

TERMS AND CONDITIONS OF AGREEMENT

1.1 Category

State: Personnel Incentive Grants Program
Health Insurance Grant Program
Life Insurance Grant Program

1.2 Applicable Regulations

Grants described in part 1.1 are subject to policy established by the Mississippi Library Commission Board of Commissioners, procedures, and/or processes as established by the Mississippi Library Commission and laws of the State of Mississippi.

1.3 Funding Availability

If funds anticipated for the fulfillment of this Agreement are, at any time, not forthcoming or insufficient, the Library Commission shall have the right to terminate or amend this Agreement, without damage, penalty, cost, or expense to the Library Commission of any kind.

1.4 Payments

1.4.1 The Mississippi Library Commission makes subgrant payments by invoices submitted to, and payments issued by, the Department of Finance and Administration (DFA). All subgrant payments for health and life are made on a reimbursement request basis using only forms provided by the Library Commission. Subgrantees are asked to submit the request on a regular schedule each month.

1.4.2 Payments by state agencies using Mississippi's Accountability System for Government Information and Collaboration, or MAGIC, shall be made and remittance information provided electronically as directed by the State. These payments shall be deposited into the bank account of the payee's choice. The State of Mississippi may, at its sole discretion, require the payee to submit invoices and supporting documentation electronically at any time during the term of this agreement. All payments shall be in United States currency.

1.4.3 Any payments found to have been made in error by the Library Commission will be refunded by the Owner/Subgrantee to the Library Commission upon notification and documentation of error.

1.5 Funding - Applicable to Personnel Incentive Grants Only

1.5.1 Funding for the Personnel Incentive Grants Program is provided by the Mississippi Legislature through the Mississippi Library Commission's annual appropriation. Specific law regarding the program may be found in § 39-3-357 of the Mississippi Code 1972 Annotated.

1.5.2 Personnel Incentive Grants are available to public library systems.

1.5.3 A public library system is defined by § 39-3-353 of the Mississippi Code – an affiliation of one or more public libraries that (i) is a minimum of one (1) county unit; (ii) has one (1) library administrative board of trustees; (iii) has one (1) library system director; (iv) is established according to Section 39-3-8, 39-3-9, 39-3-11 or 39-3-13, Mississippi Code of 1972; and (v) is supported whole or in part by public funds.

1.5.4 The Mississippi Library Commission Board of Commissioners at the September 29, 2019 meeting, approved funding levels at 88% per-capita and 12% per county of the total funding placed in the program.

1.6 Eligibility - Applicable to Personnel Incentive Grants Only

1.6.1 To participate in the Personnel Incentive Grants Program, a public library system must be accredited, meeting at least Level I requirements under the Mississippi Public Library System Accreditation program. If any conflict exists in Accreditation program Measures and Administrative Rules, Administrative Rules shall prevail. Under certain circumstances, a waiver may be available for the educational requirements and local income requirements outline below:

- i. The library system has maintained effort for local income, total local operating income shall not fall more than 2% below that received in the second preceding year.
- ii. There is one (1) full-time library director of the library system and that director has a master's degree in library science from a school accredited by the American Library Association.

1.7 Funding - Applicable to Health and Life Insurance Grant Only

1.7.1 Funding for the Health Insurance Grant is provided by the Mississippi Legislature through the Mississippi Library

Commission's annual appropriation. Specific law regarding the Health and Life Insurance programs can be found in § 25-15-15 of the Mississippi Code 1972 Annotated. These grant programs are administered in accordance with these laws.

1.7.2 Health and Life Insurance Grants are available to all public library systems and independent public libraries for library system/library employees who are members of the Public Employees Retirement System (PERS) *and* work no less than 80 hours a month.

1.8 Minimum Financial Statements

1.8.1 Owner/Subgrantee will furnish an appropriate audit or financial report compiled by a certified public accountant in accordance with standards promulgated by the American Institute of Certified Public Accountants.

1.8.2 A copy of the above report will be furnished to Mississippi Library Commission within eight (8) months following the end of each federal fiscal year (September 30). The report is due by May 31 of each year.

1.8.3 The Owner/Subgrantee agrees to itemize, by subgrant number, all funds received from the Mississippi Library Commission in connection with any grant program administered by the Mississippi Library Commission in the report referenced above.

1.8.4 The report will contain the auditor's comments on any instances of non-compliance with any grant programs administered by the Mississippi Library Commission found in the normal course of work conducted in connection with the report.

1.8.5 For compilation reports, the Library Director and/or Board Chair must submit confirmation of library internal controls and any applicable findings.

1.9 Reports

1.9.1 The Owner/Subgrantee agrees to submit other periodic reports at such times and format prescribed by the Mississippi Library Commission.

