



Utilizing ACL Resources to Support DD Council Programs

Office of Grants Management
and the
Administration on Intellectual and Developmental Disabilities

July 10, 2018

Learning Objectives

Understand the partnership and collaborative role of the ACL Office of Grants Management in supporting DD Council programs;



Understand the basic fiscal responsibilities of a federal award



OGM Role and Primary Activities

To coordinate ACL's administration of grants and cooperative agreements

Primary Activities include:

- providing grants policy oversight;
- ensuring compliance with statutory, regulatory, and administrative policy requirements;
- and performing business review and cost/budget analysis for discretionary grants.



The primary role of the Office of Grants Management is to coordinate the Administration on Community Living's administration of grants and cooperative agreements – for DD Councils, we accomplish this through a partnership with the Administration on Disabilities, Administration on Intellectual and Developmental Disabilities.

Our work is accomplished through a collaboration with staff from AOD and AIDD. As you see here, many of our activities reflect provision of policy, ensuring grantees are operating their programs and related projects and activities in agreement with laws, regulations, and administrative policy requirements.

Our office serves all programs housed within the Administration for Community Living.

Let's take a look at the statutory and regulatory frameworks for the Council federal awards.

As a reminder – a statute is a law or other enactment made by a legislature and expressed in a formal document.

And a regulation is a rule or administrative code issued by governmental agencies at all levels, municipal, county, state, and federal. Regulations are not laws, but have the force of law since they are adopted under authority granted by statutes.

The Framework

STATUTES AND REGULATIONS

As a recipient of either a grant or subgrant award, there are specific regulations and requirements you must follow. There are several key resource documents to aid you in the proper administration of your award.

Statutory and Regulatory Framework for SCDD funding

DD Act	45 CFR Part 1386	45 CFR 75	Agency Policies	Notice of Award
Program Authorizing Legislation <ul style="list-style-type: none"> Contains program specific information 	Formula Grant Programs; Subparts A-D, Subpart C – Federal Assistance to State Developmental Disabilities Councils	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards	Information Memorandums Program Instructions	Includes terms and conditions

The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (PL 106-402) is the program authorizing legislation and contains specific DD Council program information.

Next, we have regulations that are identified by the acronym “CFR”. **CFR** stands for Code of Federal Regulations and in general is the codification of the general and permanent rules published in the **Federal** Register by the executive departments and agencies of the **Federal** Government.

DD Council staff should be aware of 45 CFR, Part 1386 – these are the regulations for Formula Grant Programs for the Administration on Intellectual and Developmental Disabilities; Subpart C deals with Federal Assistance to State DD Councils.

Next we have 45 CFR 75 – this is the location of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Health and Human Services (HHS) Awards. This is a very helpful document and provides great information about the requirements of managing federal funds.

Councils may also have other agency policies such as information memorandums, or program instructions specific to DD Councils that may apply – and, finally, the DD Council Notice of Award may include terms and conditions and other remarks important to the administration of the federal grant award.

Council funding is based on a Formula Grant – What does that mean?

Allocations of federal funding to states, territories, or local units of government determined by distribution formulas in the authorizing legislation and regulations. To receive a formula grant, the entity must meet all the eligibility criteria for the program, which are pre-determined and not open to discretionary funding decisions.



Formula grants typically fund activities of a continuing nature and may not be confined to a specific project. Common elements in formulas include population, proportion of population below the poverty line, and other demographic information.

How is funding determined? Council funding is based on a formula grant – what does that mean? It means federal funds to states and territories are determined by a distribution formula in authorizing legislation and regulations...

There are several DD Act requirements related to appropriated funding being allotted to Councils – with regard to allotments – in general, the formula is based on:

The total population of the state/territory

The need for services for people with DD in the state/territory

The financial need of the state/territory

The DD Act also requires minimum allotments; adjustments to minimum allotments when there is an increase in appropriations; hold harmless for Councils; and in the case of reductions in appropriations – the adjustments will be proportionate.

What is a Notice of Award?

The Notice of Award is the official, legally binding issuance of the award. When you or your organization accepts the grant (i.e., by signing the grant agreement or by drawing down funds) you become legally obligated to carry out the full terms and conditions of the grant.

As an award recipient, you are also subject to federal statutory and regulatory requirements and policies.

The Office of Grants Management prepares and delivers the Notices of Award to DD Councils.

