



## STATE OF ARKANSAS

### Policies and Procedures

#### Table of Contents

I.	Name .....	3
II.	Purpose .....	3
III.	Members .....	3
	A. Membership .....	3
	B. Council Member Expenses .....	3
	C. Conflict of Interest .....	4
IV.	Responsibilities of Council and Executive Director .....	4
	A. General Responsibilities	
	B. Role and Responsibilities of Council Members .....	4
	C. Responsibilities of Executive Director .....	4
V.	Council Officers .....	5
	A. Positions and Qualifications .....	5
	B. Committee Chairs and Member Terms .....	5
	C. Duties of Officers	
	1. Chair .....	5
	2. Vice Chair .....	6
VI.	Requirements for Council and Staff Training .....	6
VII.	Council Meetings	
	A. Schedule .....	6
	B. Agenda and Notice .....	6
	C. Minutes .....	6
	D. Quorum .....	6
	E. Parliamentary Procedure.....	6
VIII.	Council Committees	
	A. Establishment and Appointment .....	7
	B. Meetings .....	7
	C. Executive Committee Duties .....	7
	D. Public Policy and Outreach .....	8
	E. State Plan and Implementation .....	8

Last revision 12-2017 Council meeting

F. Nominating .....	9
IX. Council State Plan .....	9
X. Charges for Copies of Public Records .....	9
XI. Council Activities, Grants and Projects .....	9
XII. Parliamentary Authority .....	9
A. Freedom of Information.....	9
B. Parliamentary Procedure.....	9
XIII. Amendment of Policies.....	9
APPENDIX I.	
Conflict of Interest Policy Statement	10
Declaration of Conflict of Interest	11
Disclaimer of Conflict of Interest Form	12
Declaration of Conflict of Interest Form	13
APPENDIX II.	
Council Grant Program	14
APPENDIX III.	17
Grant Implementation Procedures	20
A. State Plan Activities and Sub-Grants Procedures	
1. Overview of Grant Process	
a. Council Role and Responsibilities	23
b. Staff Procedures and Responsibilities	23
c. Grant/Project processing	24
d. Award processing	25
e. Appeals	26

## **GOVERNOR'S COUNCIL ON DEVELOPMENTAL DISABILITIES**

### **POLICIES AND PROCEDURES**

---

- I. Name  
The Council is referred to as the Governor's Council on Developmental Disabilities
- II. Purpose  
The purpose of the Governor's Council on Developmental Disabilities (the Council) is to undertake and perform the responsibilities and duties required by and pursuant to the provisions of The Developmental Disabilities Assistance and Bill of Rights Act (DD Act, P.L. 106-402) as amended and operate in accordance with state statutes and laws. The Council shall undertake the planning, advocacy, capacity building and systemic change activities regarding Arkansans with developmental disabilities and their families.
- III. Members
- A. Membership.  
Council membership shall consist of 23 members appointed consistent with the DD Act and shall include members of principal state agencies as set forth in Sec. 125(b)(C) (3 &4); individuals with developmental disabilities, and parents or guardians of individuals with developmental disabilities as outlined below:
1. Be appointed by the Governor from among the residents of Arkansas;
  2. Serve at the pleasure of the Governor, who may remove members at will;
  3. Serve staggered five (5) year terms, which each member may serve no more than two full consecutive terms; and
  4. Be geographically representative of the state.
- B. Council Member Expenses  
Council members shall serve without salary but are entitled to receive reimbursement for actual expenses for all approved activities consistent with Council policies and state law.
- Parent Members: Reimbursable expenses include respite care for dependent children at the rate of \$10 per hour providing the child does not regularly attend day care programs. Spouses will not be reimbursed.

Self-Advocates: Attendants assisting individuals to attend and participate in Council activities will be reimbursed at \$10 per hour between the hours of 7:00 a.m. and 7:00 p.m. and \$50 a night for nighttime hours between 7:00 p.m. and 7:00 a.m., provided no other funding source is billed. Attendants are also entitled to reasonable and necessary expenses such as food, lodging, and mileage consistent with Council policies and state law.

C. Conflict of Interest.

Council members shall adhere to the Conflict of Interest Disclosure Policy as approved by the Council in Appendix I and other state laws. (See Appendix I).

IV. Responsibilities of Council Members and Executive Director

A. General Responsibilities

The Governor's Council on Developmental Disabilities is a 23-member board appointed by the Governor from residents of the state and shall serve at the pleasure of the Governor. The Council is an agency of state government and functions under the statutory authority of federal and state legislation.

B. Role and Responsibilities of Council Members

Council members are responsible for establishing the policy framework through which the Council carries out its statutory responsibilities under federal and state legislation. The Council provides direction through the Executive Director to the staff to execute all Council activities. Specifically, the Council shall:

1. adopt administrative rules to guide staff in administering Council activities and projects;
2. approve the Council State Plan and Plan amendments;
3. approve mandated federal and state reports;
4. approve the operating budget of the Council;
5. approve funding activities to be initiated with grant funds;
6. approve Public Policy position statements;
7. approve contracts, exclusive of grant awards;
8. approve new and continuation grant awards;
9. oversee operations of the Council for integrity, effectiveness, and efficiency;
10. establish procedures for reviewing appeals for actions of the Council and staff;
11. participate in the selection process for hiring the Executive Director;
12. review and approve needed staff positions, as appropriate, to conduct Council business;
13. be familiar with state personnel policies governing Council employees;
14. provide input to the Chair for the annual performance appraisal of the Executive Director.

