

HISTORICAL DIVISION[223]

[Prior to 5/31/89, see Historical Department[490]
created under the "umbrella" of the Department of Cultural Affairs[221] by Iowa Code section 303.1]

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TITLE I
GENERAL SOCIETY PROCEDURESCHAPTER 1
DESCRIPTION OF ORGANIZATION

[Prior to 5/31/89, see Historical Department[490] Chs 1, 2, 5, 10 and Historical Division[223] Ch 13]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—1.1(303) Purpose. This chapter describes the purposes of the society; the service locations; internal organization; and the board of trustees of the society.

223—1.2(17A,303) Definitions. The definitions listed in Iowa Code section 17A.2 shall apply for terms as they are used in 223—Chapters 1 to 50. In addition, the following definitions apply:

“*Administrator*” means the administrator of the historical division of the department of cultural affairs.

“*Board of trustees of the society*” or “*board*” means the 12-member advisory board of the historical division of the department of cultural affairs.

“*Bureau*” means a subdivision within the historical division of the department of cultural affairs.

“*Department*” means the department of cultural affairs.

“*Director*” means the director of the department of cultural affairs.

“*Historical division*” means the division of the department of cultural affairs, also termed the “society.”

“*Society*” means the state historical society of Iowa.

“*Trustees*” means the board of trustees of the society.

223—1.3(303) Mission statement. The state historical society of Iowa has a dual mission of preservation and education. As a trustee of Iowa’s historical legacy, the state historical society of Iowa identifies, records, collects, preserves, manages, and provides access to Iowa’s historical resources. As an advocate of understanding Iowa’s past, the state historical society of Iowa educates Iowans of all ages, conducts and stimulates research, disseminates information, and encourages and supports historical preservation and education efforts of others throughout the state.

The state historical society of Iowa is the state agency created and empowered by the general assembly as the official trustee of Iowa’s human heritage. The society has the responsibility and authority to:

- Identify, record, collect, preserve, and manage the manifestations of Iowa’s history;
- Interpret and disseminate Iowa history;
- Conduct, stimulate, produce, and share scholarly research on Iowa history;
- Promote and coordinate the teaching of Iowa history;
- Advocate the preservation and stewardship of Iowa’s historical resources; and
- Enter into agreements with nonprofit corporations to undertake activities of benefit to the society.

223—1.4(303) Organization.

1.4(1) Administrator. The administrator of the society is appointed by the director of the department of cultural affairs and serves at the director’s pleasure. In accordance with Iowa Code section 303.2(2c), the administrator serves as the state historic preservation officer. The administrator selects all society personnel and manages the operation of all society programs and facilities. The administrator operates from offices located at the State Historical Building, 600 East Locust Street, Des Moines, Iowa.

1.4(2) Bureaus. The society may organize its activities into any number of bureaus.

223—1.5(303) Facilities management.

1.5(1) Locations.

a. The society operates two major facilities: The State Historical Building, 600 East Locust Street, Des Moines, Iowa 50319, and the Centennial Building, 402 Iowa Avenue, Iowa City, Iowa 52240.

b. The society also operates eight historic sites:

- (1) Abbie Gardner Sharp Cabin, Arnolds Park, Iowa 51331;
- (2) American Gothic House, Eldon, Iowa 52554;

- (3) Blood Run National Historic Landmark, Inwood, Iowa 51240;
- (4) Matthew Edel Blacksmith Shop, Haverhill, Iowa 50120;
- (5) Montauk, Union Sunday School, and Clermont Museum, Clermont, Iowa 52135;
- (6) Plum Grove, Iowa City, Iowa 52240;
- (7) Toolesboro Mounds National Historic Landmark, Wapello, Iowa 52653; and
- (8) Western Historic Trails Center, 3434 Richard Downing Avenue, Council Bluffs, Iowa 51501.

1.5(2) *Internet website.* The society's Internet home page is located at www.iowahistory.org.

1.5(3) *Hours and days of operation.* Public hours and days of operation shall be posted at each society facility and on the society's Internet website. The hours for all facilities shall be approved by the director, or designee, upon recommendation of the administrator. Changes in the hours for a facility shall be effective upon 30 days' notice as posted.

1.5(4) *Fees.* Fees may be charged and collected by the society and shall be administered according to Iowa Code section 303.9. Fees may be charged for, but are not limited to: facilities rental; group tours; educational programs; speaking engagements; photocopying and document reproduction; census searches; photographic searches and reproduction; electronic distribution of materials; rights to publish; conservation and consultation services; artifact and specimen identification and reference; vital records searches and verification; reference, consultation and technical services; research and application processing; admissions; memberships; and subscriptions.

