

VOLUNTEER SERVICE, IOWA COMMISSION ON[817]

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CHAPTER 1 ORGANIZATION AND OPERATION

- 1.1(ExecOrd48) Purpose
- 1.2(ExecOrd48) Organization and operation

CHAPTER 2 RULE MAKING

- 2.1(ExecOrd48) Initiation of rule-making procedures
- 2.2(ExecOrd48) Procedures for oral or written presentations

CHAPTER 3 DECLARATORY RULINGS

- 3.1(ExecOrd48) Declaratory rulings
- 3.2(ExecOrd48) Procedure for informal settlements in contested cases

CHAPTER 4 Reserved

CHAPTER 5 DUE PROCESS

- 5.1(ExecOrd48) Appeals

CHAPTER 6 PUBLIC RECORDS AND FAIR INFORMATION PRACTICES (Uniform Rules)

- 6.1(17A,22) Definitions
- 6.3(17A,22) Requests for access to records
- 6.6(17A,22) Procedure by which additions, dissents, or objections may be entered in certain records
- 6.9(17A,22) Routine use
- 6.10(17A,22) Consensual disclosure of confidential records
- 6.11(17A,22) Release to subject
- 6.12(17A,22) Availability of records

CHAPTER 7 RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

- 7.1(15H) Purpose and program description
- 7.2(15H) Applications
- 7.3(15H) Grant criteria
- 7.4(15H) Application process for new state-developed project grants
- 7.5(15H) Administration of grants
- 7.6(15H) Reversion of funds

CHAPTER 8 IOWA YOUTH MENTORING PROGRAM CERTIFICATION

- 8.1(15H) Definitions
- 8.2(15H) Certification
- 8.3(15H) Description of application
- 8.4(15H) Basis for certification standards

- 8.5(15H) Special consideration
- 8.6(15H) Decertification
- 8.7(15H) Fraudulent practices in connection with certified mentoring programs
- 8.8(15H) Appeal procedure

CHAPTER 9

IOWA SUMMER YOUTH CORPS

- 9.1(83GA,SF482) Purpose and program description
- 9.2(83GA,SF482) Applications
- 9.3(83GA,SF482) Incentives
- 9.4(83GA,SF482) Grant criteria
- 9.5(83GA,SF482) Designated funds
- 9.6(83GA,SF482) Application process for new grants
- 9.7(83GA,SF482) Administration of grants
- 9.8(83GA,SF482) Reversion of funds

CHAPTER 10

IOWA GREEN CORPS

- 10.1(83GA,SF482) Purpose and program description
- 10.2(83GA,SF482) Applications
- 10.3(83GA,SF482) Incentives
- 10.4(83GA,SF482) Grant criteria
- 10.5(83GA,SF482) Designated funds
- 10.6(83GA,SF482) Application process for new grants
- 10.7(83GA,SF482) Administration of grants
- 10.8(83GA,SF482) Reversion of funds

CHAPTER 1
ORGANIZATION AND OPERATION

817—1.1(ExecOrd48) Purpose. This chapter describes the organization and operation of the Iowa commission on volunteer service (herein generally referred to as the commission), including the offices where and the means by which any interested person may obtain information and make submittals or requests.

817—1.2(ExecOrd48) Organization and operation.

1.2(1) Location. The commission is located at 200 East Grand, Des Moines, Iowa 50309; telephone (515)242-4799. Office hours are 8 a.m. to 4:30 p.m., Monday to Friday. Offices are closed on Saturdays and Sundays and on official state holidays designated in accordance with state law.

1.2(2) The commission. The commission consists of 15 to 25 voting members and functions under the leadership of a chairperson. Each member, appointed in accordance with federal and state guidelines, serves a three-year term scheduled so that no more than one-third of the appointments will expire in the same year.

1.2(3) Meetings. The commission shall meet at regular intervals at least four times annually. Additional meetings may be called at the discretion of the chairperson. All meetings are open to the public in accordance with the open meetings law, Iowa Code chapter 21.

a. Chairperson. The chairperson of the commission presides at each meeting. Members of the public may be recognized at the discretion of the chairperson.

b. Public notice. The commission shall give advance public notice of the time and place of each commission meeting. The notice will include the specific date, time, and place of the meeting.

c. Quorum. A quorum shall consist of half of the current voting members of the commission plus one. When a quorum is present, a position is carried by an affirmative vote of the majority of commission members eligible to vote. A commissioner is eligible to vote in person, by telephone hook-up, or by proxy executed in writing to the chairperson prior to the meeting. A proxy shall be valid only for one meeting.

d. Termination. Any commissioner who does not attend three or more consecutive regular meetings or who attends less than one-half of the regular meetings within a 12-month period shall be considered to have resigned from the commission.

e. Resignations. A commissioner wishing to resign may do so by submitting a letter of resignation to the governor and sending a copy to the commission chairperson.

f. Public presentations. A specific time is set aside at each meeting for the public to address the board. As a general guideline, a limit of five minutes will be allocated for each of these presentations. If a large group seeks to address a specific issue, the chairperson may limit the number of speakers. To address the board, individuals are encouraged to notify the commission staff at least 72 hours in advance of the meeting.

1.2(4) Minutes. The minutes of all commission meetings shall be recorded and kept by the administrative assistant in the commission office.

1.2(5) Records. The records of all of the business transacted and other information with respect to the operation of the commission are public records and shall be kept on file in the commission office. All records, except statements specified as confidential under these rules, are available for inspection during regular business hours. (Copies of up to ten pages of records may be obtained without charge. The cost of reproduction will be charged for pages in excess of ten. The charge may be waived by the executive director.)

1.2(6) Submission and requests. Inquiries, submissions, petitions, and other requests directed to the commission shall be made by letter addressed to the executive director at the address listed in subrule 1.2(1). Any person may petition for a written or oral hearing before the commission. All requests for a hearing must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary if one is requested.