C. Responsibilities of the Executive Director

The Executive Director is responsible for the effective and efficient administration of the policies established by the Council including:

1. selecting, organizing, and directing the staff of the Council consistent with personnel policies approved by the Council in accordance with state personnel policies;

2. establishing the operating budget for the Council and allocating funds among strategies, program, and projects within the limits of statutory authority as set forth in the appropriations act passed by the legislature;
3. approving expenditures of funds within the budget approved by the Council in accordance with federal and state laws;
4. coordinating request for proposals, proposal review, negotiation of initial and continuation work plan and grant awards, and provide technical assistance, support and monitor grant activities;
5. representing the Council and reporting on behalf of the Council to the Governor, Legislature, the public or other organized groups as required;
6. reporting in a timely manner all relevant information first to the Chair and subsequently to all Council members, to ensure that they are equally informed on matters that concern the Council;
7. entering Interagency Agreements and Memorandums of Understanding with other agencies and organizations, exclusive of the Memorandum of Understanding with the Council's designated agency, to implement the policies and positions of the Council;
8. collaborating with the Council's designated agency for efficient and effective administrative support pursuant to the Memorandum of Understanding;
9. representing the policy positions of the Council, and overseeing staff activities to assure consistency with policy positions;
10. recommending to the Council policy positions and programmatic and budgetary activities to implement the Council's State Plan;
11. coordinating development of the Council's State Plan, amendments, annual reports, and other state or federal planning and reporting activities;
12. establishing policies and procedures to ensure Council staff carries out activities approved by the Council;
13. establishing procedures to ensure Council staff comply with personnel policies as approved by the Council in accordance work hours, leave policy, and travel reimbursement;
14. acting as Secretary for all Council committees for purposes of certification of minutes upon Council approval;
15. delegating responsibilities to Council staff as appropriate.

V. Council Officers

- A. Positions and Qualifications. Officers of the Council shall be the Chair and Vice-Chair. The Governor shall appoint the Chair and Vice-Chair per EO-15-19.
- B. Committee Chairs and Committee members shall serve 2 year terms.
- C. Duties of Officers
  1. The Chair is responsible for the general supervision of all activities of the Council to assure that the objectives of the Council are executed in accordance with Council policies and procedures. The responsibilities of the Chair shall include, but are not limited to, the following duties:
    - (a) preside at all Council meetings;
    - (b) serve as Chair of the Executive Committee, as a non-voting, ex-officio member of all committees except the Nominating Committee;

- (c) appoint members of all standing committees, except for additional Executive Committee members, who shall be selected by vote of Council members in accordance with Article XII, Section 2, of the Council By-Laws;
- (d) appoint Chairs of all standing committees;
- (e) call special meetings of the Council, as necessary;
- (f) approve agenda for each Council meeting;
- (g) represent the Council at public meetings and conferences in dealing with other organizations or shall designate an alternate to do so;
- (h) provide advice and consultation to the Executive Director concerning activities conducted by Council staff;
- (i) initiate and conduct the annual performance evaluation of the Executive Director in conjunction with the Executive Committee;
- (j) be authorized to act for the Council on matters requiring Council action when neither appropriate committee(s) nor the full Council can meet providing:
  - (i) input is solicited from the Council Vice-Chair, the Chair of the appropriate Committee, and other members of the Council reasonably known to be knowledgeable about the matter at hand (for purposes of this sub-section, “input” means to receive and disseminate information.); and,
  - (ii) such action shall be reviewed by the appropriate Committee of the Council when it next meets.

- 2. The responsibilities of the Vice-Chair shall include, but are not limited to, the following duties;
  - (a) The Vice-Chair shall perform the duties of the Chair in all cases when the Chair is unable to serve.
  - (b) The Vice-Chair shall assume such additional duties as may be requested by the Chair.

VI. Requirements for orientation and training for new staff and Council members

The Executive Director shall assure that standardized new employee orientation and training related to all aspects of the work of the Council are completed in the first 90 days of employment. A report on this training will be presented to the Council for review at the first Quarterly meeting following the 90-day period. The Executive Director and his/her staff will provide ongoing training for Council members and will conduct initial orientation training of new members using the training manual designed for this purpose.

VI. Council Meetings

- A. Schedule. The Council shall meet in four regular meetings each year on the Second Thursday in March, June, September, and December, if possible or as called by the Chair. Special meetings of the Council may be called by the Chair, as deemed necessary.
- B. Agenda and Notice. A copy of the meeting agenda will be provided to each member of the Council at least 10 days prior to each meeting. The Chair and Executive Director shall ensure that all Council meetings conform to the Arkansas Freedom of Information Act.

- C. Minutes. The Executive Director shall be responsible for the preparation of minutes of each Council meeting and shall distribute minutes to members of the Council for approval. Minutes should be signed by the Executive Director after approval.
- D. Quorum. Twelve members of the Council shall constitute a quorum at Council meetings.
- E. Parliamentary Procedure. Council business shall be conducted by parliamentary procedure, using Robert's Rules of Order as a guide.

