

CHAPTER 4
JUVENILE CRIME PREVENTION
COMMUNITY GRANT FUND

428—4.1(232) Purpose, goals, and objectives.

4.1(1) The purpose of the program is to provide communities in Iowa with grants from funding available through the state community grant fund and the federal Title V Delinquency Prevention Program to establish and operate juvenile crime prevention programs.

4.1(2) The goal of the program is to reduce truancy, youth involvement in criminal gangs, youth violence and other delinquent behavior by supporting communities in providing their children, families, neighborhoods, and institutions with the knowledge, skills, and opportunities necessary to foster a healthy and nurturing environment which supports the growth and development of productive and responsible citizens.

4.1(3) The objectives of the program are:

- a. To form coalitions within communities to mobilize the community and direct delinquency prevention efforts;
- b. To identify those known delinquency risk factors which are present in communities;
- c. To identify protective factors which will counteract identified risk factors, and develop local comprehensive delinquency prevention plans to strengthen those protective factors;
- d. To develop local comprehensive delinquency prevention strategies which use and coordinate federal, state, local and private resources for establishing a client-centered, flexibly delivered continuum of services for at-risk children and their families;
- e. To implement delinquency prevention strategies, monitor and evaluate their progress, and modify the strategies as needed.

428—4.2(232) Definitions. As used in this chapter:

“Administrator” means the administrator of the division of criminal and juvenile justice planning within the department of human rights.

“Applicant” means a city, county or other eligible entity preparing and submitting an application for funding through this program.

“Application” means a request for funding from the juvenile crime prevention community grant fund which complies with federal and state requirements.

“Criminal and juvenile justice planning advisory council (CJJ PAC)” means the advisory council established in Iowa Code section 216A.132.

“Division” means the criminal and juvenile justice planning division.

“Grant review committee” means a committee convened by the chairs of the criminal and juvenile justice planning advisory council and the juvenile justice advisory council to review and rank applications for funding through this program.

“Juvenile justice advisory council (JJAC)” means the federally mandated board assigned to the division of criminal and juvenile justice planning to administer federal grant funds and to improve the juvenile justice system in Iowa.

“Office of Juvenile Justice and Delinquency Prevention (OJJDP)” means the federal office within the U.S. Department of Justice that administers the Juvenile Justice and Delinquency Prevention Act.

“Subgrantee” means any applicant receiving funds under this program.

“Title V Delinquency Prevention Program” means Title V, Sections 501-506, “Incentive Grants for Local Delinquency Prevention Programs Act” of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended in 1992.

428—4.3(232) Funding of grants.

4.3(1) Availability of funds. In any year in which funds are provided for this program, the division shall make such funds available through a request for proposal process, and grants will be awarded on a competitive basis, subject to subrule 4.3(6).

4.3(2) Grant award amounts. The division may set minimum and maximum grant award amounts and shall publish any such limitations in the request for proposals.

4.3(3) Population-based grant award considerations.

a. Funds designated for middle- and low-population communities. Of the funding available for grants through this program, portions may be designated by the division for awards to applicants from cities and counties with populations under 10,000 and also for awards to applicants from cities and counties with populations between 10,000 and 50,000. The sum of the two population-based designated portions shall not exceed 30 percent of the total amount of funding available. County and city population figures shall be reported by the applicant in the application according to the most recent findings of the U.S. Bureau of the Census.

b. Grant review consideration. In the request for proposals, the division shall announce the amount of funding, if any, separately designated for applicants in cities and counties with populations under 10,000 and for applicants in cities and counties with populations between 10,000 and 50,000. The request for proposals shall describe the manner in which applications from such communities will be ranked separately from other applications, notwithstanding paragraph 4.4(3)“c.”

c. Other consideration. The division reserves the right to award grants to applicants from cities and counties with populations under 50,000 from funding available for this program that is not designated in the request for proposals specifically for the applicant or applicants.

d. Response to insufficient applications. The division reserves the right to award grants to cities and counties with populations greater than 50,000 from funds designated for applicants from cities and counties with populations under 50,000 if the grant review committee determines that the quality of the applications or the collective funding requested from the latter is not sufficient to award the total amount of funds specially designated.