1.5(5) *Facilities use.* Resource protection is the underlying principle guiding the use of society facilities. This subrule sets forth conditions of public use which apply to all society facilities. Additional restrictions or exceptions pertain to specific facilities as listed in subrule 1.5(6).

a. Individuals and groups. All facilities of the society are open to individuals in accordance with the posted schedule. Groups may arrange for educational programs and group tours by contacting the society.

b. Facility rentals. Certain facilities of the society are available for rental. An individual or group renting a society facility shall be liable for all damage to the facility. The renter shall be billed for the cost of repairs, extraordinary cleaning, and, if necessary, the collection of costs related to any damage caused during rental.

c. Pets. With the exception of those assisting the deaf and hard of hearing or visually impaired, pets shall be prohibited in society buildings. All pets on the grounds of any society facility shall be on a leash and under the direct supervision of the owner. The owner assumes all liability for pets brought onto the grounds of a society facility.

d. Smoking. Smoking shall be prohibited in all society facilities.

e. Food and drink. Consumption of food and beverages shall be prohibited in all society facilities except in specific areas designated by the director, or designee, upon recommendation of the administrator.

f. Camping. Camping shall be prohibited at all society facilities, except for special events approved by the director, or designee, upon recommendation of the administrator.

1.5(6) *Use of specific facilities.*

a. State Historical Building.

(1) All operations are in accordance with 11—subrule 100.4(3), Iowa Administrative Code. The society may contract with a nonprofit corporation to operate a facility rental program. Details concerning the rental program may be obtained from the facilities rental coordinator, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319, or at www.iowahistory.org.

(2) A contract for use of any part of the state historical building shall be executed prior to the event. This contract shall identify, at a minimum, the group using the facility, purpose of the use, person or group legally responsible, all fees to be assessed, and exact date and time of the event. A contract shall be initiated with the facilities rental coordinator and shall be approved by the director or designee.

(3) Alcoholic beverages may be served at functions in the state historical building if a fully approved alcoholic beverages application is executed prior to the event. This application shall attest that all laws of the state of Iowa and the city of Des Moines pertaining to alcoholic beverages will be obeyed and that all liability rests with the group using the facility. All alcoholic beverage service shall be provided by the licensee designated by the department of cultural affairs.

(4) Programming. Group tours of the state historical building and educational programming are available. Prior scheduling may be required for tours and programming. An inquiry about arrangements of a museum tour may be directed to the State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319.

b. Centennial Building.

(1) The society provides program services of the library and publications bureau at this location. Meeting rooms and other facilities are available for use by groups.

(2) Group tours. Educational tours of the library are available only on a prearranged basis. An inquiry about arrangements for a tour may be directed to the Bureau Chief, Centennial Building, 402 Iowa Avenue, Iowa City, Iowa 52240.

c. Abbie Gardner Sharp Cabin. This site is protected under guidelines established in the Abbie Gardner Sharp Cabin management plan in accordance with the Secretary of the Interior's Standards for Historic Preservation. A request for research use of the site shall be directed to the society. A research request shall be reviewed by the historic sites coordinator and recommended for action to the administrator within 30 days.

d. American Gothic House. This site is protected by the society in accordance with the Secretary of the Interior's Standards for Historic Preservation. Copies of the guidelines and applications for use of the site shall be available from the society.

e. Blood Run National Historic Landmark.

(1) This site is managed by the Executive Director, Lyon County Conservation Board, RR 1, Box 44, Inwood, Iowa 51240, through a cooperative agreement with the society.

(2) This site is protected under guidelines established in a law enforcement agreement between the society and the Lyon County Conservation Board and in accordance with the Secretary of the Interior's Standards for Historic Preservation.

(3) A request for research use of the site shall be directed to the society. A research request shall be reviewed by the historic sites coordinator and recommended for action to the administrator within 30 days.

f. Matthew Edel Blacksmith Shop.

(1) Site protection. The site is protected under guidelines established in cooperative agreements between the society, the Historical Society of Marshall County and the city of Haverhill in accordance with the Secretary of the Interior's Standards for Historic Preservation. A request for research use of the site shall be directed to the society. A research request shall be reviewed by the historic sites coordinator and recommended for action to the administrator within 30 days.

