



POLICY

GRANTS

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A. OVERVIEW

1. The Council will identify priorities for funding grants or projects based on the approved State Plan.
2. Sources of grants and projects include:
 - a. The Council may solicit proposals from state agencies, non-profit organizations or private for-profit organizations that have organizational expertise related to the requirements of the proposal. (Competitive)
 - b. The Council may develop projects with organizations without competitive proposals when only one known best expert is available, for business necessity, or when otherwise allowed by Council determination. (Non-competitive)
 - c. An unsolicited proposal that was submitted to the Council without a formal prior issuance of a Request for Proposal (RFP).
 - d. Nothing prohibits 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. Types of grants available include:
 - a. Grants over \$5,000 or any request for establishing or maintaining a program
 - b. Mini-Grants for Education and Training (\$5,000 or less)
4. Requests for Proposals (RFP) are issued by the Council for Grants over \$5,000 and Mini-Grants for Education and Training. RFPs will be provided on the Council's website and to the Council's mailing list.

5. The Council may reject all applications submitted in response to an RFP and may cancel a grant solicitation at any point before a grant award is finalized.
6. Council staff provides technical assistance and support to grant projects including training for new grantees. Council staff monitors grantee accomplishments and compliance with Council procedures through narrative reports (monthly or quarterly) and by conducting on-site monitoring visit(s) as needed. Summary reports of grantee accomplishments are provided to the Executive Committee.
7. Council funds shall not be used to conduct clinical research.
8. Council funds shall not be used for lobbying.

A. APPLICATION REQUIREMENTS

1. Council staff shall develop a Grant Application Packet. It will be available from the Council Office and on the Council's website.
2. The Grant Application Packet will include at a minimum:
 - a. The Requests for Proposal currently issued by the Council.
 - b. Application forms and instructions
 - c. Applicant assurances, requirements and restrictions;
 - d. Review criteria and the process to evaluate grant proposals;
 - e. Evaluation requirements and
 - f. Reporting requirements and forms.
3. The Applicant shall use the forms and format included in the Grant Application Packet. If a proposal needs to be submitted in a format that is substantially different from the Council's format the alternate method must be approved prior to submission and still meet the requirements of the RFP and Council's format.
4. Proposals received after the closing date will not be considered, unless an extension of time to submit is approved. The Executive Director is authorized to approve requests for an extension of time for good cause received prior to the closing date. Requests for extensions of time to submit received after the closing date may be approved only by the Executive Committee. All extensions of time shall be documented in writing and retained as part of the grant application file.
5. Projects may be eligible for continuation funding as specified in the original Request for Proposal (RFP). 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 funds, compliance with reporting requirements, review of findings from onsite reviews and development of alternative funding. Projects seeking continuation funding must submit a complete application each time.

B. PROPOSAL REVIEW

1. When federal funds requested are more than \$5,000:
 - a. Applications are reviewed by the full Council.
 - b. Applicants are requested to present their proposal to the Council in person. Teleconference or videoconference may be considered when distance creates a burden of time or cost.
 - c. The order for applicant presentations is determined by the Council's Executive Director.
 - d. Presentations should be 10-15 minutes in length. Method and content of the presentation is the choice of the applicant.
 - e. Following each presentation, approximately 15 minutes is available for questions by Council members and staff.
 - f. Presenters in an area of emphasis are not allowed to attend other presentations in the same area of emphasis.
 - g. Following the presentation(s), the Council, in closed session, discusses the proposal(s) and determines level of funding.
2. When federal funds are requested for Mini-Grants for Education and Training (\$5,000 or less):
 - a. Applications are reviewed by the Executive Committee.
 - b. The Executive Committee makes a recommendation on funding to the full Council at its next regular meeting.
 - c. All actions of the Executive Committee must be ratified by the full Council.
3. When an unsolicited request for funding is received by the Council:
 - a. Council staff will acknowledge receipt and inform the applicant of the Council's policy.
 - b. The Council Chairperson and Executive Director review all unsolicited proposals.
 - c. If the amount of the request is \$5,000 or less, the proposal is treated as a Mini-Grant for Education and Training.
 - d. If the amount of funding requested is more than \$5,000, the Executive Committee will review the unsolicited request for funding and make a recommendation to the full Council to 1) follow the process above for requests over \$5,000; or 2) use the proposal to develop a draft RFP for Council discussion.
 - e. The Council may approve funding for more than a one-year time period.
 - f. The Council may choose to develop an RFP based upon general concepts from an unsolicited proposal.
4. Grants will be awarded based on guidelines that reflect federal and state mandates. Selection criteria shall be designed to select applications that provide best overall value to the State of South Dakota, to people with developmental disabilities and to the Council.