1.2(7) Committees. The chairperson may establish committees including an executive committee that may conduct commission business as necessary between scheduled meetings. The chairperson may appoint commissioners and noncommissioners to serve on the committees. Noncommissioners shall not serve on the executive committee.

These rules are intended to implement Executive Order Number 48.

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CHAPTER 2
RULE MAKING

817—2.1(ExecOrd48) Initiation of rule-making procedures.

2.1(1) Any person may request the commission to adopt, amend, or rescind a rule by making the request in writing to the commission coordinator clearly stating the intent, purposes, and general language of the desired rules.

2.1(2) The commission shall act upon the request within 60 days after its submission in accordance with Iowa Code section 17A.7.

2.1(3) The commission may initiate rule-making procedures upon its own motion in accordance with Iowa Code section 17A.4.

817—2.2(ExecOrd48) Procedures for oral or written presentations.

2.2(1) Except where oral or written presentations are deemed unnecessary by the commission in accordance with Iowa Code section 17A.4(2), the commission shall allow for the submission of oral or written presentations or both prior to its adoption of any rules.

2.2(2) Interested persons shall have at least 20 days from the date of publication of notice in the Iowa Administrative Bulletin to submit written requests for oral presentations or to submit written presentations.

2.2(3) Notice of date, time, and place of oral presentations by requesting parties will be published in the Iowa Administrative Bulletin at least 20 days in advance of the hearing.

2.2(4) Interested parties may be requested to supplement oral presentations with written presentations at the discretion of the commission.

These rules are intended to implement Executive Order Number 48.

[Filed 11/16/94, Notice 6/22/94—published 12/7/94, effective 1/11/95]

CHAPTER 3
DECLARATORY RULINGS

817—3.1(ExecOrd48) Declaratory rulings. The commission shall provide declaratory rulings as to applicability of any statutory provision, rule, or other written statement of law or policy, decision or order when petitioned to do so by the public where, in the judgment of the commission, it is necessary or helpful for them to conduct their affairs in accordance with the law.

Requests for declaratory rulings shall be made to the commission coordinator in writing.

Within 30 days after submission of a request for declaratory ruling, the commission shall issue a ruling on the rule, statute, or policy in question. The ruling shall be in writing.

The commission may decline to rule when, in the judgment of the commission, the ruling would be beyond the commission's realm of authority, when no clear answer is determinable, or when the issue presented is pending resolution by a court of Iowa or by the attorney general.

817—3.2(ExecOrd48) Procedure for informal settlements in contested cases. Unless precluded by statute, informal settlement of disputes over rules of the commission that may otherwise result in contested case proceedings as prescribed in Iowa Code section 17A.12 shall be encouraged. All informal settlements shall be made by the commission coordinator subject to ratification by the commission and by the parties contesting the rule in question. The settlement shall be expressed in a written stipulation representing an informed mutual consent.

These rules are intended to implement Executive Order Number 48.

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CHAPTER 4
Reserved

CHAPTER 5
DUE PROCESS

817—5.1(ExecOrd48) Appeals.

5.1(1) *Commission staff decisions.* Administrative staff of the commission shall make all decisions in accordance with established policies and administrative rules of the Iowa commission on volunteer service and published policies from the Corporation for National Service.

a. Appeal of commission staff decision. If an individual, agency, or reasonable representative of commission business disagrees with a staff decision, that party has the right to appeal to the full commission. The appeal shall be in the form of a public hearing. The appellant must request the hearing in writing to the executive director within 14 calendar days of receiving the written notice of the staff decision. The written request shall clearly set forth the issues being contested and provide evidence supporting the claims. In order to be considered by the full commission, the request shall be based upon one or more of the following grounds:

- (1) The staff's decision was in violation of federal law.
- (2) The staff's decision was in violation of Iowa state law.
- (3) The staff's decision was in violation of published Corporation for National Service guidelines or published Iowa commission on volunteer service rules.
- (4) The staff's decision was made in an unreasonable and arbitrary or capricious manner.

All written evidence provided by the appellant will be mailed to commission members no later than 7 calendar days before the scheduled hearing for the commissioners' consideration. Commission staff will also be afforded the right to present a written explanation of the staff decision. This explanation shall be mailed at the same time as the appellant's materials.

b. Hearing.

(1) The executive director shall set a date for the hearing within 30 calendar days from the date the request was received. The hearing date will be set as soon as reasonable, and in no event later than 60 calendar days from the date the request was received.

(2) The executive director shall establish the procedural guidelines of the hearing in accordance with the uniform rules on contested cases as published in the Iowa Administrative Code. The executive director will notify the appellant and commission members of the hearing procedures no later than 14 calendar days before the designated hearing date.

(3) The commission chairperson shall preside at the hearing. If the chairperson is not able to preside, the commission vice-chairperson shall be the designated substitute. The commission chairperson shall appoint a representative of the commission to preside if neither the chairperson or vice-chairperson is able to preside.

(4) After commission consideration of all evidence presented, the presiding officer shall call for a roll-call vote of the commission members. A quorum must be present to take an official vote of the commission on the appeal. A simple majority vote of the eligible voting members of the commission is required for a decision. The presiding officer shall announce the result of the roll-call vote. The commission's decision is final and binding on all parties.

(5) Written notice of the commission's decision on the appeal shall be mailed to the appellant within 10 days of the hearing.

5.1(2) *Committee decisions.* Committees of the commission shall make all decisions in accordance with established policies and administrative rules of the Iowa commission on volunteer service and published policies from the Corporation for National Service.

a. Appeal of committee decision. If an individual, agency, or representative of commission business disagrees with a committee decision, that party has the right to appeal to the full commission. The appeal shall be in the form of a public hearing. The appellant must request the hearing in writing to the executive director within 14 calendar days of receiving the written notice of the committee decision. The written notice shall clearly set forth the issues being contested and provide evidence supporting the claims. In order to be considered by the full commission, the request shall be based upon one or more of the following grounds:

- (1) The committee's decision was in violation of federal law.
- (2) The committee's decision was in violation of Iowa state law.
- (3) The committee's decision was in violation of published Corporation for National Service guidelines or published Iowa commission on volunteer service rules.
- (4) The committee's decision was made in an unreasonable and arbitrary or capricious manner.