F. Council Committees

A. Establishment and Appointment

- 1. The Council shall have four standing Committees:
  - (a) Executive
  - (b) State Plan and Implementation
  - (c) Public Policy and Outreach
  - (d) Nominating
- 2. The Chair shall appoint the chair and members of each standing committee except for the Executive Committee.
- 3. Council members, apart from the Chair and Vice-Chair, shall be a voting member of only one of the State Plan and Implementation Committee or the Public Policy and Outreach Committee.
- 4. Committee membership is restructured every 2 years by the Chair; with Council members provided an opportunity to request their first and second choice.
- 5. The Executive Committee includes the Council Chair, Vice-Chair, the immediate past Chair (if available), and four (4) or five (5) members for a total of seven members, selected by vote of the Council.

B. Meetings

- 1. A quorum for committee meetings shall be six (6) of the active members of the committee. The quorum for Executive Committee requires a majority of.
- 2. A committee may make recommendations based on a simple majority of those present.
- 3. Written notice of each committee meeting shall be provided to all Council members prior to each meeting. Such notice shall include the time, date, place and items to be discussed at that meeting.
- 4. Written minutes of each committee meeting shall be prepared under the supervision of the Executive Director and shall be provided to all members.

C. Executive Committee Duties

The Executive Committee shall have the following powers and duties, and others that may be designated from time to time by the Council.

- 1. Act for the full Council on emergency matters when the full Council cannot meet, provided that the subsequent concurrence of a majority of the Council members shall be necessary to make such actions valid. In all actions of the Executive Committee, the legal rights of third parties shall be protected.
- 2. Review the internal organization and functions of the Council.

3. Report regularly its work and actions to the Council. The minutes of Executive Committee meetings shall be sent to all Council members.
4. Advise the Chair concerning the annual performance appraisal of the Executive Director.
5. Make recommendations to the full Council regarding staffing patterns necessary to effectively implement the State Plan.
6. Provide recommendations to the Council for annual budgets necessary to effectively implement the State Plan.
7. Review the Memorandum of Understanding with the designated state agency and recommend appropriate revisions to the Council and agency.
8. Periodically review Council Policies and recommend appropriate revisions for Council action.
9. Provide guidance to staff related to concerns or corrective actions of grant projects.
10. Report all requests from sub-sub grantees for budget and programmatic revisions.
  - (a) Approve termination of grant funding.
  - (b) Provide input to the Chair concerning recommendations for final determination of any appeal of a funding decision by an applicant or sub sub-grantee.

D. Public Policy and Outreach Committee Duties

The Public Policy Committee shall have the following powers and duties, and others that may be designated from time to time by the Council.

1. Monitoring and reviewing policies and legislation to ensure that the rights and needs of individuals with developmental disabilities and their families are secured.
2. Tracking legislation and policies that impact programs and services.
3. Educating community members about the importance of promoting policies and practices that will increase opportunities for independence, productivity, and integration into the community.
4. Seeking input from individuals with developmental disabilities about issues and challenges they face.
5. Coordinating activities with other state advocacy groups on policies and legislation affecting people with developmental disabilities.
6. Evaluating existing programs, policies, and supports.

E. State Plan and Implementation Committee Duties.

The State Plan and Implementation Committee shall have the following powers and duties, and others that may be designated from time to time by the Council.

1. Ensure the implementation of Council programs and initiatives as outlined in the State Plan.
2. Gather data and information on specific needs and issues affecting individuals and their families.
3. Make recommendations to the Council for projects and activities that support the intent of the DD Act.
4. Monitoring Council activities to ensure consistency with selected areas of emphasis.



5. Ensure that selected areas of emphasis promote system change to improve and expand services and supports for individuals with developmental disabilities and provide opportunities for choice in services they receive.

F. Nominating Committee Duties

The Nominating Committee shall have the following powers and duties, and others that may be designated from time to time by the Council.

1. Develop and recommend the Council's process to identify and recruit potential Council members.
2. Monitor Council membership to ensure compliance with the DD Act.
3. Prepare a slate of officers for the Executive Committee, excluding the Chair and Vice Chair who shall be appointed by the Governor.
4. Monitor Council member meeting attendance in accordance with Article IX, Section 7 of the By-Laws.

G. The Council State Plan

The Council State Plan is submitted for five years and is reviewed, revised and updated annually in accordance with the federal law, the DD Act (P.L. 106-402).

H. Charges for Copies of Public Records

The charges to any person requesting copies of any public record of the Council shall be in accordance with the state's established copying policy.

I. Council Activities, Grants, and Projects

The Council may contract with public or private organizations and may provide grants to non-profit organizations to implement and assist in completing the activities set forth in the state plan, contingent upon the availability of funds. (See Appendix II and III & Grants Manual).

J. Parliamentary Authority

1. Freedom of Information. All meetings and actions of the Council shall be in accordance with the Arkansas Freedom of Information Act, Act 93 of 1967, as amended.
2. Council business shall be conducted by parliamentary procedure, using Robert's Rules of Order as a guide.

K. Amendment of Policies

Council policies may be adopted or revised by two-thirds (2/3) majority of the members present at a regular or called Council meeting providing a quorum is present. Written notice of the proposed amendment(s) must be provided to Council members at least 10 days prior to any such action.

**APPENDIX I**

**Conflict of Interest Policy Statement**

The Council's intent is to avoid any member activity which might reasonably be interpreted as a conflict or could adversely impact the performance of the official duties of its members. The purpose of this policy and the Council Bylaws is to protect against conflicts of interest and to establish standards for members' conduct in situations where potential or perceived conflicts might occur.