1.9.2 A year-end report will be required by July 31 of the year in which this Agreement ends on Personnel Incentive Grants Program expenditures. Appropriate forms and instructions will be provided by the Mississippi Library Commission.

1.9.3 Annual accreditation program reports and supporting documentation will be required for library systems, by June 30 of the year in which this Agreement ends, on the status of the library systems achievements in reaching I, II, and III accreditations levels. See Mississippi Public Library System Accreditation Program Manual for further details. This report will establish the library system's accreditation level for the next Personnel Incentive Grants Program funding period. Appropriate forms and instructions will be provided by the Mississippi Library Commission.

1.10 Non-compliance

1.10.1 Failure to submit the report, as described in parts 1.8 of this Agreement, will result in withholding of funds in connection with all subgrant awards and Owner/Subgrantee will be determined ineligible for future subgrant awards. Reports which do not include all required information will be rejected. Owner/Subgrantee will be notified of rejection of the report. If/when corrections are made, the report will be considered submitted as required.

1.10.2 Failure to submit the report, as described in parts 1.9 of this Agreement, will result in withholding of funds in connection with all subgrant awards and Owner/Subgrantee will be determined ineligible for future subgrant awards. Reports which do not include all required information will be rejected. Owner/Subgrantee will be notified of rejection of the report. If/when corrections are made, the report will be considered submitted as required.

1.11 Maintenance of Records

1.11.1 The Owner/Subgrantee agrees to keep adequate books and records that meet the requirements for grant administration and as needed for compliance with any Agreement entered into with the Mississippi Library Commission.

1.11.2 The Owner/Subgrantee agrees to maintain grant records in the form prescribed by the Mississippi Library Commission and retain all records for a minimum of three (3) years after the submission of the final report in connection with this grant and to provide access to such records to Mississippi Library Commission.

1.11.3 The Owner/Subgrantee agrees to maintain employment records sufficient to verify eligibility for amounts paid through this grant for a period of three (3) years after the end of the grant period or submission of the final report in connection with this grant, whichever is later, and to provide access to such records to Mississippi Library Commission.

1.12 Restrictions - Personnel Incentive Grants Funds

- 1.12.1 Personnel Grant funds are *restricted* and may only be used to pay personnel costs (base salary and benefits including social security, retirement, worker's compensation, and unemployment insurance) for public library system employees. Life insurance and health insurance premiums are ineligible costs for reimbursement under the Personnel Incentive Grants program.
- 1.12.2 Funds will be disbursed quarterly, on or before September 30, December 31, March 31, and June 30, to eligible public library systems.
- 1.12.3 The formula established by the Mississippi Library Commission Board of Commissioners shall be applied to the available funding to determine the grant amount for each eligible library system.

1.13 Restrictions - Health and Life Insurance Funds

- 1.13.1 Health and Life Insurance funds are *restricted* and may only be claimed for library employees who are members of the Public Employees' Retirement System (PERS) *and* work no less than 80 hours per month.
- 1.13.2 Premiums are due in advance of coverage; reimbursements will be made for August - July *coverage*.
- 1.13.3 In accordance with § 25-15-15 of the Mississippi Code, the Library Commission will pay through this grant 100 % of the employer cost of health insurance coverage and 50% of the state-sponsored life insurance coverage for eligible public library employees.
- 1.13.4 In accordance with § 25-15-15 of the Mississippi Code, if premiums for the health insurance and/or late changes and interest penalties are not paid by a public library in a timely manner, as defined by the (State and School Employees Health Insurance Management) board, the Mississippi Library Commission, upon notice by the (State and School Employees Health Insurance Management) board, shall immediately withhold all subsequent disbursements of funds to that public library.

1.14 Grant Period

- 1.14.1 Funds are authorized for the state fiscal year beginning July 1 of the current year and ending June 30 of the following year. No funds shall be issued prior to July 1 and any unobligated balance after June 30 will cease to be available under this Agreement.

1.15 Other Documentation –Applicable to Health and Life Insurance Grant Program

- 1.15.1 Reimbursement request forms, prescribed by the Mississippi Library Commission, must be submitted prior to disbursement of funds.
- 1.15.2 Documents must be submitted to the Mississippi Library Commission to support funds issued through this grant. See the reimbursement request form for a description of required documentation.
- 1.15.3 A Health and Life reimbursement request form must be completed, submitted, and approved for payment by the library system with the attached supporting documentation by the tenth (10th) calendar day of the month for payment processing in that month. Requests received after the tenth (10th) may be held for approval until the following month. The deadline for final Health and Life reimbursement requests is July 10, 2022.
- 1.15.4 Libraries declining to participate in the State Life Insurance Plan, must submit a copy of the Substitute Life Insurance Plan to the Mississippi Library Commission prior to funds being released for life insurance coverage.

End of Terms and Conditions of Agreement