All written evidence provided by the appellant will be mailed to commission members no later than 7 calendar days before the scheduled hearing for the commissioners' consideration. The committee chairperson will also be afforded the right to present a written explanation of the committee's decision. This explanation shall be mailed at the same time as the appellant's materials.

b. Hearing.

(1) The executive director shall set a date for the hearing within 30 calendar days from the date the request was received. The hearing date will be set as soon as reasonable, and in no event later than 60 calendar days from the date the request was received.

(2) The executive director shall establish the procedural guidelines of the hearing in accordance with the uniform rules on contested cases as published in the Iowa Administrative Code. The executive director will notify the appellant and commission members of the hearing procedures no later than 14 calendar days before the designated hearing date.

(3) The commission chairperson shall preside at the hearing. If the chairperson is not able to preside, the commission vice-chairperson shall be the designated substitute. The commission chairperson shall appoint a representative of the commission to preside if neither the chairperson or vice-chairperson is able to preside.

(4) After commission consideration of all evidence presented, the presiding officer shall call for a roll-call vote of the commission members. A quorum must be present to take an official vote of the commission on the appeal. A simple majority vote of the eligible voting members of the commission is required for a decision. The presiding officer shall announce the result of the roll-call vote. The commission's decision is final and binding on all parties.

(5) Written notice of the commission's decision on the appeal shall be mailed to the appellant within 10 days of the hearing.

This rule is intended to implement Executive Order Number 48.

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CHAPTER 6
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

The Iowa commission on volunteer service hereby adopts, with the following exceptions and amendments, rules of the Governor's Task Force on Uniform Rules Agency Procedures relating to public records and fair information practices which are printed in the first Volume of the Iowa Administrative Code.

817—6.1(17A,22) Definitions. As used in this chapter:

"Agency." In lieu of "(official or body issuing these rules)" insert "Iowa Commission on Volunteer Service".

817—6.3(17A,22) Requests for access to records.

6.3(1) Location of record. In lieu of "(insert agency head)", insert "Commission coordinator"; and in lieu of "(insert agency name and address)", insert "Iowa Commission on Volunteer Service, 200 East Grand Avenue, Des Moines, Iowa 50309".

6.3(2) Office hours. In lieu of "(insert customary office hours and, if agency does n have customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)", insert "8 a.m. to 4:30 p.m., Monday through Friday, except holidays".

6.3(7) Fees.

c. Supervisory fee. In lieu of "(specify time period)" insert "one hour".

817—6.6(17A,22) Procedure by which additions, dissents, or objections may be entered in certain records. In lieu of "(designate official)", insert "the Iowa commission on volunteer service".

817—6.9(17A,22) Routine use.

6.9(1) Defined. "Routine use" means the disclosure of a record without the consent the subject or subjects, for a purpose which is compatible with the purpose for which the record was collected. It includes disclosures required to be made by statute other than the public records law, Iowa Code chapter 22.

6.9(2) To the extent allowed by law, the following are considered routine uses of all agency records:

a. Disclosure of officers, employees, and agents of the agency who have a need for the record in the performance of their duties. The custodian of the record may, upon request of an officer or employee, or on the custodian's own initiative, determine what constitutes legitimate need to use confidential records.

b. Disclosure of information indicating an apparent violation of the law to appropriate law enforcement authorities for investigation and possible prosecution, civil court action, or regulatory order.

c. Disclosure to the department of inspections and appeals regarding matters in which performs services or functions on behalf of the agency.

d. Transfers of information within the agency, to other state agencies, or to local units government, as appropriate, to administer the program for which the information is collected.

e. Information released to staff of federal and state entities for audit purposes or to determine whether the agency is operating a program lawfully.

f. Any disclosure specifically authorized by the statute under which the record is collected or maintained.

817—6.10(17A,22) Consensual disclosure of confidential records.

6.10(1) Consent to disclosure by a subject. The subject may consent in writing to agency disclosure of confidential records as provided in rule 6.7(17A,22).

6.10(2) Complaints to public officials. A letter from a subject of a confidential record to a public official which seeks the official's intervention on behalf of the subject in a matter that involves the agency

may be treated as an authorization to release sufficient information about the subject to the official to resolve the matter.

817—6.11(17A,22) Release to subject. The subject of a confidential record may file a written request to review the subject's confidential records. However, the agency need not release the following records to the subject:

1. The identity of a person providing information to the agency when the information is authorized as confidential pursuant to Iowa Code subsection 22.7(18).
2. The work product of an attorney or otherwise privileged information.
3. Peace officers' investigative reports, except as required by Iowa Code subsection 22.7(5).
4. Those otherwise authorized by law.

817—6.12(17A,22) Availability of records. This rule lists the agency records which are open to the public, those which are confidential, and those which are partially open and partially confidential.

Agency records are listed by category, according to the legal basis for confidential treatment (if any). The commission administers federally funded programs to enforce confidentiality standards for federal law and regulations as are required for receipt of the funds. A single record may contain information from several categories.

The chart indicates whether the record contains personally identifiable information and indicates the legal authority for confidentiality and for the collection of personally identifiable information.