A conflict of interest exists when a member

- a) has a personal interest that impairs the independence of his or her judgment to the point that it tends to lead to the disregard of his or her public duty or interest and/or
- b) Fails to adhere to the requirements set forth in Article IX, Section 8, of the Council bylaws.

Council members must report conflicts or potential conflicts at the earliest opportunity and cannot be involved in any discussion, monitoring, or voting on the matter giving rise to the conflict.

In situations where it is unclear whether a conflict of interest exists, the Council's Executive Committee will serve as an advisory board to make such a determination. The Executive Committee will also determine any Council action that should be taken in regards to undisclosed conflicts of interest.

The Council recognizes that conflicts of interest sometime occur while conducting Council business and working with members who may have other relationships in the disability community. Therefore, the Council must take great care to prevent even the appearance of impropriety by establishing and complying with this policy.

To fulfill the Council's commitment to full disclosure, each member will annually complete a general form listing all organizations with whom they are associated and a list of individuals to whom they are related and/or associated who might benefit from activities or decisions of the Council.

Agencies and other entities with which members are associated are not prohibited from submitting proposals to request funding from the Council or receiving such funding if members do not share in the profits or receive compensation under those grants or activities; have not disclosed information to the agency or entity that is not available to the public; or in any way used his or her position with the Council to secure the benefit of Council funding.

This policy applies to all Council members.

### **Declaration of a Conflict of Interest**

A conflict of interest exists when a member has a personal interest that impairs the independence of his or her judgment to the point that it tends to lead to the disregard of his or her public duty or interest and/or a member fails to adhere to the requirements set forth in the Council By-Laws.

Should a conflict of interest arise, a member must recuse him or herself from any discussion, deliberation, and/or vote regarding the matter.

Employees of state agencies who serve in an official capacity as representatives of such agencies may recuse themselves to prevent conflicts with their agency policies. They may however provide comment on the underlying matter, taking care to limit their input to strictly informational purposes.

A member should only abstain from voting if he or she has a conflict of interest.

If the conflict is known, a member should complete a Declaration of a Conflict of Interest Form prior to the meeting or discussion.

If the conflict becomes apparent during discussions, the member should disclose the conflict and submit a completed Declaration of a Conflict of Interest Form within fifteen days.

## GOVERNOR'S DEVELOPMENTAL DISABILITIES COUNCIL

### Disclaimer of Conflict of Interest

FY \_\_\_\_\_ --- \_\_\_\_\_

I, \_\_\_\_\_, a (Council Member) (staff member) of the Governor's Council on Developmental Disabilities hereby attest and subscribe to the following:

1. I have read and understand the current Conflict of Interest Policy of the Council.
2. I have not been, for the preceding calendar year, in violation of any of the provisions of the Conflict of Interest Policy.
3. I am not currently in violation of any of the provisions of the Conflict of Interest Policy.
4. I will immediately notify the Executive Committee of the Council, if during the following calendar year, I find myself in violation of any of the provisions of the Conflict of Interest Policy.
5. I further agree to specify to the circumstances surrounding any violation, as it arises, to the Executive Director for the Council or the Administering Agency Director, whichever is appropriate.

\_\_\_\_\_  
(Council Member)

\_\_\_\_\_  
(Staff Member)

\_\_\_\_\_  
Date

**Declaration of a Conflict of Interest Form**

NAME OF MEMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

MEETING: \_\_\_\_\_

DESCRIPTION OF CIRCUMSTANCES WHICH CREATE THE CONFLICT OF INTEREST:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DID YOU PARTICIPATE IN DISCUSSION? \_\_\_\_\_ YES \_\_\_\_\_ NO

IF YES, PLEASE EXPLAIN: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DID YOU ABSTAIN FROM VOTING? \_\_\_\_\_ YES \_\_\_\_\_ NO

DESCRIPTION OF THE MOTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

## **APPENDIX II.** Council Grant Program

### Council on Developmental Disabilities Grant Development, Review and Approval Process

The Governor's Council on Developmental Disabilities is funded under federal legislation, the Developmental Disabilities and Bill of Rights Act of 2000 (Public Law 106-402). The purpose of the Council is to undertake the planning, advocacy, capacity building, and systemic change activities regarding individuals with developmental disabilities and their families.

The following process is used to develop funding recommendations for Council support in accordance with activities outlined in the Council state plan.

During the first quarter of the federal funding cycle (October-September) the Council implements processes to gather data and public input on gaps and barriers in the state service system. The process includes sponsoring public meetings, gathering information from other agencies, reviewing comments from parents, individuals, and other interested parties and working closely with DD network partners (Disability Rights Arkansas and University Center for Excellence (UCEDD)).

The State Plan and Implementation Committee is responsible for reviewing the data and recommending areas of emphasis and recommending areas of focus to the Council. The Council will discuss recommendations for projects, Council activities, contracts and potential sub-grants and will determine the best approach to accomplish selected activities. Upon approval, the State Plan and Implementation Committee will direct staff to research material, gather information and draft possible 'Requests for Proposals', contracts, and/or in-house projects.

The Council follows rules and regulations as promulgated through the Administrative Procedures Act and advertises the availability of funds. An announcement is advertised state wide in the newspaper, and on social media, the Arkansas website, the GCDD website and the DF&A website for the duration of the RFP. It will also be sent to previous applicants for funding and anyone who had requested to be notified.

Interested parties request an application packet and may attend a meeting for potential applicants. Applicants are given at least 30 days to respond and apply. All applications submitted must meet the criteria outlined in the Council policies and procedures and the Grants Manual.

