

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF HUMAN SERVICES
AND
THE SOUTH DAKOTA COUNCIL ON DEVELOPMENTAL DISABILITIES**

WHEREAS, the State of South Dakota, Office of The Governor, Executive Order 2001-09, has designated the Department of Human Services, Division of Developmental Disabilities as the state agency which, on behalf of the State, shall receive, account for, and disburse funds under the Developmental Disabilities Basic State Grant Program based on the State Plan, and shall provide required assurances and other administrative support services to the South Dakota Council on Developmental Disabilities (SDCDD).

The Department of Human Services (DHS) shall hereafter be called, the Department; and the South Dakota Council on Developmental Disabilities shall hereafter be called the Council.

NOW, THEREFORE, the Department and the Council agree to the following:

1. The Department shall serve as the Council's administrative agent for the purposes of assisting the Council to meet its state and federally mandated fiscal obligations.
2. Administrative support provided by the Department to the Council at minimum includes:
 - 2.1) Fiscal Responsibilities: Receive, account for, and disburse funds under the Developmental Disabilities Assistance and Bill of Rights Act (DD Act) based on the State plan required in section 124; and provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, funds paid to the State under Subtitle B of the DD Act.
 - 2.2) Records, Access, and Financial Reports: Keep and provide access to such records as may be mutually determined to be necessary and shall provide timely financial reports at the request of the Council regarding the status of expenditures,

obligations, and liquidation by the agency or the Council, and the use of the Federal and non-Federal funds.

- 2.3) Assurances: Assist the Council in obtaining the appropriate State plan assurances and in ensuring that the plan is consistent with State law.
- 2.4) Grants Management: Review of all submittals of state plans / grant applications; provision of all certifications, disclosures, and assurances; compliance issues; monitoring and review of federal regulations; and technical assistance.
- 2.5) Contract / Grant Agreements: Assist in preparation of grant agreements, contracts, and amendments for services and project activities approved for funding by the Council.
- 2.6) Accounts Payable: Process and account for payments/reimbursements for Council member/staff travel expenses, grant agreements with service providers, including state agencies, other contractual arrangements and miscellaneous vendor-furnished services and items; and process non-cash vouchers for items such as; copies, postage, rent, utilities, supplies, telephone, central services, technical assistance, and miscellaneous services.
- 2.7) Accounting and Financial Reporting: Preparation of the annual federal Financial Status Report (SF269); ~~the annual Supplemental Financial Status Reporting Form ADD-02 (OMB # 0980-0212)~~; the annual Program Performance Report expenditure summary for submission to the federal Administration on Developmental Disabilities; the quarterly Federal Cash Transaction Report (PSC272); preparation of the monthly grant award expenditure/obligation reports; and all accounting / general ledger maintenance and cash management/cash draw duties and responsibilities.
- 2.8) Equipment, Facilities, Mail Service and Computers: Access to the Department's photocopying equipment, conference room facilities, mail distribution system - UPS, Federal Express, word processing/data processing, technical assistance, state watts line, FAX, TDD, equipment loan, and security to the DHS Contract/Service PO database.

- 2.9) Personnel Services: Access to the Department's personnel services such as access to Bureau of Personnel training and development and payroll processing for per diem payments including the associated benefits.
- 2.10) Support Services: Designate a contact within the department to provide administrative support as outlined in the attachment of this MOU and to attend the quarterly Council meetings.
3. The Department officially delegates to the Council the authority for hiring, supervising and evaluating the Executive Director, consistent with state law and Council policies.
 4. The Executive Director will have the authority to hire, supervise and evaluate staff authorized by the Council, consistent with state law and Council policies.
 5. The Council is responsible to approve a budget with the funds provided and maintain policies, as it determines necessary, to carry out its functions under federal and state law.

This MOU is jointly entered into on this ____ day of _____, 2015⁴, and shall expire _____, 2015⁴. This MOU may be modified upon the mutual consent of all parties involved.

DEPARTMENT OF HUMAN SERVICES

Gloria Pearson, Secretary
Department of Human Services

SOUTH DAKOTA COUNCIL ON DEVELOPMENTAL DISABILITIES

Valere Beeck, Chairperson

Arlene Poncelet, Executive Director