Abbreviations used in the chart are defined as follows:

<u>Code</u>	<u>Meaning</u>	<u>Code</u>	<u>Meaning</u>
O	Open for public inspection	O/C	Partially open and partially confidential
C	Confidential/Not open to the public	O/E	Partially open to members of the public and partially exempt from disclosure
E	Exempt from mandatory disclosure		
NA	Not Applicable		

<u>Description of Record</u>	<u>Type of Record</u>	<u>Legal Authority For Confidentiality</u>	<u>Personally Identifiable Information</u>
Records of Commission and Committees	O/E	Iowa Code 21.5	No
Rule Making	O	NA	No
Declaratory Rulings	O/C	Iowa Code 22.7	No
Policy Manuals	O	NA	No
General Correspondence	O/E/C	Iowa Code 22.7	Yes
Publications	O	NA	No
Financial and Administrative Records	O/E/C	Iowa Code 22.7	Yes
Contracts and Agreements	O/C	Iowa Code 22.7(3)	Yes
Appeal Records	O/C	Iowa Code 22.7	Yes
Litigation Files	O/E/C	Iowa Code 22.7	Yes
Privileged Communications and Products of Attorneys	E/C	Iowa Code 22.7	No

These rules are intended to implement Iowa Code chapters 17A and 22 and Executive Order No. 48.
[Filed 11/16/94, Notice 6/22/94—published 12/7/94, effective 1/11/95]

CHAPTER 7
RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

817—7.1(15H) Purpose and program description. The purpose of the retired and senior volunteer program (RSVP) is to identify and address priority community needs through the mobilization of adult volunteers aged 55 and over, thereby recognizing and using the competence, wisdom and experience of this age group for the benefit of all Iowans. RSVP grants will give support to each RSVP project serving Iowa and provide discretionary grants on a competitive basis for RSVP project expansion. The commission administers two types of RSVP grants:

7.1(1) *RSVP grant.* Each RSVP project which has a current notice of grant award to operate an RSVP project from the Corporation for National and Community Service (the federal domestic volunteer agency) is to be allocated a share of state funds appropriated for distribution. Each RSVP project shall submit to the commission a budget outlining the method by which the project will expend the grant allotted to the project and other information as requested by the commission.

7.1(2) *State-developed RSVP project grants.* From state funds appropriated by the legislature, RSVP projects will be developed that are consistent with the goals of the Corporation for National and Community Service, RSVP and the commission. After a review by the grant review committee pursuant to subrule 7.4(3), grants will be awarded on a competitive basis by the commission and the Corporation for National and Community Service to local organizations or groups to initiate new RSVP projects. Decisions to make state funding available for new state-developed programs or existing program expansions must be approved by the commission.

[ARC 1882C, IAB 2/18/15, effective 7/1/15]

817—7.2(15H) Applications. Appropriate forms and applications for each grant are available from the commission or the Corporation for National and Community Service.

817—7.3(15H) Grant criteria. To respond to funding priorities, as funds are made available, the executive director of the commission and the state director of the Corporation for National and Community Service will coordinate in establishing criteria for the awarding of state-developed funds. At a minimum, the criteria will contain the following:

1. Goals and objectives of the project;
2. The qualifications of the applicant to manage funds;
3. Letters of local support verifying coordination and cooperation and the need for volunteers;
4. Total project budget;
5. Evidence of ability to submit timely and accurate reports;
6. Description and time line of planned activities;
7. Agreement to develop for the project a community partnership group whose membership should include a cross section of the community served;
8. Description of the applicant organization, including staffing pattern; and
9. Documentation of the applicant's ability to provide the required local match.

817—7.4(15H) Application process for new state-developed project grants.

7.4(1) The commission or the Corporation for National and Community Service shall issue a request for proposals containing project criteria and application instructions based on the most recent application instructions or notice of funding opportunity for RSVP that is available from the Corporation for National and Community Service for the appropriate fiscal year.

7.4(2) The applicant shall submit the completed application to the commission according to the time line identified in the request for proposals.

7.4(3) Applications submitted will be reviewed by a grant review committee, which is composed of up to two representatives of each of the following: the Corporation for National and Community Service, the Iowa commission on volunteer service, and the citizens of Iowa. Using the criteria in rule 7.3(15H), the committee will review the applications for appropriateness and to determine the merit of the project.

7.4(4) Applicants whose projects have been selected for funding shall be notified by the commission.

7.4(5) The commission will contract with the approved applicant(s) for the appropriate fiscal year, July 1 to June 30.

[ARC 1882C, IAB 2/18/15, effective 7/1/15]

817—7.5(15H) Administration of grants. The commission shall prepare contractual agreements for the grants.

7.5(1) Execution of contract. The contract shall be executed by the executive director of the commission and the duly authorized official of the local RSVP project.

7.5(2) Contract requirements. The contract shall include due dates and the process for the submission of project reports and financial reports.

7.5(3) Reporting. All grant recipients shall submit biannual progress and financial reports to the Corporation for National and Community Service and provide these reports to the commission. Beginning in state fiscal year 2015, RSVP projects will report to the commission, with each payment request, the number of active volunteers serving in the prior period. RSVP projects will also report to the commission the number of persons provided with volunteer management resources, such as training, best practices, and materials, and the number of persons who report that the training increased their knowledge of effective volunteer management practices.

7.5(4) Distribution of funds. The base-level formula for distribution of funds for established programs will be based on the prior fiscal year's state funding levels. When applicable, any relinquished funds will be distributed based on the current fiscal year's distribution formula. New programs that are not state-developed will begin at the base funding level for RSVP grants established by the commission.

Beginning in state fiscal year 2016, distribution of state funds will include an established maximum average cost per volunteer as determined by the commission on an annual basis. The maximum cost per volunteer will be set one year in advance. If the commission does not establish a new rate, the prior rate remains in effect. The average cost per volunteer calculation is based on the number of volunteers divided by the sum of awarded state plus federal funds. Any program that exceeds the maximum cost at the time of the January biannual progress report may have subsequent grant awards reduced to comply with this threshold. Additional funds that are not awarded due to these reductions will be retained by the commission for up to two years to be used to support RSVP training designed to increase volunteer recruitment and retention. If, after two years, the project from which the funds have been retained has not met the maximum cost per volunteer threshold, the funds will be distributed to projects that are below the maximum volunteer cost threshold with the understanding that the funds are provided on a one-year basis. The commission may grant a temporary exception to the maximum cost requirement for new projects or in the case of financial or other hardship.