4.3(4) Matching funds requirements.

a. Allowable sources of matching funds. All grants awarded through this program shall be on a matching basis. The match may come from funds provided to the applicant from local, private, state, or federal sources.

b. Amount of matching funds. Subgrantees shall provide matching funds in an amount not less than 25 percent of the amount of funds requested from the division for the first year of grant funding. The match amount of the same project shall progressively increase if grant money is requested and awarded for the allowable two subsequent years. Subgrantees shall provide 35 percent match for the second year of funding and 50 percent for the third year of funding. For subgrantees receiving funding prior to July 1, 1998, the match requirement shall remain at the 25 percent level for the first of the two allowable additional grant years and increase to the 35 percent level for the second year. Communities shall keep subsequent grant requests consistent with program needs, increased match requirements and the goal of full community support at the end of grant eligibility. The applicant's proposed budget shall clearly document the program costs that will be supported with the matching funds.

c. Accounting for match and grant funds. Subgrantees shall account for all program funds, including match and grant awards, and shall demonstrate that program funds were used only for program services and activities.

4.3(5) Continuation funding. Subject to the availability of funding, subgrantees who receive initial grant awards on or after July 1, 1998, may only reapply for two subsequent annual grant awards for a total of three years of funding. Subgrantees who received funds prior to July 1, 1998, may apply for an additional two years of funding. During any year when it is anticipated that the request for proposal process will involve requests for both initial and continuation applications, the request for proposals may identify criteria that accord greater priority to continuation proposals.

4.3(6) Contract extensions. The division may extend contracts from one fiscal year into the succeeding fiscal year using the succeeding fiscal year's funds. The division may extend said contracts if the extension is determined by the division to be in the best interest of the juvenile crime prevention community grant fund.

428—4.4(232) Request for proposal process.

4.4(1) Time frames. The administrator of the division will announce through public notice the opening of the competitive grant application process. The announcement shall provide potential applicants with information to describe the purposes for which the program funding will be available, the application procedures, and all relevant time frames established for proposal submittal and review, grant awards, and grant expenditure periods.

4.4(2) Content of applications. Required elements of the applications will be published in the request for proposals and will be based on a point system established by the division, and according to the requirements of the Title V Delinquency Prevention Program. The division shall develop the application and selection criteria with consultation from the departments of education, human services, public health and public safety and the governor's alliance on substance abuse. Required inclusions may include, but not be limited to:

- a. Documentation of the designation or formation of a local prevention policy board and a description of its makeup and current and planned activities related to the applicant's proposed prevention strategy.
- b. Documentation of commitment of community leaders to support a comprehensive, communitywide delinquency prevention effort both during and after the grant period.
- c. Definition of the boundaries of the program's neighborhood or community.
- d. An assessment of the readiness of the community or neighborhood to adopt a comprehensive delinquency prevention strategy.
- e. An assessment of the prevalence of specific, identified risk factors in the community that results in a list of priority risk factors to be addressed.
- f. Identification of available resources and promising approaches to address identified risk factors, an assessment of gaps in needed resources and a description of how to address them.
- g. A three-year strategy, including goals, objectives, and a timetable, for mobilizing the community to assume responsibility for delinquency prevention and for obtaining and coordinating identified resources with which to implement the promising approaches that address the priority risk factors.
- h. A proposed budget, including a description of how awarded funds and matching funds will be used to accomplish stated goals and objectives by the purchasing of services and goods and leveraging other resources.
- i. A description of the extent to which the services and activities to be supported with awarded and matching funds will be provided in coordination with other prevention services and activities supported with local, state, federal and private funding.

j. A description of the extent to which the community prevention strategy addresses the needs of minority children, youth and families.

k. A description of the role of the prevention policy board in the ongoing implementation and evaluation of the community's delinquency prevention strategy.

l. A plan for collecting data for the monitoring and evaluation of the community's delinquency prevention strategy which conforms to the guidelines in the request for proposal.

m. Match documentation and assurances, and a description of the extent to which the nature and amount of the proposed matching funds demonstrate evidence of the applicant communities' commitment to establish and enhance communitywide, comprehensive prevention services and activities, and the extent to which communities sought to obtain additional public and private funding sources for all or parts of their program.

n. Demonstrated collaboration or consolidation with other relevant, existing communitywide, multiagency planning efforts, including but not limited to substance abuse free environment committees, decategorization oversight committees, disproportionate minority juvenile confinement task forces, school-based youth services planning groups, enterprise zone planning groups, and violence reduction or gang prevention task forces.