(2) Private use by groups. Picnicking is permitted at this site. A shelter house is available. Arrangements for use of the shelter house may be made by contacting the City Council, Haverhill, Iowa 50120.

g. Montauk, Union Sunday School, Clermont Museum.

(1) Site protection. Montauk is a state preserve. Management complies with all provisions of Iowa Code chapter 465C, 575—Chapter 2, Iowa Administrative Code, and the articles of dedication for Montauk as a state preserve. A request for research use of the site shall be directed to the society. A research request shall be reviewed by the site manager and the historic sites coordinator and recommended for action to the administrator within 30 days.

(2) Hunting shall not be permitted on this site.

(3) Group tours. Tours of Montauk, Union Sunday School, and Clermont Museum shall be available on a prearranged basis. An inquiry about arrangements for a tour may be directed to the Site Manager, Montauk, Clermont, Iowa 52135.

(4) Private use by groups. The facilities may be available on a prearranged basis for use by historical and cultural interest groups. An inquiry may be directed to the Site Manager, Montauk, Clermont, Iowa 52135.

h. Plum Grove.

(1) Site protection. The site is protected under guidelines established in a cooperative agreement between the society and the Johnson County Historical Society and in accordance with the Secretary of the Interior's Standards for Historic Preservation. A request for research use of the site shall be directed to the

society. A research request shall be reviewed by the historic sites coordinator and recommended for action to the administrator within 30 days.

(2) Picnicking is permitted at the site.

(3) Group tours. Tours shall be available only on a prearranged basis. An inquiry about arrangements for a tour shall be directed to the Site Manager, Johnson County Historical Society, 310 5th Street, Coralville, Iowa 52241.

(4) Private use by groups. The facilities may be available on a prearranged basis for use by historical and cultural interest groups. An inquiry may be directed to the Site Manager, Johnson County Historical Society, 310 5th Street, Coralville, Iowa 52241.

i. Toolesboro Mounds National Historic Landmark.

(1) Site protection. Toolesboro Mounds National Historic Landmark is a state preserve. Management complies with all provisions of Iowa Code chapter 465C, 575—Chapter 2, Iowa Administrative Code, and the articles of dedication for Toolesboro Mounds National Historic Landmark as a state preserve. A request for research use of the site shall be directed to the society. A research request shall be reviewed by the historic sites coordinator and recommended for action to the administrator within 30 days.

(2) Group tours. Tours are available on a prearranged basis. An inquiry may be directed to the Louisa County Conservation Board, Box 261, 601 Highway 61 North, Wapello, Iowa 52653.

j. Western Historic Trails Center.

(1) Parking. Parking is permitted in designated areas at the site. No overnight parking shall be permitted at the site without written approval by the site manager.

(2) Group tours. Tours by groups, during normal days and hours of operation, shall be available on a prearranged basis. An inquiry about arrangements for a tour shall be directed to the Site Manager, Western Historic Trails Center, 3434 Richard Downing Avenue, Council Bluffs, Iowa 51501.

(3) Private use by groups. The facilities may be available on a prearranged basis for use by historical and cultural interest groups. An inquiry may be directed to the Site Manager, Western Historic Trails Center, 3434 Richard Downing Avenue, Council Bluffs, Iowa 51501.

(4) Admission fee. No admission fee shall be charged at the site.

[ARC 5730C, IAB 6/30/21, effective 8/4/21]

223—1.6(303) Board of trustees.

1.6(1) Function. The function of the society board of trustees is to advise the administrator of the society and to stimulate interest in the history of Iowa among the general public, as well as other functions that are not contrary to the Iowa Code.

1.6(2) Composition. Two categories of membership exist for the board of trustees:

a. Elected members. In compliance with Iowa Code subsection 303.4(1), three members of the board of trustees shall be elected annually. The board of trustees shall establish written procedures for the conduct of the election. A society member may nominate a candidate by contacting the administrator. Each member of the society shall be entitled to one vote regardless of membership category. Elected board members shall serve three-year, staggered terms of office. Terms of office shall begin on May 1 consistent with Iowa Code section 69.19.

b. Appointed members. In compliance with Iowa Code subsection 303.4(1), the governor shall appoint nine members to the board. Terms of office shall be in accordance with Iowa Code subsection 303.4(2) and consistent with Iowa Code section 69.19.