7.5(5) Training. Up to 1.5 percent of funds designated for RSVP grants may be retained by the commission for training and technical assistance for RSVP project directors and members.

7.5(6) Administrative funds. The commission or any other state agency may not retain RSVP grant funds for administration or any other purpose not designated pursuant to this chapter.

[ARC 1882C, IAB 2/18/15, effective 7/1/15]

817—7.6(15H) Reversion of funds. Grant funds not expended by the project by June 30 shall revert to the commission.

These rules are intended to implement Iowa Code section 15H.2(3) "i."

[Filed emergency 6/24/05 after Notice 5/11/05—published 7/20/05, effective 7/1/05]

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[Filed ARC 1882C (Notice ARC 1386C, IAB 3/19/14; Amended Notice ARC 1492C, IAB 6/11/14), IAB 2/18/15, effective 7/1/15]

CHAPTER 8
IOWA YOUTH MENTORING PROGRAM CERTIFICATION

The purpose of the Iowa mentoring partnership is to certify mentoring programs that meet standards outlined in the Elements of Effective Practice for Mentoring™, published by the National Mentoring Partnership, that have been established for youth mentoring programs. The Iowa mentoring partnership also provides training, resources and support services to local mentoring programs. In partnership with certified programs, the Iowa mentoring partnership strives to increase the capacity of mentoring programs, raise statewide awareness of the positive benefits of mentoring children and youth, promote effective screening and safety procedures, and enhance the quality of mentoring relationships in Iowa.

[ARC 9574B, IAB 6/29/11, effective 8/3/11; ARC 0439C, IAB 11/14/12, effective 12/19/12]

817—8.1(15H) Definitions.

“*Certification*” means the process for identifying youth mentoring programs as meeting the criteria for effective practice in order to become eligible for financial and technical assistance.

“*Commission*” means the Iowa commission on volunteer service.

“*Conditional certification*” means a temporary certification identifying a youth mentoring program before the program is fully operational in order for the program to apply for financial and technical assistance.

“*Mentoring certification application*” means the application, which was developed by the Iowa mentoring partnership and Iowa commission on volunteer service and which can be adopted by all agencies and departments of state government to determine an applicant’s designation as a certified mentoring program. The application contains information that can be used to determine an applicant’s designation as a certified mentoring program.

“*Mentoring program*” or “*youth mentoring program*” means a program that provides older mentors to youth, provided that the program meets all of the following requirements:

1. The program is located in this state;
2. The program is operated as a public or private not-for-profit entity, part of a school or area education agency, or part of a faith-based community;
3. Youth served by the program are between the ages of 5 and 23.

[ARC 9574B, IAB 6/29/11, effective 8/3/11]

817—8.2(15H) Certification. Based on each mentoring program’s self-assessment (completed via the mentoring certification application), the commission is responsible for ascertaining whether a youth mentoring program is qualified to be designated as a certified mentoring program.

8.2(1) Full certification. Before a mentoring program can participate in the Iowa mentoring partnership, it must be certified by the commission.

a. A review team shall review applications from youth mentoring programs to determine whether the mentoring programs are eligible to participate in the program.

b. Full certification means the commission has determined that the youth mentoring program has met the established standards.

c. Applications for mentoring program certification are available from the Iowa Commission on Volunteer Service, 200 East Grand Avenue, Des Moines, Iowa 50309 and the Iowa mentoring partnership’s Web site (www.iowamentoring.org).

d. Applicants shall receive written notification of the commission’s decision.

e. To remain in good standing as a program with full certification, mentoring programs must verify continued certification by submitting required reports.

8.2(2) Conditional certification. Some mentoring programs are temporarily certified before the program becomes fully operational or before the program has met the standards for full certification.

a. Conditional certification may be in effect for six months and may be used for the purpose of applying for financial and technical assistance available to certified mentoring programs. The

commission may grant an extension of conditional certification if it is determined that significant progress is being made toward meeting the requirements for full certification.

b. The mentoring program name will not be included on the Iowa mentoring partnership Web site, nor will the program be referred potential mentors, until the mentoring program has been fully certified. The Web site of the Iowa mentoring partnership is www.iowamentoring.org.

c. It shall be the responsibility of the mentoring program to notify the commission when the program believes it has met the certification criteria.

d. Additional documentation may be required of new mentoring programs to verify elements of the application. Mentoring programs may be requested to provide documentation of continued eligibility at any time during and after conditional certification.

8.2(3) *Recertification.* Certified youth mentoring programs shall submit verification of continued eligibility to the commission at least every two years.

a. The form for recertification shall be provided by the commission.

b. Other documents and regular reporting will be requested throughout the certification period to verify the continuing eligibility of the mentoring program.

8.2(4) *Documentation.* Various and specific documentation may be required by the commission during the certification process. Each program shall provide relevant information upon the commission's request in order to be considered for certification.

Applications shall be signed by an authorized representative of the organization.

8.2(5) *Reapplication.* A mentoring program may reapply upon proof of compliance with Iowa youth mentoring program certification standards. Any program that is denied certification or decertified for any reason bears the burden of proving that all deficiencies previously cited have been corrected. Corrections shall be in accordance with requirements of the Iowa mentoring partnership. Applications may be requested from the Iowa Commission on Volunteer Service, 200 East Grand Avenue, Des Moines, Iowa 50309, or the Iowa mentoring partnership's Web site (www.iowamentoring.org).

8.2(6) *Notification.* The commission shall be notified within 30 days following a change in the mentoring program director or authorized representative of the certified mentoring program.

[ARC 9574B, IAB 6/29/11, effective 8/3/11]

817—8.3(15H) Description of application. The Iowa mentoring partnership application requires information about individuals who manage and administer the local mentoring program.

8.3(1) Specific questions are included on the application regarding mentoring program operations, screening and safety procedures, training, number of mentors and mentees, structure of the program, and other information to determine whether the program meets the certification standards established in rules 817—8.4(15H) and 817—8.5(15H).