C. REVIEW CRITERIA

1. Review Criteria for all proposals shall include but not be limited to program quality as determined by the grant review process; the cost of the proposed project; federal rules and regulations; state rules and statutes; and the Council's Five-Year State Plan.
2. Review Criteria for Mini-Grants for Education and Training (\$5,000 or less) include:
 - a. Is there a clearly defined need and target population?
 - b. Are there measurable goals, objectives and activities?
 - c. How will success be measured? (evaluation method)
 - d. Are budgeted costs realistic and reasonable?
3. Review Criteria for Requests Over \$5,000 include:
 - a. STATEMENT OF NEED (10 Maximum Points)
 - 1) Is a well-documented/substantial priority (problem area/target group).
 - 2) The project clearly describes the characteristics of the individuals and a realistic number that will be impacted by the project.
 - 3) A description of current programming and unmet needs of the target group.
 - 4) A description of existing programs that provide similar activities and the basis that a duplication of effort will not result if the proposal is awarded.
 - 5) A description of how the project will meet the current unmet needs of the target group.
 - b. GOALS/OBJECTIVES/ACTION PLAN (30 Maximum Points)
 - 1) Presents observable and measurable goals and objectives that are outcome related.
 - 2) Sufficiently details services/activities for each objective which will ensure successful and timely implementation of the plan and includes a description of the outcome for each activity proposed.
 - c. EVALUATION (15 Maximum Points)
 - 1) The evaluation component measures the effectiveness of the proposed project in meeting the identified need.
 - 2) Details the evaluation procedure.
 - 3) Includes a method for program evaluation and steps to be taken if objectives are not being met.
 - d. QUALIFICATIONS (5 Maximum Points)
 - 1) Proposed staff and/or equipment are adequate to successfully complete proposed activities.
 - e. BUDGET (15 Maximum Points)
 - 1) Budgeted costs are realistic and reasonable and reasons are provided if items have a significant cost.
 - 2) Budgeted items are needed to implement planned activities and clearly relate to objectives and activities.
 - 3) It is clear that the budgeted items are for new activities and not for maintenance of existing programs.
 - 4) Details how the activities will continue after Council funding has ended.

- 5) The request for future funding is realistic and reasonable for the activities to be provided.
- f. PREFERENCE POINTS (25 Maximum Points)
- 1) Demonstrates the collaborative involvement with individuals with developmental disabilities and/or parents/guardians of individuals with developmental disabilities during the development of the proposal. There is at least one letter of support from an individual with a developmental disability or consumer advocacy organization that clearly shows their involvement in the development of this proposal.
 - 2) A focus on target groups of presently under-served or unserved populations.
 - 3) An operational plan creatively utilizing other community resources as an intricate part of the plan.
 - 4) The program/plan is replicable in other areas of South Dakota (if applicable).
 - 5) The proposal represented an innovative, yet practical solution to the problem identified.
4. The Council may consider additional factors in determining best value, including: financial ability to perform activities; state and regional needs and priorities; improved access for unserved and underserved areas and/or groups of individuals; past performance and compliance; and reasonable plan for sustainability and continued implementation after the end of Council funding.

D. FUNDING DECISIONS

1. The Council may approve, deny or approve with changes any proposal presented.
2. Council staff and/or Executive Committee, as authorized during the Council meeting, may negotiate with selected applicants to address concerns and weaknesses noted during the review process, and/or which assure consistency with the intent of the RFP, and to determine the final terms of the award. To receive an award, the applicant must agree to perform the activities as presented in the approved grant application and accept any additional terms or conditions as negotiated and agreed upon. 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 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. Council staff shall notify unsuccessful applicants in writing.