1.6(3) Officers. Pursuant to Iowa Code section 303.6, the board of trustees of the society shall annually elect a chairperson and a vice chairperson from its membership. The administrator of the society serves as secretary to the board of trustees. Election of officers shall be held annually at the first meeting of the board following the installation of new members. Election is by a two-thirds vote of all board members.

1.6(4) Meetings. The board of trustees shall meet at least four times per year in accordance with a schedule established by the board. A two-thirds majority of all members of the board shall constitute a quorum to conduct business. All meetings are open to the public under Iowa Code chapter 21. Public notice of all meetings shall be posted in accordance with Iowa Code chapter 21.

1.6(5) Committees—appointment. Committees of the board of trustees may be appointed on an ad hoc basis by the chairperson of the board. Nonboard members may be appointed to committees.

1.6(6) Conflict of interest.

a. Definitions. The following definitions apply in this subrule:

“*Affinity*” means the relationship of a spouse.

“*Consanguinity of the second degree*” means a blood relationship of the second degree such as a brother/sister, grandparent, grandchild.

“*Contract*” means any claim, account, job of work, grant application, provision of materials, or manuscript submitted for remuneration.

b. A board member who has an interest, either direct or indirect, within consanguinity of the second degree, in any contract in which the society is or might become a party shall disclose the interest to the board. The interest shall be noted in the minutes of a board meeting. When the contract requires board action, the affected member shall not participate in any discussion or action by the board with respect to the contract. The affected member shall be disqualified from voting on the contract issue by reason of the conflict. The quorum of the board shall not be changed as the result of a conflict of interest disqualification.

223—1.7(303) Gifts, bequests, endowments. The society may accept private gifts, bequests, and endowments with such gifts credited to the account of the society. Accepted gifts, bequests, and endowments shall be used in accordance with the desire of the donor as expressed at the time of the donation. Undesignated funds shall be credited to the society and used for projects and activities of the society as recommended by the administrator of the society. Gifts may be deposited directly into the account of the society, or, in accordance with Iowa Code section 353.7(4), the society may enter into an agreement with a nonprofit corporation to accept and manage gifts, bequests and endowments.

223—1.8(303) Public and private grants and donations. The department, acting on behalf of the society, may apply for and receive funds from public and private sources. Receipts from these grants shall be credited to the account of the society and used in accordance with the stipulation of the grants contract. In accordance with Iowa Code section 303.7(4), the society may enter into an agreement with a nonprofit corporation to accept public and private grants and donations.

223—1.9(303) Sale of mementos. The department, acting on behalf of the society, may sell mementos or other items relating to Iowa and its history and culture at the society’s facilities.

1.9(1) Operator of gift shops. The society may enter into an agreement with a nonprofit corporation for the operation of gift shops, including facilities, merchandise, and promotion. The society shall require an accounting of all receipts and expenditures of the gift shops.

1.9(2) Income. Net proceeds from rental, lease, sale, and fees shall be deposited into the account of the society.

These rules are intended to implement Iowa Code sections 303.1A, 303.2, and 303.4 to 303.18.

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CHAPTER 2
Reserved

CHAPTER 3
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES
Rescinded **ARC 8101C**, IAB 7/10/24, effective 8/14/24

CHAPTER 4
AGENCY PROCEDURE FOR RULE MAKING
Rescinded **ARC 8101C**, IAB 7/10/24, effective 8/14/24

CHAPTER 5
PETITIONS FOR RULE MAKING
Rescinded **ARC 8101C**, IAB 7/10/24, effective 8/14/24

CHAPTER 6
DECLARATORY RULINGS
Rescinded **ARC 8101C**, IAB 7/10/24, effective 8/14/24

CHAPTERS 7 to 9
Reserved

TITLE II
Reserved

CHAPTERS 10 to 12
Reserved

TITLE III
HISTORICAL SOCIETY—
GENERAL POLICIES

CHAPTER 13
COLLECTIONS POLICIES

[Prior to 5/31/89, see [490] 1.8, Ch 5 and [223] 14.1]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—13.1(303) Purpose. The society strives to acquire materials on, by, about, of, or representative of Iowa, Iowans, and activities of Iowans. This includes, but is not limited to printed materials, archives, manuscripts, photographs, machine readable data, artifacts, specimens, and works of art.

