

MEMORANDUM OF UNDERSTANDING

Alabama Department of Finance
and
Alabama Office of Information Technology

WHEREAS, the Information Services Division (ISD) of the Department of Finance (DOF) was created in 1997 by the Director of Finance (“Finance Director”) pursuant to Ala. Code § 41-4-37 to consolidate and assume the duties and responsibilities of the Division of Data Systems Management (Ala. Code § 41-4-221) and the Division of Telecommunications (Ala. Code §§ 41-4-280 through -293); and

WHEREAS, the Smart Business Systems Division (SBS) of DOF was created in 2008 by the Finance Director pursuant to Ala. Code § 41-4-37 and was renamed in 2010 as the State Business Systems Division; and

WHEREAS, the cabinet-level position of Secretary of Information Technology (the “Secretary”) was established by Act 2013-68 to be the chief administrative and executive officer of the Office of Information Technology (OIT), which was established by the same Act (now codified at Ala. Code §§ 41-28-1 through -8); and

WHEREAS, on November 1, 2016, Governor Robert Bentley issued Executive Order No. 26, designating the Alabama Office of Information Technology (OIT) as the State’s “lead agency on information technology;” and

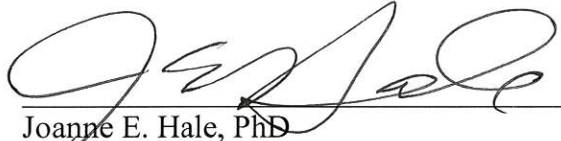
WHEREAS, the Finance Director has determined that more direct involvement by OIT in the oversight and management of the operations and activities of ISD and SBS will promote efficiency and streamline the delivery of information technology resources and services to all state agencies in furtherance of Executive Order No. 26;

NOW, THEREFORE, the Alabama Department of Finance and the Alabama Office of Information Technology hereby agree as follows:

a. The Secretary will provide leadership for the operations and activities of ISD and SBS, including planning, budgeting, compliance, organizational structure, customer relations, service delivery, and staffing. In performing this leadership role, the Secretary is authorized as an agent of the Director to make any and all decisions the Director could make relating to the statutory functions, powers, and duties of ISD and SBS that are not inconsistent with state law, except to the extent that such decision-making authority is expressly withdrawn or withheld at any time by the Director.

b. Personnel of ISD and SBS shall carry out their duties as assigned by the Secretary; however, all such personnel will continue to be employees of DOF and shall continue to be subject to and governed by all rules, policies, and procedures set out in the DOF Employee Handbook.


c. This Memorandum of Understanding is effective as of November 1, 2016, and shall remain in full force and effect until superseded by legislation or cancelled in writing by either party.



Joanne E. Hale, PhD
Acting Secretary of Information Technology

NOV 1, 2016

Date



Clinton Carter
Finance Director

11/1/16

Date