E. FINANCIAL MONITORING AND INDEPENDENT AUDITS

1. Independent audits of grantees are required each year where federal funds of \$500,000 or more have been received by the grantee and shall be conducted in accordance with OMB Circular A-133. The audit shall be completed and filed with the S.D. Department of Legislative Audit by the end of the fourth month following the end of the fiscal year being audited.
2. The grantee is required to maintain records for six years following termination of the grant agreement. If the records are under pending audit, the grantee agrees to hold such records for longer period upon notification from the State. The State, through any authorized representative, will access to and the right to examine and copy all records, books, papers, or documents related to the services rendered under the grant agreement.
3. The grantee is required to observe Federal Government uniform standards governing the utilization of property whose costs was charged to project supported by a federal grant.
4. The grantee is required to comply in full with the applicable cost principles as outlined in OMB Circulars A-21 (Cost Principles for Education Institutions), A-87 (Cost Principles for State, Local, and Indian Tribal governments), or A-122 (Costs Principles for Non-Profit Organizations).
5. If there is an issue or concern with a grantee, the Executive Committee may request that a review or another monitoring activity be completed.

F. FUNDING RESTRICTIONS

Grantees will be subject to the following funding restrictions, unless statute or Council policies allow otherwise:

1. The Council shall provide not more than 75% of the total project costs from federal DD Act funds.
2. The Executive Committee may reduce or waive the matching requirement of Mini-Grants for Education and Training when deemed appropriate. All actions of the Executive Committee must be ratified by the full Council.
3. Grantees are responsible to provide funds for the additional costs of project activities from non-federal sources.
4. Council funds are allowed for indirect administrative costs up to 5% of total project expenses. Any portion of indirect costs above 5% may be allowed as part of the required non-federal participant share (also known as match or in-kind).
5. Donated time and services (also known as in-kind) may be included as a match contribution unless otherwise restricted by a specific RFP.
6. Council staff shall provide information about allowable non-federal sources of funds upon request.

7. No organization shall receive more than three (3) grants from the Council at any time.
8. Unallowable costs include but are not limited to the following:
 - a. Bad debts;
 - b. Entertainment;
 - c. Legislative expenses;
 - d. Expenses required to be reported as lobbying by state statute; and
 - e. Merit salary increases that total more than 5% of an individual's salary during a 12 month period.
 - f. Any costs incurred prior to the awarding of federal funds.
9. Any revenues received from projects funded by the Council must be reported in the format provided by the Council. The Executive Director -must approve use of such funds and report these requests and decisions to the Executive Committee. Program income can not be used for cost sharing or matching. Program income should be used for additional benefit to the program or grant activities.

G. REVISIONS TO APPROVED GRANTS

1. All grantees shall receive all requirements, procedures, and reporting forms.
2. The Executive Director will approve all revisions to a project workplan, including performance measures, staffing pattern, or budget, providing the changes are within the total budget and general scope of work approved by the Council. Any revisions will be reported to the Executive Committee.
3. A grantee seeking to increase the authorized funding amount, length of project, or scope of work shall file a request with the Council. The request shall be submitted to the Executive Director with justification for the change. The Executive Director shall review the request and make a recommendation to the Executive Committee. The Executive Committee shall review and make a decision to approve or deny the request.

H. REPORTS

1. All grantees must submit monthly or quarterly reports, or for a one-time event only one report as negotiated with the Council's Executive Director.
2. Reports are due to the Council office 10 work days after the end of the reporting period. The Executive Director may give an extension of time to submit a report due to unforeseen circumstances and if the grantee makes a written request.
3. Grant payments are made upon receipt of complete reports that meet all reporting requirements.
4. The Council may request a Final Report in a format that is appropriate for sharing of the information with a broad range of people.

5. The Council may request that a Final Presentation be given at a Council meeting at the conclusion of the project.
6. Report forms are included in the Grant Application Packet and are also available on the Council's website or from Council staff.

I. APPEAL, SUSPENSION OR TERMINATION OF FUNDING

1. APPEAL OF FUNDING DECISION

- a. Appeals may be submitted from applicants for grants who did not receive funding or from grantees whose grants have not been awarded continuation funding. The person or entity appealing shall be known as the appellant.
- b. Appeals of funding decisions shall be received, processed and resolved with fairness and promptness.
- c. The appellant shall file an appeal in writing addressed to the Executive Director. The written appeal must be postmarked within 15 work days of the date of the written notice of suspension or within 15 work days of the date of written notice of denial of funding. The written appeal shall include all relevant facts and information that the appellant wishes to have considered as well as the proposed remedy being sought. The Executive Director will acknowledge receipt of the letter with a copy to the Executive Committee.
- d. The Executive Director will investigate, compile and study all relevant information about the appeal and, within 30 work days of the receipt of the appellant's letter submit a written report to the Executive Committee. The report will contain recommended action and the evidence supporting the recommended action.
- e. The Executive Committee may approve the recommendations of the Executive Director, make such modifications as deemed appropriate, order further investigation, or take other appropriate action. The decision of the Executive Committee is final.
- f. Council staff shall notify the appellant of the final determination of the appeal.