223—13.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 and rules 223—1.2(303) and 22.2(303) shall apply for terms as they are used throughout this chapter. In addition, the following definitions apply:

- “*Accession*” means the act of recording or processing an addition to the collections of the society.
- “*Acquisition*” means the act of obtaining legal title to an object or document.
- “*Artifact*” means a man-made object.
- “*Collection*” means an orderly assemblage of man-made or natural objects.
- “*Deaccession*” means the act of removing an object from the collections permanently.
- “*Loan*” means the act of temporarily transferring custody of an object.
- “*Specimen*” means a natural object.

223—13.3(303) Location. Collections of the society are maintained at all facilities operated by the society. Information concerning collections may be obtained by contacting the appropriate staff at the facilities noted in 223—subrule 1.5(1).

223—13.4(303) Management of collections.

13.4(1) Areas of responsibility. All bureaus may have responsibility for collections care and management and will cooperate with each other on behalf of the collections.

13.4(2) Collections committee.

- a. Responsibilities. The collections committee shall act to:
 - (1) Develop and annually review a collecting plan, from staff recommendations, which shall identify primary areas for active solicitation of additional collections;
 - (2) Establish general parameters, from bureau recommendations, for collecting, within which materials may be collected without further referral to the collections committee;
 - (3) Review and act on requests from all bureaus concerning potential acquisitions which might involve materials whose care would involve more than one bureau;
 - (4) Review and act on requests from all bureaus concerning potential major acquisitions that might involve a significant investment of staff time, storage space, or financial resources;
 - (5) Review and act on requests for restrictions on donations;
 - (6) Review and act on questions concerning the collections referred to the committee by any member of the staff with the knowledge of the staff person’s supervisor;
 - (7) Approve loans requiring extraordinary indemnification;
 - (8) Approve extraordinary collection access requests;
 - (9) Approve methods for the disposition of materials anonymously left to the society; and
 - (10) Approve all loans from the collections to government offices except for routine record requests from state government agencies.

b. The actions of the committee shall become effective within ten working days after the minutes of the committee meeting are received by the administrator, unless an action of the committee is specifically reversed by the administrator in writing to the chair of the committee. The committee may request an earlier decision by the administrator if the nature of the recommended action requires it.

c. The committee shall recommend actions to the administrator of the society for approval and referral to the board of trustees of the society concerning materials to be deaccessioned from the collections.

d. Composition. The committee shall consist of seven members. The members shall include the following:

- (1) Archivist from the staff of the society, appointed by the division administrator;
- (2) Museum curator from the staff of the society, appointed by the division administrator;
- (3) Librarian from the staff of the society, appointed by the division administrator;
- (4) Community programs staff representative from the staff of the society, appointed by the division administrator;
- (5) Member of the board of trustees, appointed by the president of the board of trustees;
- (6) Member representing the public appointed by the president of the board of trustees; and
- (7) One member from the staff, appointed by the administrator of the society. The administrator of the society is an ex officio, nonvoting member of the committee.

e. Organization of the committee.

(1) Members of the committee shall be appointed for two-year staggered terms which coincide with the state fiscal year.

(2) The committee chair shall be appointed by the administrator of the society from among the committee members who are staff members of the society.

(3) The committee shall meet on a quarterly basis. The meetings shall be called by the chair. Additional meetings may be called by the petition of any three voting members of the committee.

223—13.5(303) Acquisition.

13.5(1) General policy. The following general policies apply to all areas of the collections. More specific policies for the state archives are noted in subrule 13.5(2).

a. The society may acquire materials by gift, bequest, transfer, or purchase.

b. The staff of the society shall evaluate potential acquisitions for their relevance to the collections, research, exhibit, educational, intrinsic, historical, or scientific importance, physical condition, relationship to the annual collecting priorities established by the collections committee, and impact upon the operations of the society.

c. Title to all donations shall be outright. Certain restrictions on access may be considered by the collections committee. The society shall make no commitments as to the exhibition, attribution, or use of the gift.

d. A deed of gift documenting the legal transfer of the gift to the society and the acceptance of that gift shall be signed by the legal owner or the owner's authorized agent and the appropriate authorized agent of the society.

e. Materials left anonymously in the custody of the society shall be evaluated for possible accession into the collections.

If the materials are to be accessioned into the collections, the materials shall be documented by the appropriate authorized agent of the society. The documentation shall describe the circumstances pertaining to the acquisition.