4.4(3) *Application review and selection process.*

a. The division shall conduct a preliminary review of each application to ensure that the applicant is eligible and the application is complete. Except as provided for in subrule 4.5(3), all applications which are submitted in a timely manner by eligible applicants and which contain the necessary information will be presented to the grant review committee.

b. Members of the grant review committee shall review each application and shall assign numerical scores to each proposal using criteria and point values established by the division and listed in the request for proposals. Selection criteria shall include the nature and breadth of the program and the ability of the program to sustain funding and local support after the proposed grant period. The rank order of scores assigned to the applications by the review committee shall be the basis of funding recommendations to be made by the grant review committee for each application reviewed.

c. The grant review committee shall forward their funding recommendations to the administrator for approval. Decisions to make final awards shall not be inconsistent with Title V Delinquency Prevention Program requirements.

4.4(4) *Appeals.*

a. Applicants choosing to appeal the program's funding decisions must file a written appeal with the administrator within ten working days of the date of the written notification of the program's funding decisions.

b. All letters of appeal must clearly state the reasons for the appeal and evidence of the reasons stated. Reasons for appeal must be based on a contention that the rules and procedures governing the grant selection process have not been applied properly. All appeals must clearly state in what manner the division failed in following the rules of the grant selection process as governed by these administrative rules or procedures outlined in the application materials provided to all applicants by the division. The letter of appeal must also describe the remedy being sought.

c. The division shall not enter into a contract with any applicant for a period of ten working days following the written notice of the program's funding decisions. If an appeal is filed within the ten working days, the division shall not enter into a contract with any applicant until the administrator has reviewed and decided on all appeals received in accordance with paragraphs "a" and "b" of this subrule. The review shall be conducted as expeditiously as possible so that all funds can be distributed in a timely manner.

d. The procedure described in this rule shall represent the final division action for the purpose of implementing Iowa Code chapter 17A.

428—4.5(232) Eligible applicants.

4.5(1) Any city, county, or entity organized under Iowa Code chapter 28E may apply for a grant through this program.

4.5(2) Prevention policy board. To be considered eligible for a grant through this program, the applicant must demonstrate that the applicant's communitywide prevention strategy was developed and approved by a local prevention policy board designated or convened by the applicant.

a. The prevention policy board shall consist of no fewer than 15 and no more than 21 members from the community to be served through this grant program, representing a balance of public agencies, private nonprofit organizations serving children, youth and families, and business and industry.

b. The applicant must demonstrate that it, or another specific local agency or entity, has responsibility for support of the prevention policy board.

4.5(3) Multiple applications prohibited. Multiple applications from a city, county or entity organized under Iowa Code chapter 28E will not be accepted. If the division receives more than one application from an applicant, all applications from that applicant will be considered ineligible.

428—4.6(232) Allowable costs and cost restrictions.

4.6(1) *Allowable costs.* Grant funds from this program shall be used to support only those activities and services specified and agreed to in the contract between the subgrantee and the division. The request for proposals shall identify specific cost categories against which all allowable costs must be consistently charged.

4.6(2) *Cost restrictions.* State and federal funds appropriated for this program shall not be expended for construction, land acquisition, or supplantation of federal, state or local funds supporting existing programs or activities. The request for proposals may specify other cost limitations including, but not limited to, costs related to political activities, interest costs, fines, penalties, lawsuits or legal fees, and certain fixed assets and program equipment.

428—4.7(232) Compliance with state and federal laws. In acceptance of a grant through this program, the subgrantee shall agree to comply with all applicable state and federal rules and laws including, but not limited to, the Juvenile Justice and Delinquency Prevention Act of 1974 as amended in 1992 and its requirements prohibiting the commingling of juveniles with adults in secure facilities, the placement of juveniles in adult jails and lockups, and the placement of juvenile status offenders in secure facilities.