After the deadline for submission of proposals, staff will review all the applications to ensure they are complete. Using the established review process, staff will score the applications and present their recommendations to the State Plan and Implementation Commission. All applications will be provided to the Committee regardless of whether funding is recommended. All applicants will be given notification of the date that the Committee will review the submitted applications.

Last revision 12-2017 Council meeting

The Committee may accept the recommendations, modify those recommendations or select applicants not recommended by staff. Any selection by the Committee that was not recommended must follow a standard review process. The Committee will present their recommendation for funding to the full Council at a regular quarterly meeting or at a special meeting. The Council makes the final decision regarding funding of all projects, grants, contracts and in-house activities. After full Council selects the applicants to be funded, the staff will contact those selected and initiate the steps to complete the funding process.

Sub-grantee files are prepared and maintained in the Council staff's office. Funds are distributed on a reimbursement basis by submission of an invoice in a format provided by the Council staff. Staff maintains contact with the sub-grantee or contractor and monitors progress of activities through quarterly financial and programmatic reports. On-site visits are conducted at least annually and/or more frequently, if indicated.

Sub-grantees may be asked to do a presentation at one Council meeting during the project year to provide an update to the Council on project activities.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

### **APPENDIX III. Grant Implementation Procedures**

#### **I. Council Role and Process**

##### **A. State Plan Activities and Sub-grants**

The following sections shall govern the submission and review of project proposals and the award, amendment, and termination of project contracts.

##### **A. Overview of Grant Process**

1. The Council will identify priorities for funding projects in accordance with the Council's State Plan.
2. Sources
  - (a) The Council may solicit proposals for grant funding from state agencies, or non-profit organizations, that have organizational expertise related to the requirements of the proposal.
  - (b) The Council may develop projects with organizations without competitive proposals when only one expert is available, for business necessity, or when otherwise allowed by Council determination.
  - (c) Nothing herein shall be construed to prohibit any firm, agency or organization with which any member of the Council is associated from receiving a grant from the Council providing the Council member does not receive compensation or financial gain from the grant.
3. Requests for Proposals will be published in a newspaper with statewide Circulation. Copies of the notice will be provided to organizations on the Council's, the State's and DF&A's website, social media and mailing list and/or to other organizations upon request.
4. Council and DSA staff will provide technical assistance and support to grant projects including training for new sub-grantees. Council staff will also monitor sub sub-grantee accomplishments and compliance with all policies and procedures as outlined in the Grants Manual and by conducting one or more on-site monitoring visit(s) to each grant project annually.

##### **B. General Selection Criteria**

1. Grants shall be awarded based on guidelines that reflect state and federal mandates. Selection criteria shall be designed to select applications that provide best overall value to the state and to the Council.
2. Evaluation Criteria shall include but not be limited to:
  - (a) program quality as determined by peer review process; and
  - (b) the cost of the proposed project.
3. The Council may consider additional factors in determining best value, including:
  - (a) financial ability to perform services;
  - (b) state and regional needs and priorities;



- (c) improved access for un-served or underserved areas and/or groups of individuals;
- (d) ability to continue services after conclusion of grant funding, if applicable; and
- (e) past performance and compliance.

C. Application Requirements

1. Council staff shall develop Requests for Proposals (RFPs). The Grant Application shall either be available through DDSuite or through other means if the Council should decide in the future to change the method for applications to be submitted.
2. Grant applications must include at a minimum:
  - (a) goals describing the purpose for the grant program;
  - (b) eligibility requirements;
  - (c) description of the project activities, expected outcomes and evaluation process;
  - (d) application forms and instructions, including a proposed budget with justification;
  - (e) application requirements and restrictions; and
  - (f) selection criteria and the process to evaluate grant proposals and select proposals for awards.
3. The Applicant must use the format included in the Application Packet. A proposal which is submitted in a format that is substantially different from the Council's format will not be considered.
4. Proposals received after the closing time and date may not be considered.
5. Projects seeking continuation funding must submit an application in DDSuite.

D. Screening of Proposals

1. Council staff will screen applications to determine if all information has been provided in a timely fashion, on required forms.
2. An application must be complete for consideration and shall include a certification of submission from DD Suite.
3. Council staff will provide written notification to applicants eliminated through the notification process in DDSuite.

E. Council Review Process

1. The State Plan and Implementation Committee will review and evaluate proposals submitted in competitive requests for proposals.
2. Council staff will provide copies of all applications to the State Plan and Implementation Committee, along with its recommendation based on their evaluations process. The evaluation forms used will be made available to the SPI Committee.
3. Council staff will schedule a meeting for the Committee to review recommendations of the staff. Applicants may be given an opportunity to present their proposals and respond to questions from the Committee.

F. Funding Decisions

1. Funding recommendations from the State Plan and Implementation Committee meeting will be presented to the full Council for review and approval.

2. Council staff may negotiate with selected applicants to determine the final terms of the award (grant starting date, etc.). Applicants must agree to perform the activities as presented in the Request for Proposal (RFP) and accept any additional or special terms or conditions listed in the grant award and any changes in the grant application. Any revisions to the project proposal shall become part of the grant award and shall be documented in writing.
3. Grant awards shall contain appropriate provisions for program and fiscal monitoring and for collection and submission of evaluation data and related reports.
4. Applicants must give assurances that the sub sub-grantee will abide by the terms of the grant award and federal rules related to these funds promulgated by the Office of Management and Budget (OMB) where applicable as determined by Council staff; and these policies.
5. The Council may negotiate and/or approve changes in the project proposal that address concerns and weaknesses noted from the review process and/or which assure consistency with the intent of the RFP. Revisions to the project proposal shall become a part of the grant award and shall be documented in writing.
6. Council staff shall notify unsuccessful applicants through the DD Suite Process and by an e-mail notification that requires read receipt confirmation.