If the materials are not to be accessioned into the collections, disposition of the materials shall be determined by the collections committee upon the recommendation of the appropriate bureau.

f. Bequests of which the society has not been apprised shall be considered as unsolicited materials and evaluated in the same manner as any other unsolicited gift.

g. Title to undocumented collections in the possession of the society or unclaimed loans in the possession of the society shall be handled in accordance with Iowa Code chapter 305B.

h. The staff of the society shall not appraise collections for financial value. The society shall not pay for nor reimburse a donor for such appraisal costs.

13.5(2) State archives. Records of state agencies shall be transferred to the state archives of the society, in accordance with the rules and procedures established by the state records commission as stated in the Records Management Manual and in accordance with Iowa Code chapter 304.

223—13.6(303) Deaccession.

13.6(1) Purpose. Deaccession of materials shall be undertaken only as a means of strengthening and benefiting the collections of the society. Deaccession shall not be used to generate operating funds for the society.

13.6(2) Ethics.

a. Deaccession of materials shall be undertaken in an open, public manner conforming to all appropriate ethics statements of the appropriate professional organizations. The society and its employees shall conform to all appropriate professional ethics statements.

b. In no circumstance shall the ownership of deaccessioned materials be transferred to or benefit any trustee, employee, spouse or immediate family member of an employee of the society.

13.6(3) Criteria. Individual objects or documents or groups of objects or documents may be deaccessioned from the collections of the society if they:

a. Are no longer deemed relevant and appropriate for the collections; or

b. Have deteriorated beyond repair and usefulness; or

c. Pose danger to other parts of the collections.

13.6(4) Procedure.

a. The appropriate bureau chief shall recommend, with written justification, to the collections committee the materials to be deaccessioned. The collections committee shall evaluate the recommendation at its next meeting and, if the committee approves the recommendation, forward the recommendation with all appropriate documentation and comments to the administrator of the society.

b. The administrator of the society shall approve or disapprove all recommendations for deaccession of materials by the collections committee and shall forward all approved recommendations with comments to the board of trustees.

c. The board of trustees shall review all recommendations for deaccession at the next meeting. No materials shall be deaccessioned without the approval of the board of trustees.

d. The method for disposition of the deaccessioned materials shall be recommended by the bureau chief and approved by the collections committee, administrator of the society, and the board of trustees. The methods for disposition of the deaccessioned materials include, but are not limited to, the following methods:

(1) Exchange with other educational institutions to strengthen the collections of the society;

(2) Donation to another educational institution which may make the materials generally accessible to the public;

(3) Sale at public auction or other appropriate means; or

(4) Destruction.

e. A complete written record of deaccession recommendations, justifications, decisions, and methods used for removal of the materials shall be maintained as a permanent record of the society.

13.6(5) Limitations.

a. Revenue received from disposition of any collection shall be retained in a separate revenue account. This revenue shall be used solely to maintain, conserve, preserve, and strengthen the collections of the society.

b. Prior to consideration of the deaccession of undocumented materials or unclaimed loans, the title shall be cleared in accordance with Iowa Code chapter 305B.

c. Collections which are donated to and accessioned by the society shall not be deaccessioned for a period of two years after accessioning into the collections.

223—13.7(303) Documentation and care.**13.7(1) Records.**

a. Permanent collection records shall be maintained to document the acquisition, accession, deaccession, care, conservation, interpretation, location, and exhibition of all collections.

b. All collections documentation shall be maintained in accordance with Iowa Code chapter 305B.

c. Collections records shall be protected, insofar as possible, from destruction by creating duplicate files to be stored in an off-site location.

13.7(2) The society shall apply professionally accepted methods of storage, treatment, care, conservation, preservation, research, and exhibition. The society shall make every effort to ensure adequate preservation through obtaining of adequate preservation funds.

13.7(3) Inventories, catalogs, and other finding aids shall be made available to the public as staff availability and society funds are obtained.

223—13.8(303) Lending.

13.8(1) *General policy.* The following general policies apply to all areas of the collections.

a. The society encourages maximum public access to its collections by making loans which are consistent with the long-term conservation and preservation of the collections and with the needs of the society for exhibit and research purposes.

b. Loans from the collections shall be made for educational and scholarly purposes consistent with the mission of the society.

c. Collections shall not be loaned to individuals except for natural history specimens lacking provenance which may be loaned to individuals for educational purposes with the approval of the curator of natural history and the bureau chief of the museum. All applications for use of natural history specimens may be directed to the Curator of Natural History, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-5627.

d. All loans shall be for a specified period of time and shall be documented and monitored by the appropriate staff person approving the loan.