428—4.8(232) Contract agreement.

4.8(1) *Contract offer.* Applicants shall be notified in writing of the program's funding decisions and whether their application has been denied or that the division is interested in negotiating a contract regarding their proposal. These rules and all applicable state and federal laws and regulations become a part of the contract by reference.

4.8(2) *Preaward negotiation.* The applicant may be requested to modify the original proposal in the negotiation process. The division reserves the right to fund all or part of the applicant's proposal.

4.8(3) *Withdrawal of contract offer.* If the applicant and the division are unable to successfully negotiate a contract, the division may withdraw the award offer and redistribute program funds in a manner consistent with the provisions of rule 428—4.9(232).

4.8(4) *Contract modifications.* The subgrantee or the division may request a modification or revision of the contract.

4.8(5) *Reimbursement of expenditures.* Funds are to be spent to meet program goals as provided in the contract. Expenditures will be reimbursed pursuant to regular reimbursement procedures of the state of Iowa.

428—4.9(232) Redistribution of funds. The division reserves the right to recapture and redistribute funds based upon projected expenditures if it appears that funds will not be expended by a subgrantee according to the conditions of the subgrantee's contract. Recaptured funds may be granted by the administrator to other applicants or subgrantees for services and activities consistent with the purposes and goals of the program.

428—4.10(232) Contract termination.

4.10(1) Termination by the subgrantee. The contract may be terminated by the subgrantee at any time during the contract period by giving 30 days' notice to the division.

4.10(2) Termination by the division.

a. Termination for convenience. The contract may be terminated, in whole or in part, by the division when the division determines that the termination is in the best interests of the state and when the division has notified the subgrantee in writing at least 30 days prior to the effective date of the termination. The subgrantee shall not incur new obligations for the terminated portion after the effective date. Payments to the subgrantee will be only for services and activities provided up to the date of termination.

b. Termination for cause. The contract may be terminated, in whole or in part, at any time during the contract period whenever it is determined that the subgrantee has failed to comply with the conditions of the contract. The subgrantee shall be notified in writing by the division of the reasons for the termination and the effective date. The subgrantee shall have ten days after the notice is received to correct the problem or otherwise outline a corrective action plan. The division shall then issue a notice of termination if the problems are not corrected to the satisfaction of the division. Payments to the subgrantee will be only for services and activities provided up to the date of termination.

The division shall administer the funds for this program contingent upon their availability. If there is a lack of funds necessary to fulfill the fiscal responsibility of this program, contracts shall be terminated or modified. Contracts may be terminated or modified upon 30 days' notice when there is a reduction of funds by executive order.

4.10(3) Responsibility of subgrantee at termination. Within 45 days of the termination, the subgrantee shall supply the division with a financial statement detailing all costs up to the effective date of the termination.

428—4.11(232) Immunity of state and agencies. The subgrantee shall defend and hold harmless the state and any federal funding source for the state from liability arising from the subgrantee's performance or attempted performance of their contract, and the subgrantee's activities with subcontractors and all other third parties.

428—4.12(232) Required reports.

4.12(1) Quarterly reports. Quarterly reports on program outcomes, program status and financial status will be required from subgrantees on provided forms.

4.12(2) Other reports. Other reports, including audit reports prepared by independent auditors, may be required by the division and specified in the request for proposals or the contract to assist in the monitoring and evaluation of this program.

4.12(3) Failure to submit required reports. Failure to submit required reports by the due date will result in suspension of financial payments to the subgrantee by the division until such time as the reports are received.

428—4.13(232) Subgrantee records. Financial records, supporting documents, statistical records and all other records pertinent to the program shall be retained by the subgrantee in accordance with the following:

a. Records for any project shall be retained for three years after final closeout and audit procedures are completed and accepted by the division.

b. Representatives of the state auditor's office and the division shall have access to all books, accounts, documents, and other property belonging to or in use by a subgrantee pertaining to the receipt of funds under these rules.

These rules are intended to implement Iowa Code section 232.190 and 1995 Iowa Acts, House File 530, section 6, subsection 9.

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