2. SUSPENSION OF GRANT FUNDING

- a. The Executive Director may suspend grant funding for a grant project prior to the end of the grant budget period pending the result of corrective measures if a grantee fails to comply with the terms of the grant, if anticipated outcomes or deliverables are no longer viable, or if the original purpose for which funding was approved are no longer evidenced. The Executive Committee shall be notified of any suspensions.
- b. Council staff shall provide written notice to the grantee of the proposed suspension of grant funding at least 10 work days prior to any suspension. That notice shall

state the reasons for the suspension of funding and the procedure for requesting reconsideration.

- c. A suspension may be effective immediately, if, after consulting with the Council Chairperson, the Executive Director determines that delayed action does not protect the interests of the Council.
- d. A grantee shall have the opportunity to request reconsideration of the suspension of grant funding. The grantee must provide a written request for reconsideration to the Executive Director no later than 10 work days after receiving notice of suspension of funding. A request for reconsideration must include all facts and information the grantee considers to be relevant to the situation and a proposed plan of correction. If a grantee does not request reconsideration in writing within the specific time period the grantee will be deemed to have waived any further review and grant funding will be suspended.
- e. If the Executive Director determines that the responses of the grantee are not satisfactory, the grantee's authority to obligate funds may be suspended. Council staff shall provide the grantee a written notice of suspension that will set the effective date for suspension and identify any allowable costs that the grantee may incur during the period of suspension.
- f. Suspensions remain in effect until the grantee has taken corrective action, given an assurance approved by the Executive Director that the corrective action will be taken, or the grant is terminated.

3. TERMINATION OF GRANT FUNDING

- a. The Council or the Executive Committee may terminate grant funding prior to the end of the grant budget period if a grantee fails to comply with the terms of the grant, if anticipated outcomes or deliverables are no longer viable, or the original purposes for which funding was approved are no longer evidenced.
- b. The Executive Director may recommend to the Executive Committee termination of grant funding if corrective actions are not taken during a suspension period or if the corrective actions are not sufficient to remedy the concerns. In such instances, the Executive Director shall provide a summary report to the Executive Committee including the reasons for which a termination of funding is recommended, additional information provided by the grantee pursuant to a request for reconsideration, if any, corrective actions proposed by the grantee, and the proposed date for termination of funding.
- c. The grantee shall be provided written notice of the recommendation to terminate funding at least 10 work days prior to the meeting of the Executive Committee to consider that recommendation. Such notice shall include the date and location of the Executive Committee meeting where the recommendation to terminate funding will be considered.
- d. The decision of the Executive Committee is final.

- e. The Executive Director may also recommend to the Executive Committee that grant funding be terminated without an initial suspension of funds. In such instances, the grantee will be provided written notice of the recommendation to terminate funding at least 30 calendar days prior to the proposed termination. That notice shall state the reasons for the termination of funding, the proposed date of termination, and the procedure for requesting reconsideration.
- f. The grantee shall have the opportunity to request reconsideration of the proposed termination by filing a written request for reconsideration with the Executive Director not later than 10 work days after receiving notice of the proposed termination.
- g. If circumstances warrant, grant funding may be terminated by the Executive Committee or Council for cause without notice of suspension when delayed action does not protect the interests of the Council. In such instances, Council staff shall provide written notification of the termination which shall include the reason(s) for such action and instructions for termination or closeout of the grant.
- h. Grant funding may also be terminated by mutual agreement or by the grantee when the grantee's authorizing official gives written notification to the Executive Director. Council staff shall provide written notification of termination by joint agreement or written acknowledgement of the termination notice if by the grantee. Such notice or acknowledgement shall include written instructions for termination or closeout of the grant.
- i. The Executive Director may approve the Council assuming the federal share of any obligations that cannot be cancelled.
- j. A grant, or portion thereof, may also be terminated at the grantee's request by approval of the Executive Director.
- k. Between the time of the proposed termination and the final decision of the Executive Committee, the Council may withhold further funding. In the event the Executive Committee's decision is favorable to the grantee, the funds shall be promptly distributed to the grantee.

Approved: 9/13/2013