13.8(2) *Specific policies.*

a. Interlibrary loans shall provide access to the collections through cooperating libraries.

b. Requests for interlibrary loan shall be submitted on the standard American Library Association Interlibrary Loan Form and in accordance with the American Library Association's Interlibrary Loan Code. The requests shall be honored unless the loan is inappropriate due to legal or curatorial considerations or the materials can be readily obtained elsewhere. Requests for interlibrary loan shall be directed to the Reference Librarian, State Historical Society of Iowa, Centennial Building, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916 or Reference Librarian, Library and Archives, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-6200.

c. Original manuscripts, maps, photographs, state archives records and rare books shall not be loaned for research purposes.

d. The society shall make every effort consistent with professional standards and ethics and within their financial resources to provide a microform or other copy of rare, unique, and heavily used library and archives materials for loan purposes.

e. The loan of artifacts from the museum collections shall be approved and managed by the museum. All applications shall be in writing and include a current facilities report from the borrowing institution. Applications for loan and questions may be directed to the Chief Curator, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-5111.

f. Only those artifacts in stable, presentable condition shall be considered for loan unless conservation treatment for the object is a condition of the loan agreement.

g. All artifact loans shall be approved by the appropriate curator, chief curator, conservator, and the bureau chief.

h. The loan of artifacts to the society shall be accepted and managed by the museum. All questions related to loans may be directed to the Chief Curator, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-5111.

i. Loans shall be accepted only to meet the society's objectives for exhibition or research. The society shall not provide free storage, conservation treatment, or validate private collections.

j. All loans to the society shall receive the highest standard of professional care.

k. Unclaimed loans left in the care of the society shall be handled in accordance with Iowa Code chapter 305B.

223—13.9(303) Access and disclosure. The collections of the society shall be available for public study in accordance with 223—22.2(303).

These rules are intended to implement Iowa Code sections 303.1A, 303.2 and 303.4 to 303.18.

[Filed 7/2/75]

[Filed 7/15/75]

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CHAPTER 14
EXHIBITIONS POLICIES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—14.1(303) Purpose. Exhibitions are created by the museum for the purpose of promoting an understanding and appreciation of Iowa history through exhibition of the material manifestations of that history. In fulfilling this purpose the museum is cognizant of its equally significant role in the collection and preservation of the state's material culture.

223—14.2(303) Location. Several forms of exhibitions are created by the museum. These exhibitions are:

14.2(1) *Permanent.* These exhibitions are located at the Museum, State Historical Building, Capitol Complex, Des Moines, Iowa 50319, (515)281-5111 and at the historic sites operated by the society.

14.2(2) *Temporary.* These exhibitions are located at the Museum, State Historical Building, Capitol Complex, Des Moines, Iowa 50319, (515)281-5111 and at the historic sites operated by the society. Temporary exhibitions are displayed in the museum for a limited period of time.

14.2(3) *Traveling.* Reserved.

223—14.3(303) Collections principles and practices.

14.3(1) Original artifacts, specimens, documents, and images shall be the focus of and utilized in all exhibitions, unless they cannot be provided adequate preservation and protection while on exhibit.

14.3(2) Reproductions or models shall be used only as props or as required for the preservation of original materials. The incorporation of reproductions as the focus or subject of an exhibition shall be justified only by the lack of representative artifacts, extreme security or preservation requirements, or the overwhelming significance of the subject matter to Iowa history.

14.3(3) Reproductions and models shall be clearly identified as such, when necessary to distinguish them from historical collections. If reproductions are used as exhibit props or graphic tools and are not the focus of the exhibition, they need not be specifically identified as reproductions.

223—14.4(303) Conservation principles and practices.

14.4(1) All exhibitions shall be designed to meet the conservation needs of the artifacts, images, and documents that are used.

14.4(2) If an artifact, image, or document cannot be exhibited without threatening the preservation of the item, it shall not be exhibited, and a reproduction shall be used.

14.4(3) The exhibition environment shall be monitored on a regular basis to ensure maintenance of optimum environmental conditions for the items on exhibit.

223—14.5(303) Education principles and practices.

14.5(1) All exhibitions shall incorporate the highest standards of scholarship.

14.5(2) Exhibit design shall employ learning theory and shall be designed for the appropriate cognitive and age developmental levels of the audiences.

14.5(3) Exhibits shall minimize enclosed casework and barriers between visitors and the artifacts consistent with artifact security and preservation requirements.

