, and maintained in such form as to permit Department evaluation during the hours of operation. Information received by the Department concerning client identity is confidential and exempt from the provisions of Code of Ala. 1975, §36-12-40 and shall not be disclosed without the written consent of the client to whom the records or information pertains. All records and files, including electronic storage media, shall be kept for a minimum period of three years after termination of certification, or if an audit has been initiated and audit findings have not been resolved at the end of three years, the records and files shall be retained until resolution of the audit findings. The Director shall make the final determination as to what constitutes a satisfactory resolution of audit findings. Records include, but are not limited, to the following:

(a) Case Management Records. The domestic violence center shall maintain case management records in compliance with Rule 305-4-4-.04.

(b) Fiscal Records. The domestic violence center shall maintain an accounting system capable of distinguishing between all revenue sources and expenditures and in accordance with generally accepted accounting principles (GAAP), which is incorporated by reference. The domestic violence center's fiscal records shall provide an accounting of the revenue and expenditures of the certified center that is separate and distinct from other programs and services that may be operated by a parent entity such as an umbrella agency. The domestic violence center's fiscal records must be available for inspection by the Director upon request.

(c) Quarterly Service Reports. The domestic violence center shall collect and compile a quarterly record of all services provided. The record shall include, at a minimum, the gender, age, ethnicity, type of service provided, number of incidents, and, if applicable, other information as required by contract, of the people served. The domestic violence center shall forward a quarterly summary report to the Director for evaluation of domestic violence service trends.

(9) Staff Training and Development. The domestic violence center shall develop, implement, and review annually a staff training and development plan to ensure that all new employees, current employees, and volunteers meet training requirements as required by this rule. The plan shall include policies and procedures for implementing training activities, course titles, descriptions, objectives, number of hours, names of instructors with title or position or source, dates or timeframes, and training requirements for each staff position. The training of each employee and volunteer shall be documented in the staff member's personnel file or training record and shall include activities or course titles, number of hours, names of instructors and title or position, and dates of completion. The minimum training must include:

(a) In-Service Training. Training designed to help employees and volunteers develop their knowledge and skills related to domestic violence and the successful performance of their job. All fulltime staff members who supervise, coordinate, and/or provide direct advocate or counseling services are required to successfully complete a minimum of 8 hours of training each state fiscal year. ACADV will be responsible for providing a variety of training programs to coalition members. The training requirement is effective upon the first anniversary of their employment or service.

(b) Emergency Training. In addition to in-service training, all staff members shall receive, at a minimum, annual training on implementing the center's emergency management plan as identified in paragraph (5) above.

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305-4-4-.08 Monitoring and Evaluation.

The Director or its designated agent will conduct evaluations of certified centers to ensure compliance with the minimum standards

as relates to services provided in Code of Ala. 1975, §30-7-2 and the rules of this chapter.

(1) To conduct evaluations, the Director or its designated agent shall have access to a center or subcontractor, its location, records relevant to the operation of said center or subcontractor, records of clients served, and any other information necessary for evaluation of compliance with this rule.

(2) Evaluation shall occur annually, on-site or desktop, as determined by the Director. However, an evaluation may occur at any time there is a complaint to the Director.

(3) Within 60 days after the evaluation, the domestic violence center will receive a written report from the Director or its designated agent whether or not standards have been met. If any deficiencies were cited, the domestic violence center will be given ten business days from the date of the written report to submit a corrective action plan. The corrective action plan is subject to approval by the Director. The severity of the noncompliance may affect the period of time allowed for correction, but in no event shall the corrective action period exceed 90 days. Follow up visits or a desk review will be made by the Director to determine if the plan of correction is acceptable, has been implemented, or completed.

(4) A favorable monitoring report means the Director or its designated agent has determined a center is in compliance with the requirements of this rule and Code of Ala. 1975, §§30-6-6 et seq.

(5) An unfavorable monitoring report means the center is not in compliance with the requirements of this rule chapter and has not successfully completed a corrective action plan as determined by the Director. An unfavorable monitoring report will result in suspension of a center’s certification, unless the circumstances beyond reasonable control, such as manmade or natural disasters, local zoning ordinances, or permitting processes.

(6) Failure to successfully complete the corrective action plan will result in suspension of a center's certification, unless the circumstances are beyond the domestic violence center's reasonable control, such as manmade or natural disasters, local zoning ordinances, or permitting processes. However, the Director will suspend a center's certification immediately without allowing a corrective action in cases of recurring violations or if the violation poses a serious risk of imminent harm to the health or safety of clients or staff members.

(7) A suspension will continue until the domestic violence center completes a corrective action plan, but will not exceed six months. If the domestic violence center does not successfully complete the corrective action plan within six months, the center's certification will be revoked.

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305-4-4-.09 Funding Procedures.

In accordance with and in addition to the funding requirements set forth in Code of Ala. 1975, §30-6-6(g), the following shall be used by the Department of Economic and Community Affairs to determine funding for certified domestic violence centers.

(1) For each funding cycle, the Director will provide all eligible certified domestic violence centers with an application for funding with instructions for completion.

(2) Newly certified centers without previous funding from the Director must request an application for funding by July 1 for the following state fiscal year. Certification does not guarantee funding.

(3) In accordance with Code of Ala. 1975, §§30-6-3 and 30-6-6, all funds collected and appropriated for certified domestic violence centers shall be equitably distributed by the Director. The Director will utilize an allocation formula to distribute all funds administered by the agency. The funding formula will include, at a minimum, factors of population, rural characteristics, geographic considerations, and incidence of domestic violence. The formula will be reviewed on an annual basis and updated with census data every five years.

(4) The Director shall provide final approval of applications for and shall award funds appropriated for certified domestic violence centers as provided in Code of Ala. 1975, §30-6-6. The Director shall contract with successful applicants for the operation of certified domestic violence centers.

(5) Funding is contingent upon completion of any corrective action required by the Director, unless the failure to complete the corrective action is attributable to circumstances that are beyond the domestic violence center's reasonable control.

Author: Chris Murphy

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