#### G. Audits

1. Independent audits of sub-grantees are required for each year of funding in accordance with the requirements of OMB Circulars and Uniform Grant Management Standards.
2. Project specific independent audits may be submitted if neither the OMB Circular A-128 nor A-133 audit applies to the organization.
3. Copies of these audits will be provided to the DD Council.

#### H. Funding Restrictions

Sub-grantees will be subject to the following funding restrictions, unless statute or Council rules require otherwise.

1. The Council shall not provide more than 70% of the total project costs from federal Council funds except for activities in designated poverty areas in which case federal funds provided by the Council shall be not more than 90% of total costs.
2. The Council may request waiver of the matching requirement of individual grant projects when deemed appropriate and in the best interest of the provision of services. Approval for waiving match must be approved by the federal agency.
3. Sub grantees are responsible for providing funds for the additional costs of project activities from non-federal sources to match federal funding.
4. Council funds are allowed for indirect negotiated administrative costs up to 10% of total project expenses. If negotiated rate for indirect costs is above 10%, that portion above may be allowed as part of the required non-federal participant share.

5. Donated time and services may be included as a match contribution unless otherwise restricted by a specific request for proposals. Hourly rate determined by BLS annually.
  6. Council staff shall provide information about allowable non-federal sources of funds upon request.
  7. Unallowable Costs. Information is available from Council staff concerning unallowable costs. Such costs will include but are not limited to the following:
    - a. bad debts;
    - b. entertainment;
    - c. construction;
    - d. expenses required to be reported as lobbying by state statute;
    - e. purchase of land or buildings;
    - f. pre-and post-budget expenses; and
    - g. wages for individuals served by the project.
  8. Any revenues received from projects funded by the Council must be reported quarterly on forms provided by the Council. Council staff must approve use of such funds.
- I. Continuation Funding
1. Projects may be eligible for continuation funding as specified in the original request for proposals. Continuation funding will not be automatic. Consideration for continuation funding will include a review of the project's accomplishments, progress toward stated goals and objectives, financial management of grant fund, compliance with reporting requirements, review of the most recent project audit, review of findings from Council staff onsite reviews and development of alternative funding. The sub-grantee shall submit a proposal for continuation funding as requested by Council staff and, if approved, a continuation award will be prepared.
- J. Council Grants Policies and Procedures
1. All sub-grantees shall receive a copy of the Grants Manual that contains requirements, procedures, and reporting forms for sub-grantees.
  2. The State Plan & Implementation Committee will review and approve all revisions to a project work-plan, including performance measures, & staffing pattern. A budget modification that moves more than 10% of the total budget cost must be approved by the Committee and submitted to full Council. The changes to the total project budget and general scope of work approved in the original application of 10% or less of the total project cost can be approved by the Council Staff with the Executive Director's concurrence.
  3. Requests for project period no-cost extension may be approved by Council staff.
- K. Termination or Suspension of Grant
1. The Council or the Executive Committee may reject all applications and cancel a grant solicitation at any point before a grant award is signed.

2. If a sub-grantee fails to comply with the terms of the grant, the Executive Committee may suspend payments pending the result of corrective measures.
3. A recommendation by the Executive Director to terminate a grant may be approved by the State Plan & Implementation Committee if corrective actions are not taken during the suspension period, or if the deficiency is serious enough to warrant immediate termination.
4. A grant, or portion thereof, may also be terminated at the sub-grantee's request by approval of the Executive Director. The Executive Director will notify the State Plan & Implementation Committee (SPI) of such action.
5. Council staff shall inform the sub-grantee by letter if conditions exist that could cause suspension or termination of the grant. The written notice shall state the reasons for the suspension or termination and the procedure for requesting consideration.
6. The sub grantee shall have the opportunity to request reconsideration of the proposed suspension or termination. The sub-grantee must file a written request for reconsideration with the Executive Director of the Council no later than 15 calendar days after receiving notice of a suspension, or no later than 30 days after receiving notice of a proposed termination. Suspension or termination for cause may be effective immediately if delayed action does not protect the interests of the Council.
7. If the SPI Committee does not review the responses of the sub-grantee as satisfactory, the sub-grantee's authority to obligate funds may be suspended. Council staff shall provide the sub-grantee a notice of suspension sent with notice of delivery that will set the effective date for suspension and identify any allowable costs that the sub grantee may incur during the period of suspension.
8. Suspensions remain in effect until the sub-grantee has taken corrective action, given an assurance approved by the SPI Committee that the corrective action will be taken, or the grant is terminated.
9. If circumstances warrant, a grant may be terminated for cause without notice of suspension. Terminations may be for cause, by agreement, or by the sub-grantee when the sub-grantee's authorizing official gives written notification to Council staff.
10. Council staff shall provide written notification of termination if for cause or by joint agreement, or written acknowledgement of the termination notice if by the sub-grantee. Such notice or acknowledgement shall include written instructions for termination or closeout of the grant.
11. If a sub-grantee does not request reconsideration in writing within the specified time periods, the sub-grantee will be deemed to have waived the review and the grant will be terminated.
12. Between the time of the proposed termination and the final decision of the SPI Committee, the Council may withhold further funding. In the event the SPI Committee's decision is favorable to the sub-grantee; the funds shall be promptly distributed to the sub-grantee.

