

## **Participatory Governance and the Environmental Justice Thriving Communities Grantmaker (EJ TCGM) Request for Applications**

The Request for Application (RFA) states that the Grantmakers will be required to develop “an approach to the Grantmaker role demonstrating participatory governance where one or more community-based nonprofit organizations is involved in the design and decision-making of the subgrants program”, and that applications should address this.

This resource is intended to provide examples of participatory governance models and further resources that applicants can explore.

### ***What is Participatory Governance in the RFA?***

Participatory Governance is a formalized way to ensure meaningful participation and community engagement in decision-making processes. This is aligned with a core principle of Environmental Justice, which is that all communities have the opportunity to participate in decisions that impact their environment.

For the Environmental Justice Thriving Communities Grantmaker (EJ TCGM) Program, applicants are asked to describe how they intend to involve communities with EJ concerns in the design and decision-making of the program, through partnerships with community-based organizations that reflect the communities this program is intended to benefit. All of EPA’s Environmental Justice Thriving Communities’ grants and technical assistance activities funded through section 138 of the Clean Air Act are intended to benefit disadvantaged communities. That statute requires that the grants awarded be made to a community-based nonprofit organization (CBO), or to a partnership that includes one or more CBOs. While EPA is requesting Participatory Governance, the Agency is not endorsing a particular structure or subgrantee selection process.

Applicants are encouraged to propose a participatory governance structure that at a minimum involves one or more CBOs or community members, and that reflect the communities this program is intended to benefit in the design and decision-making of the subgrants program. The Agency is eager to see how the Grantmaker applicants will propose to set up a participatory governance process that reaches the most impacted communities and involves them in the design and implementation of the grantmaking program.

Examples of participatory governance:

- A steering committee composed of community-based nonprofit organizations or community members that will help design the grantmaking process, conduct outreach about the grants, propose priority project types, etc.
- An advisory group of CBO’s and community members who are EJ leaders that helps to review and score grant applications or makes recommendations about grant awards.
- A community-based nonprofit philanthropic organization with community members and CBO leaders on its board, involved in the governance of the organization and the decision-making about grants.
- Transparent processes for application review, coaching of unsuccessful applicants and incorporating community feedback on subgrantee selection decisions.

EPA invites applicants to propose a process and set of activities that reflect the region that would be served as well as their own organizational culture and vision. **Applications will be reviewed for the degree to which the application describes meaningful partnerships with CBO's that reflect the community, a history of creating and managing similar sub-granting programs, and a process that is designed to reach the most disadvantaged or historically marginalized communities.**

### ***Participatory Governance and Conflict of Interest***

The RFA also states that the participatory governance framework “should describe controls for ensuring that representatives of community-based nonprofit organizations involved in the design and decision-making for the subgrants program do not have relationships\*<sup>1</sup> with organizations competing for subgrants or receiving noncompetitive funding that create actual or apparent conflicts of interest.” Once awarded, Grantmakers will provide a conflict of interest policy that aligns with EPA’s own Financial Assistance [Conflict of Interest](#) policy.

Ways that eligible subrecipients (including CBOs) can be involved in participatory governance and avoid conflicts of interest **to still apply for subgrants:**

- Organizations that are part of the decision-making regarding a Grantmaker award process (e.g., reviewing applications, scoring applications, making recommendations regarding which applications to fund) **MUST** recuse themselves from also applying for subgrant funding for an EJ project from the Grantmaker. However, these CBOs would only be allowed to apply to a National Grantmaker, but couldn’t apply to the Regional Grantmaker that they are involved with.
- A Grantmaker could work with a set of CBO partners to design the application and grant monitoring process as part of an initial, timebound Advisory Committee, but not involve this committee in running the competition or scoring the applications. For example, if a particular CBO is serving on an advisory board that is working to set up the rubric for evaluating applications (which would be made public for all applicants) then they **MAY** still apply for an EJTCM Subgrant.
- A National Grantmaker could plan to allow CBO’s that can’t apply to their regional Grantmaker due to conflict of interest to submit an application to the National Grantmaker instead.
- Individuals who are part of the Grantmaker’s board of directors, who are **ALSO** staff or a board member at a CBO that is applying to receive project funding as a subrecipient, may not be part of preparing the subgrant application due to their actual or apparent access to “inside information” about the Grantmaker’s scoring strategies and rubrics, or be the project manager for the subgrantee. These same restrictions apply to the community member’s immediate family (e.g. spouse, partner, parent or child). The member of the board of directors must also recuse themselves from any involvement in the selection of the Grantmaker subrecipients or subgrantees in these situations.

### ***Participatory Governance and Financial and Budget Consideration***

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<sup>1</sup> For the purposes of conflict of interest, familial or financial relationships are the biggest concern.

The roles that CBO's play in the design and implementation of the Thriving Communities Grantmaker program should be reflected in the budget as well as the narrative of the application.

Grantmakers may use EPA funding to compensate community members or representatives of community-based organizations who participate in the governance process with stipends, to the extent permissible in [EPA Guidance on Participant Support Costs](#) and Selected Items of Cost Guidance. The Lead Applicant may also include CBO's that are part of the governance process as Statutory Partners receiving subawards to support their role in the grantmaking process. As noted above, organizations that are involved in the review, scoring and recommendations regarding the subgrant applications shall not be eligible to compete for subgrants from the Grantmaker.

The applicant for the Grantmaker cooperative agreement must in all cases be the organization that would receive and manage the funds and be the primary point of contact with the EPA. This does not mean that the lead applicant must be the expert in setting up and managing a grant program, or that it must be the community-based organization. The statutory partnerships outlined in the application can play many different roles in the design and management of the design, outreach and process of awarding subrecipient grants, and ensuring that communities with EJ concerns benefit from these awards. A partner in the application may bring expertise in the design and management of a grantmaking program, in participatory governance structures, and/or in effectively reaching overburdened and underserved communities. **However, a partner organization (the subrecipients) cannot draw down funds from the EPA or enter into the cooperative agreement with EPA – that must be the lead applicant organization.** The application should define the roles and responsibilities of all the statutory partners, or subrecipients and describe their capacity and history of work in fulfilling that role. For-profit firms and individual consultants may not be statutory partners or other types of subrecipients even if they helped an organization prepare the application for Grantmaker funding.