8.3(2) Information contained in the application may be reviewed by the applicant upon request to the Iowa Commission on Volunteer Service, 200 East Grand Avenue, Des Moines, Iowa 50309. Material to be added to a file may be sent to the commission at the above address.

[ARC 9574B, IAB 6/29/11, effective 8/3/11; ARC 0439C, IAB 11/14/12, effective 12/19/12]

817—8.4(15H) Basis for certification standards. The commission has established standards to certify youth mentoring programs. These standards are based on the Elements of Effective Practice for Mentoring™, published by the National Mentoring Partnership. These elements are based on the work of a panel of experts convened by the National Mentoring Partnership to produce a set of rigorous mentoring guidelines, providing the gold standard for quality mentoring for more than a decade.

8.4(1) *Statement of purpose.* The mentoring program should have a statement of purpose and a long-range plan that includes:

- a.* Who, what, where, when, why, and how activities will be performed.
- b.* Input from originators, staff, funders, potential volunteers, and participants.
- c.* Assessment of community need.
- d.* Realistic, attainable, and easy-to-understand operational plan.
- e.* Funding and resource development plan.
- f.* Risk management plan.

8.4(2) Recruitment plan. The mentoring program shall have recruitment plans for both mentors and participants that include:

- a. Strategies that portray accurate expectations and benefits.
- b. Year-round marketing and public relations strategies.
- c. Targeted outreach based on participants' needs.
- d. Volunteer opportunities beyond mentoring.
- e. A goal of serving at least 12 youth, computed as an average of the number of youth served over the preceding three program years.

8.4(3) Orientation. The mentoring program shall have an orientation for mentors and mentees that includes:

- a. Program overview.
- b. Description of eligibility, screening process, and suitability requirements.
- c. Level of commitment expected (time, energy, flexibility).
- d. Expectations and restrictions (accountability).
- e. Expected benefits and rewards of the program.
- f. A separate focus for potential mentors and participants.
- g. A summary of program policies, including but not limited to policies on written reports, interviews, evaluations, and reimbursement.
- h. Definition of appropriate and inappropriate contact, and a statement that informs mentees and parents/guardians on how to report inappropriate contact.

8.4(4) Eligibility. The mentoring program shall have eligibility screening for mentors and participants that includes:

- a. A written application and review process.
- b. A face-to-face interview and, for community-based programs, a home visit.
- c. Reference checks for mentors, which may include character references, a child abuse registry check, a driving record check, and a criminal record check as legally permissible.
- d. Suitability criteria that relate to the program's statement of purpose and needs of the target population. Criteria may include some or all of the following: personality profile, skills identification, gender, age, language, racial requirements, level of education, career interests, motivation for volunteering, and academic standing.
- e. Successful completion of prematch training and orientation.

8.4(5) Training curriculum. The mentoring program shall have a readiness and training curriculum for all mentors and participants that includes:

- a. Knowledgeable trainers.
- b. Orientation to the program and resource network, including information and referral, other support services, and schools.
- c. Skills development as appropriate.
- d. Cultural/heritage sensitivity and appreciation training.
- e. Guidelines for participants on how to get the most out of the mentoring relationship.
- f. Dos and don'ts of relationship management.
- g. Job and role descriptions.
- h. Confidentiality and liability information.
- i. Crisis management/problem-solving resources.
- j. Communications skills development.
- k. Ongoing sessions as necessary.
- l. Information on what is considered inappropriate contact and what to do if such contact occurs.
- m. Information regarding safe meeting spaces and meeting place guidelines and restrictions.

8.4(6) Matching strategy. The mentoring program should have a matching strategy that includes:

- a. A commitment to consistency.
- b. A grounding in the program's eligibility criteria.

c. Appropriate criteria for matches, including some or all of the following: gender, age, language requirements, availability, needs, interests, preferences of volunteer and participant, life experience, and temperament.

d. Staff assistance with the first meeting.

8.4(7) *Monitoring process.* The mentoring program should have a monitoring process that includes:

a. Consistent, scheduled meetings with staff, mentors, and participants.

b. A tracking system for ongoing assessment.

c. Written records.

d. Input from community partners, family, and significant others.

e. A process for managing grievances, praise, rematching, interpersonal problem solving, and premature relationship closure.

8.4(8) *Mentor support and recognition.* The mentoring program should have a support, recognition, and retention component that includes:

a. Ongoing peer support groups for volunteers, participants, and others.

b. Ongoing training and development.

c. Relevant discussion of issues and dissemination of information.

d. Regular mentor recognition and appreciation.

8.4(9) *Closure.* The mentoring program should have closure steps that include:

a. Private and confidential exit interviews regarding the mentoring relationship between:

(1) Participant and staff;

(2) Mentor and staff; and

(3) Program staff and teachers or parents or both, as appropriate.

b. Clearly stated policy for future contacts.

c. Assistance to participants in defining future steps for achieving personal goals.

8.4(10) *Evaluation.* The mentoring program should have an evaluation process based on:

a. Outcome analysis of the program and mentoring relationships.

b. Program criteria and statement of purpose.

c. Informational needs of board, funders, community partners, and other supporters of the program.

8.4(11) *Additional certification standards.* The commission also utilizes the Elements of Effective Practice for Mentoring™, published by the National Mentoring Partnership, to determine the primary areas of review for mentoring program certification. These areas are intended to indicate whether programs are operating under the quality policies and procedures established by a national panel of mentoring program experts, researchers and others.

a. *History of operation.* Mentoring programs shall have an established history of operation of two years (24 months). Programs that have been operating less than 24 months may be granted full certification but will be required to provide quarterly updates to the Iowa mentoring partnership.

b. *Length of match.* Mentoring programs shall meet minimum requirements for length of match based on program type.

(1) Community-based programs, including E-mentoring programs, shall establish an initial commitment of one year with new or potential mentors.