L. Appeal of Funding Decisions

1. Appeals of funding decisions shall be received, processed and resolved with promptness, following procedures set out in policies & procedures for the

Council. Appeals may be submitted from applicants for sub-grantees who did not receive funding, from sub-grantees whose grants have not been awarded continuation funding, or from sub-grantees whose grants have been suspended or terminated prior to the end of a funding period. The person or entity appealing shall be known as the appellant. Appeals of funding decisions for new sub grants must be based on the Council's failure to follow its review process, and will not be based purely on the appellant's opinion that their project has as much merit as others selected.

2. The appellant shall file an appeal addressed to the Executive Director. The written appeal must be hand delivered, e-mailed with notification of receipt received to [ddcstaff@dfa.arkansas.gov](mailto:ddcstaff@dfa.arkansas.gov) or postmarked no later than 15 calendar days of the date of the written notice of suspension, or 30 calendar days of the date of the written notice of termination. The appeal shall include all relevant facts and information to be considered as well as the proposed remedy being sought. The Executive Director will acknowledge receipt of the appeal with a copy to the SPI Committee within three business days of receipt.
3. The SPI Committee will appoint 3 or 5 members of an appeals committee within 15 days of receipt of the appeal and the appeals committee to and within 15 business days of the receipt of the appellant's letter to investigate, compile, and study all relevant information about the appeal. Within 30 days of the appointment of the Appeals Committee, a written report shall be submitted to the SPI Committee. The report will contain recommended action and the evidence supporting the recommended action.
4. The SPI Committee may approve the recommendations of the appeals committee, make such modifications as deemed appropriate, order further investigation, or take other appropriate action.
5. The decision of the SPI Committee will be affirmed by full Council or the Executive Committee.
6. Council staff shall notify the appellant of the final determination of the appeal.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

## II. **Staff Procedures**

### A. Implementation of Grant Program

This a staff document containing details and staff responsibilities for the implementation of the grant program in accordance with the Council state plan.

These procedures are approved by the Governor's Council on Developmental Disabilities to comply with Public Law 106-402 and the Council State Plan.

Administration of grants made available by the Council includes, but is not limited to:

- a) Determining, announcing and advertising the grant application period;
- b) Developing procedures by which applications are made, submitted, reviewed and approved;
- c) Training staff to ensure they understand grant policy and procedures, grant application forms and instructions, grant review and recommendations and submission of grant applications;
- d) Notifying applicants on the disposition of their grant application
- e) Ensuring that periodic reports on the grants are sent to the Administration on Intellectual and Developmental Disabilities are timely and accurate; and
- f) Conducting an annual evaluation of grants to ensure that sub grantees have complied with the provisions of their grants.

### B: Preparation of Grant Application Period

- a) The Council submits a 5-year state plan, with annual revisions, as indicated, to the Administration on Intellectual and Developmental Disabilities (AIDD). The Council operates on the federal fiscal year, October 1 through September 30.
- b) The Council Executive Director is responsible for seeing that the Council Program grants procedure is updated and revised as necessary with approval by the Council.
- c) The Council opens the grant application period and sets a deadline for receipt of applications.
- d) Council staff is responsible for seeing that arrangements are made for advertising a notice for the grant application period in the newspaper, social media, website, and other means of distribution. The application period shall be open for at least 30 days.
- e) Staff sends copies of the announcement and grant application to all interested parties and other appropriate persons including:
  - a. Community programs providing services to persons with developmental disabilities.
  - b. Others who have received a program grant.
  - c. State DD organizations and interested parties.
  - d. Major state and public agencies.
  - e. Other designated parties

### C. Grant Application Processing

- a) Staff will provide the Notice of Funds Available on DD Suites at <https://www.ddsuite.org/> and notice of technical assistance to be provided will be provided to individual applicants by e-mail with read receipt requested to assure uniform information distribution. All completed grant applications are submitted through the Grants Management System (currently DD Suite).
- b) Staff processes all applications and checks the applications to ensure that all needed information is entered and the budgets are computed correctly. Once the application is submitted, applicants are not permitted to submit additional information without a request from Council staff. Requests to submit additional information prior to the due date of the applications may be submitted to Council staff for consideration.
- c) Grant applications are assigned a number through the grants management system. Applications and budgets are submitted to the State Clearinghouse by GCDD staff.
- d) The State Plan and Implementation (SPI) Committee receives recommendations from Council staff, along with copies of ALL applications. The Committee may accept the staff's recommendation, make modifications to the recommendations or make their own recommendations to be submitted to the full Council at its next meeting.
- e) Copies of the applications are available in the Council office and are provided to the State Plan and Implementation Committee and all other members of the Council for review. Only applicants that meet eligibility requirements will have a full review of their application.
- f) The staff prepares a list of all grant applications. The list includes the priority area, application number, location of applicant by region, amount of grant funds requested showing federal, local and total dollar amount and purpose of grant request. A copy of the list and all grant applications is given to each Committee member in advance of the review meeting. Committee members and applicants are notified of the meeting date and place to review and make funding recommendations.
- g) The Committee meets to receive the staff's proposal for funding and makes its decision regarding funding for presentation to the full Council. Review of applications includes the needs and objectives met by each application; priorities by region and service and the goals, objectives, and area of the state that the funding will be in.