As you know, the Notice of Award, or Notices of Award (depending on the number of continuing resolutions that occur during the federal fiscal year) is issued by ACL. The Notice is the official document that indicates the amount of federal funds that are available for the Council program; and includes other important information.

We strongly encourage the Designated State Agency personnel (if different than the Council) and the DD Council to read, review, and if necessary discuss each time a Notice of Award is received. This will help foster open and direct communication about the federal funding amounts, terms and conditions applied, and additional remarks. Names and contact information is also included for programmatic and fiscal personnel.

Common elements in the Council NOA



We recently collaborated with AIDD and the technical assistance provider to bring additional information to the DD Council network on the topic of the Notice of Award. This slide shows common elements in the Notice of Award – Important timeframes, grant requirements, reporting requirements, federal share of projects, and payment information are included as well as other information.

Federal Financial Reports

The SF-425 is the standard report format for grant recipients to report the status of their grant awards on an annual basis.

Each year, three separate reports are to be submitted

The Notice of Award has information about where and when to file the reports.

For the reports due by December 30, 2018

- FY 16 grant, FY 17 grant, and FY 18 grant.

The SF-425 is a requirement for all award recipients. There is language in the CFR as well as the Notice of Award under terms and conditions that indicates annual financial reports are required.

Each year, the DSA in partnership with the Council, or the Council (if the Council is their own DSA) must submit three separate reports – one for each grant award year. For the reports that are due by this December 30, (2018) – Councils will have a reports for the FY 2016 grant, the FY 2017 grant, and the FY 18 grant.

The Notice of Award contains information about where and when to file the reports. This afternoon we will discuss the collaboration with the DSA (if applicable) when completing federal financial reports.

3 important items

The Designated State Agency (DSA) of the Council, if other than the SCDD, is the legal awardee for Council funds (Sec. 125(d)(C) of the Act.

Councils have the ability to make grants, contracts, and other financial agreements as defined in the DD Act.

Councils have responsibilities and requirements when awarding grants, contracts, or entering into collaborations which can be found in 45 CFR 75.352.

A common question we hear is “who is the grantee of the Council funds?” We recognize that ultimately the Council is the intended recipient of the program funds, however, because some of Councils have the Designated State Agency named in the grant system, the system will tie the DSA as the legal recipient of the award – meaning the DSA is the grantee with the Council as the grantee as well. The distinction of grantee is based on expertise – The Council has expertise over the programmatic and fiscal areas of the program funds; and the Designated State Agency has expertise in fiscal management of federal funds – the DSA adopts their role as laid out in the DD Act – and we will talk more about the DSA in the afternoon plenary.

Moving to the second “important item” - The DD Act indicates Councils have the ability to make grants, contracts, interagency agreements that are binding contracts, and other activities as authorized by the State plan and as such...

And now to the third “important item” - Councils have responsibilities and requirements to include identification of federal funds, evaluating risk, monitoring the activities of the subrecipient, ensure audit requirements if applicable, actions if noncompliance is noted.

As you can see by the concurrent session topics, there will be specific information provided related to Cost Principles, Monitoring – including risk assessment, and match. The morning sessions will be repeated in the afternoon.

Improving Fiscal Accountability

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Basic Fiscal Responsibilities

- Overall compliance with State and Federal regulations; cost principles, match, monitoring subrecipients
- Accurate, timely and complete financial reporting



Highlights of topics: Concurrent sessions

Cost Principles

- Grant vs. non-grant related expenses
- Budget categories
- Necessary, Reasonable, Allocable, Conforming
- Documentation

Monitoring

- Requirements
- Risk assessment
- Financial monitoring
- Plan
- Records

Match

- Calculating
- Identifying
- Documenting
- Reporting

Collaborative information sharing

OGM information sharing efforts with the DD Council Network will continue – our next fiscal webinar is scheduled for August 15, 2018; 3:00 pm Eastern Time

Previous fiscal webinars have been archived and are available on the ITACChelp.org website

Federal Financial Report
SF 425 and Match

Furthering your Understanding
of the Notice of Award

November, 2017 – Federal Financial Report SF-425 and Match

April, 2017 – Furthering Your Understanding of the Notice of Award

Today – Cost principles, match, and monitoring

August – Fiscal Webinar #3

Engagement with the DD Council Network will continue



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