(2) School-based programs, including E-mentoring programs, shall establish an initial commitment of nine months with new or potential mentors.

c. *Minimum monthly contact.* Mentoring programs shall meet minimum requirements for monthly contact based on program type.

(1) Matches in community-based programs shall meet for a minimum of four hours per month with a consistent schedule.

(2) School-based programs shall meet for a minimum of two hours per month with a consistent schedule.

(3) E-mentoring programs shall have contact via secure, supervised e-mail a minimum of once per week.

d. Background checks. Mentoring programs shall meet minimum requirements for checking the background of mentor applicants.

- (1) Criminal background and sex offender registry checks for mentors over the age of 18.
- (2) Reference checks for mentors under the age of 18.

e. Pre-match mentor training. Mentoring programs shall meet minimum requirements for training of mentors. At least two hours of pre-match training and preparation activities shall be provided to new mentors.

[ARC 9574B, IAB 6/29/11, effective 8/3/11; ARC 0439C, IAB 11/14/12, effective 12/19/12]

817—8.5(15H) Special consideration. In addition to the standards set forth in rule 817—8.4(15H), the commission may give consideration to other factors to determine certification status in order to ensure that only high-quality youth mentoring programs are certified.

8.5(1) On-site audits. At the discretion of the commission, on-site audits may be conducted to determine certification.

8.5(2) Reporting. Programs that fail to submit required documentation are at risk of decertification and may be deemed ineligible to receive the benefits of certification, including complimentary training registration and inclusion on the Iowa mentoring partnership Web site.

[ARC 9574B, IAB 6/29/11, effective 8/3/11]

817—8.6(15H) Decertification. A youth mentoring program shall be decertified by the commission if it is determined that the program no longer meets the certification standards identified herein for a high-quality mentoring program, if program personnel cannot be contacted by the commission, if the program fails to provide documents requested by the commission or if the program fails to complete the required Iowa mentoring partnership quarterly reports.

8.6(1) Written notice of the intent to revoke certification shall be provided to a youth mentoring program when the commission determines that there is reasonable cause to believe the program does not comply with the rules contained herein. Notice shall be sent by United States mail at least 20 days before decertification becomes effective.

8.6(2) If the commission sends a letter by first-class mail to the last-known address provided to the commission by the youth mentoring program and the letter is returned as undeliverable, this may be considered grounds for decertification.

8.6(3) Decertification procedures may be initiated by the commission or following investigation of a complaint filed by the general public. A request for an investigation from the public must be in written form and shall specify the reason(s) why the certified youth mentoring program no longer meets the certification standards. Supporting documentation may be attached to the request. The identity of the complainant is confidential pursuant to Iowa Code section 22.7(18).

8.6(4) Benefits and designation as a certified mentoring program will continue until the final decision is issued by the commission.

[ARC 9574B, IAB 6/29/11, effective 8/3/11]

817—8.7(15H) Fraudulent practices in connection with certified mentoring programs. A person is considered to be guilty of a fraudulent practice if the person knowingly falsifies information on an application for the purpose of obtaining certification and any other potential benefits, including those offered through the Iowa mentoring partnership or other state contracts and grants available only to certified mentoring programs.

The commission may investigate allegations or complaints of fraudulent practices and will take action to decertify a youth mentoring program upon concluding that a violation has occurred.

A violation under this rule is grounds for decertification of the youth mentoring program responsible for the violation. Decertification shall be in addition to any penalty otherwise authorized.

817—8.8(15H) Appeal procedure. Commission decisions regarding certified mentoring programs may be contested by an adversely affected party as detailed in 817—Chapter 5.

These rules are intended to implement Iowa Code chapter 15H.

[Filed 9/7/07, Notice 5/9/07—published 9/26/07, effective 10/31/07]

[Filed ARC 9574B (Notice ARC 9341B, IAB 1/26/11), IAB 6/29/11, effective 8/3/11]

[Filed ARC 0439C (Notice ARC 0291C, IAB 8/22/12), IAB 11/14/12, effective 12/19/12]

CHAPTER 9
IOWA SUMMER YOUTH CORPS

817—9.1(83GA,SF482) Purpose and program description. The purpose of the Iowa summer youth corps is to provide youth with meaningful community service opportunities along with instruction and reflection activities to enrich the learning experience, teach civic responsibility, and strengthen communities. On a competitive basis, Iowa summer youth corps grants will give support to summer youth corps projects in Iowa. The program is established under the authority of the Iowa commission on volunteer service, pursuant to Iowa Code chapter 15H as amended by 2009 Iowa Acts, Senate File 482. [ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.2(83GA,SF482) Applications. Appropriate forms and applications for grants are available from the commission at www.volunteeriowa.org.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.3(83GA,SF482) Incentives. Incentives will be determined by federal funding guidelines or restrictions depending on the source of funds utilized for the Iowa summer youth corps in a given grant year. Types of incentives may include:

1. Education awards that may be used to further educational attainment and that may be earned upon completion of a defined number of hours;
2. Living allowances that are not considered wages but are paid evenly over the course of a service period; or
3. Wages that are based on the hours worked.

Types of incentives or combinations of incentives that may be used for a program design will be described in the application instructions.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.4(83GA,SF482) Grant criteria. To respond to funding priorities, as funds are made available, the executive director of the commission will establish criteria consistent with federal regulations. If federal funds are being offered, applicants will be considered on a competitive basis. At a minimum, the criteria will contain the following:

1. Goals and objectives of the project;
2. Qualifications of the applicant to manage funds;
3. For new and re-competing applicants, letters of local support verifying coordination and communitywide cooperation;
4. Total project budget;
5. For previous grantees, evidence of ability to submit timely and accurate reports;
6. Description and time line of planned activities;
7. Agreement to develop for the project a community partnership group whose membership should include a cross section of the community served;
8. Description of the applicant organization, including staffing pattern; and
9. Documentation of the applicant's ability to provide the required local match.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.5(83GA,SF482) Designated funds. A percentage of the grants will be designated by the commission to address the needs of the city enterprise zones that meet the distress criteria outlined in Iowa Code section 15E.194.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.6(83GA,SF482) Application process for new grants.