The Committee ranks the applications in the order in which they are to be funded on the funding approval list. Priorities for allocation of grant monies are set out in the state plan and the Committee adheres to these priorities.

- h) The staff prepares two (2) lists which show the funding recommendations made on grant applications by the Committee.
  1. The first list shows those applications recommended for approval by the Committee and includes application number; amount of funds approved showing federal, local and total dollar amounts; and the purpose of the grant.
  2. The second list shows those applications not recommended for approval by the Committee and includes the same information above.
- i) As soon as the lists are prepared, they are provided to Council members to review and have available for comment. After final funding decisions are made, Council staff will notify applicants within 5 working days of the Council's decision.

D. Grant Award Processing

- a) The staff processes all grant applications following the final decision by the Council.
  1. Approved Grant Applications
    - a. Assign a grant number. The number consists of seven digits: the first two are the funding year, and the next three digits are in consecutive numerical order of all the grants awarded since Council program funds were made available. The final two numbers indicate the federal grant year from which funds were awarded. For example, the first grant for fiscal year 2015 will be 15-001-XX. If the funds for that grant were taken from the 2014 federal grant, the grant number would be 15-001-14. Those grants which are continued from the preceding fiscal year retain the three digits of their assigned number but have the first two digits changed to show the present year of award. For example, a continuing grant which was numbered 14-466 will be numbered 15-466 the following year. An alpha designation of the sub-grantee will also be a part of the grant number.
    - b. Make file folders with labels showing grant number, applicant name, applicant address, contact and contact phone number.
  2. Denied Grant Applications

A file folder will be created and labeled showing RFP date and that it contains applications that were denied funding.

    - b) The staff sends a Notice of Grant Award to each approved sub grantee, with a letter of explanation of any changes in the amount requested and the amount awarded and any stipulations made by the Council, along with a copy of the final minutes from the Council, if requested.
    - c) The staff sends a grant denial notice to each applicant not awarded a grant, with a copy of the final minutes from the Council, if requested.
    - d) Applicants are responsible for completing and routing Standard Form 424 to the State Clearinghouse although Council staff may provide the information in total to assure that state requirements are followed.
    - e) Council staff maintains appropriate records on all grants. The records include at the least the following:
      1. Approved Grants:
        - a. Grant Application
        - b. Award notice and any amended award notices.
        - c. Standard Form 424
        - d. Certification of match and record of advance payments.
        - e. Program Performance Reports and Quarterly Financial Reports.
        - f. Correspondence, budget amendment requests and responses, record of contacts, report of site visits.
        - g. Any other reports as requested.
      2. Grants not approved:
        - a. Grant Application
        - b. Denial Notice
        - c. Standard Form 424



- f) The Council staff processes invoices for payment and forwards those requests for payment with appropriate documentation to the Designated State Agency. They are the fiscal agent for the DD Council. The fiscal agency then issues warrants for payment or does direct deposit into the vendor's account if account information is on file for the vendor.

E: Grant Reporting

- a) The Council staff monitors expenditures and takes appropriate action when irregularities occur and ensures compliance with federal reporting requirements.
- b) Monitoring of grant expenditures is delegated to the staff responsible for working with the sub grantees to correct errors and irregularities.
- c) Council staff is responsible for verifying the quarterly federal financial reports.

F. Appeals Procedures

Appeals of grant awards will only be considered by the Council if the appellant believes that, during the grant award process; there has been a procedural error on the part of the Committee or the Council. Appeals will not be considered simply because the appellant feels that their proposal was 'better' than another qualified applicant.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

## **COUNCIL MEMBER RECRUITMENT AND NOTIFICATION PROCESS**

### **NOTIFICATION PROCESS**

1. Executive Director maintains and monitors roster of member terms and expiration dates.
2. Executive Director notifies the Governor's Office Boards and Commissions at least 3 months prior to the expiration of a Council member's term. A copy of the DD Act membership requirement is attached and information on the position designation represented by the member whose term is expiring.
3. Executive Director notifies the Governor's Office Boards and Commissions of vacancies as they occur due to resignation or other issue.
4. Executive Director notifies Council of upcoming member expiration terms at annual June Council meeting.

### **RECRUITMENT**

The Nominating Committee is charged with monitoring Council member attendance and recruiting potential Council members.

1. The Council website provides information about serving on the Council and the process to follow for those interested in being appointed by the Governor.
2. Notices are distributed annually to statewide organizations, including self-advocacy organizations, parent groups of children and adults with developmental disabilities, statewide non-profit organizations, state agencies, and others groups.
3. Nominating Committee reviews all applications for membership received by the Council and recommends names of potential members to the Council for approval. (All membership applications are submitted through the Boards and Commissions website and are made directly to the Governor's office. The Council can also submit names for consideration by the Governor).
4. The list of approved potential members is forwarded to the Governor for consideration.

### **MEMBERSHIP REQUIREMENTS**

1. All appointees shall meet member requirements in accordance with the DD Act and Council By-Laws.
2. The Executive Director shall notify the Governor and Boards and Commissions of potential non-compliance of membership requirements.

Originally Approved 1-21-2016  
REVISED 06-09-2016 (COUNCIL APPROVED)  
Revised 12-14-2017 (Council approved)