9.6(1) The commission shall issue a request for proposals containing project criteria and application forms for the appropriate fiscal year.

9.6(2) The applicant shall submit the completed application to the commission according to the time line identified in the request for proposals.

9.6(3) Applications submitted will be reviewed by a grant review committee, which is composed of members of the commission grant review committee, individuals with expertise in youth programming, and the citizens of Iowa. Using the criteria in rule 817—9.4(83GA,SF482), the committee will review the applications for appropriateness and to determine the merit of the project.

9.6(4) Applicants whose projects have been selected for funding shall be notified by the commission. [ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.7(83GA,SF482) Administration of grants.

9.7(1) Contracts. The commission shall prepare contractual agreements for the grants.

a. The contract shall be executed by the executive director of the commission and the duly authorized official of the project.

b. The contract shall include due dates and the process for the submission of project reports and financial reports.

9.7(2) Reporting. All grant recipients shall submit progress and financial reports to the commission as outlined in the contract.

9.7(3) Availability of funds. Separate request for proposals will only be issued when there are funds available for this program. To the extent allowable by federal regulations, summer youth corps will always be an acceptable program model for annual AmeriCorps grants and will be listed in the annual AmeriCorps program request for proposals.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—9.8(83GA,SF482) Reversion of funds. Grant funds not expended by the project closeout date shall revert to the commission.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

These rules are intended to implement 2009 Iowa Acts, Senate File 482, section 1.

[Filed Emergency ARC 8158B, IAB 9/23/09, effective 9/2/09]

[Filed ARC 8315B (Notice ARC 8159B, IAB 9/23/09), IAB 12/2/09, effective 1/6/10]

CHAPTER 10
IOWA GREEN CORPS

817—10.1(83GA,SF482) Purpose and program description. The purpose of the Iowa green corps is to provide youth with meaningful community service opportunities in addition to providing capacity-building activities, training, and implementation of major transformative projects in communities, which emphasize energy efficiency, historic preservation, neighborhood development, and stormwater reduction and management. On a competitive basis, Iowa green corps grants will give support to AmeriCorps or summer youth corps projects in Iowa. The program is established under the authority of the Iowa commission on volunteer service, pursuant to Iowa Code chapter 15H as amended by 2009 Iowa Acts, Senate File 482.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.2(83GA,SF482) Applications. Appropriate forms and applications for grants are available from the commission at www.volunteeriowa.org.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.3(83GA,SF482) Incentives. Incentives will be determined by federal funding guidelines or restrictions depending on the source of funds utilized for the Iowa green corps in a given grant year. Types of incentives may include:

1. Education awards that may be used to further educational attainment and that may be earned upon completion of a defined number of hours;
2. Living allowances that are not considered wages but are paid evenly over the course of a service period; or
3. Wages that are based on the hours worked.

Types of incentives or combinations of incentives that may be used for a program design will be described in the application instructions.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.4(83GA,SF482) Grant criteria. To respond to funding priorities, as funds are made available, the executive director of the commission will establish criteria consistent with federal regulations. If federal funds are being offered, applicants will be considered on a competitive basis. At a minimum, the criteria will contain the following:

1. Goals and objectives of the project;
2. Qualifications of the applicant to manage funds;
3. For new and re-competing applicants, letters of local support verifying coordination and communitywide cooperation;
4. Total project budget;
5. For previous grantees, evidence of ability to submit timely and accurate reports;
6. Description and time line of planned activities;
7. Agreement to develop for the project a community partnership group whose membership should include a cross section of the community served;
8. Description of the applicant organization, including staffing pattern; and
9. Documentation of the applicant's ability to provide the required local match.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.5(83GA,SF482) Designated funds. A percentage of the grants may be designated by the commission to address capacity-building activities that target communities that are already working with existing community improvement programs, including but not limited to the Iowa great places program established under Iowa Code section 303.3C, the green streets and main street Iowa programs administered by the Iowa department of economic development, and disaster remediation activities by communities located within an area declared to be a disaster area by the President of the United States or the governor of the state of Iowa.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.6(83GA,SF482) Application process for new grants.

10.6(1) The commission shall issue a request for proposals containing project criteria and application forms for the applicable fiscal year.

10.6(2) The applicant shall submit the completed application to the commission according to the time line identified in the request for proposals.

10.6(3) Applications submitted will be reviewed by a grant review committee, which is composed of members of the commission grant review committee, individuals with expertise in youth programming, and the citizens of Iowa. Using the criteria in rule 817—10.4(83GA,SF482), the committee will review the applications for appropriateness and to determine the merit of the project.

10.6(4) Applicants whose projects have been selected for funding shall be notified by the commission.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.7(83GA,SF482) Administration of grants.

10.7(1) Contracts. The commission shall prepare contractual agreements for the grants.

a. The contract shall be executed by the executive director of the commission and the duly authorized official of the project.

b. The contract shall include due dates and the process for the submission of project reports and financial reports.

10.7(2) Reporting. All grant recipients shall submit progress and financial reports to the commission.

10.7(3) Availability of funds. Separate request for proposals will only be issued when there are available funds for this program. To the extent allowable by federal regulations, Iowa green corps will always be an acceptable program model for annual AmeriCorps grants and will be listed in the annual AmeriCorps program request for proposals.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

817—10.8(83GA,SF482) Reversion of funds. Grant funds not expended by the project closeout date shall revert to the commission.

[ARC 8158B, IAB 9/23/09, effective 9/2/09; ARC 8315B, IAB 12/2/09, effective 1/6/10]

These rules are intended to implement 2009 Iowa Acts, Senate File 482, section 2.

[Filed Emergency ARC 8158B, IAB 9/23/09, effective 9/2/09]

[Filed ARC 8315B (Notice ARC 8159B, IAB 9/23/09), IAB 12/2/09, effective 1/6/10]