14.5(4) Items shall be displayed within appropriate interpretative frameworks.

14.5(5) Written text shall support the exhibition of original artifacts, specimens, images, and documents, but shall not be the focus of the exhibit. If extensive labeling is required, presentation in a format other than a museum exhibition shall be used.

14.5(6) Exhibition design shall incorporate appropriate current design concepts, fabrication techniques, and technologies. Experimental design shall be used as appropriate.

14.5(7) Interactive components shall be incorporated in all exhibitions and shall not be confined to a single designated area. No interactive components shall violate the integrity, preservation, or security requirements of the artifacts.

14.5(8) Any individual or group from the general public, local groups organized for historical or cultural purpose, or the staff of the society may propose an exhibition. All proposals may be directed to the Bureau Chief, Museum, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-5111. Final selection of exhibition topics, artifacts, and form of presentation rests with the chief of the museum and the administrator of the society.

14.5(9) Exhibitions shall be developed by teams that include appropriate representatives of the museum, other bureaus of the society, the scholarly community, and the general public.

14.5(10) Whenever possible exhibitions shall be pretested with a representative sample of the intended audience. Exhibition design, fabrication, and installation shall be adjusted appropriately to reflect the results of the testing.

14.5(11) The museum shall maintain an ongoing evaluation program and incorporate the results in future exhibition design.

14.5(12) Exhibitions shall be designed so as to make guided tours unnecessary for understanding the exhibition.

14.5(13) Exhibitions shall create and maintain environments conducive to learning. This includes adequate lighting for comfort and safety; space for group tours and individuals simultaneously; seating and appropriate spaces to relieve visitor fatigue; and clear traffic flow patterns.

14.5(14) Exhibition techniques shall not intentionally misrepresent the facts or the authenticity of the collections.

14.5(15) The exhibitions shall accurately reflect the social and cultural diversity and heritage of the state.

14.5(16) Exhibitions shall consider visitor safety. Design and fabrication shall adhere to all safety and health codes. Potential use and misuse by the public shall be considered.

223—14.6(303) Professional museum principles and practices. The staff of the museum shall actively seek and freely share scholarly knowledge, technical expertise, and exhibition content with other museums.

These rules are intended to implement Iowa Code section 303.2 and Iowa Code chapter 303, subchapter II.

[Filed 5/12/89, Notice 11/30/88—published 5/31/89, effective 7/5/89]

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CHAPTER 15
PUBLICATION POLICIES AND SERVICES

[Prior to 5/31/89, see [490] Ch 5]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—15.1(303) Purpose. The society publishes periodicals and books to disseminate material of general interest and scholarly studies about Iowa history to the citizens of Iowa.

223—15.2(303) Iowa Heritage Illustrated.

15.2(1) Content. The Iowa Heritage Illustrated is a popular history magazine published quarterly to inform Iowans about the history of the state.

15.2(2) Submissions. Historical studies which may be of interest to a general audience may be submitted to the Editor, Iowa Heritage Illustrated, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916. Questions concerning possible submissions and the technical requirements for submission may be directed to the same address.

15.2(3) Manuscript evaluation. Manuscripts are evaluated on the basis of originality and significance to Iowa history as well as the quality of the research and writing. Final responsibility for manuscript acceptance and modification shall rest with the editor. Questions concerning manuscript review may be directed to the Editor, Iowa Heritage Illustrated, 402 Iowa Avenue, Iowa City, Iowa, 52240, (319)335-3916.

15.2(4) Subscriptions. The Iowa Heritage Illustrated is available as a benefit of membership in the society. Subscription rates are established in accordance with subrule 1.5(3). Subscription inquiries may be directed to Publication Sales, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

223—15.3(303) Annals of Iowa.

15.3(1) Content. The Annals of Iowa is a scholarly journal published quarterly to disseminate original research and scholarly analysis concerning Iowa history.

15.3(2) Submissions. Annotated articles incorporating the use of primary materials may be submitted to the Editor, Annals of Iowa, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916. Questions concerning possible submissions and the technical requirements for submission may be directed to the same address.

15.3(3) Manuscript evaluation. Manuscripts are evaluated on the basis of contribution to knowledge, strength of the argument, and clarity of writing. Extramural readers may be used in the review process. Final responsibility for manuscript acceptance and modification shall rest with the editor. Questions concerning manuscript review may be directed to the Editor, Annals of Iowa, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

15.3(4) Subscriptions. The Annals of Iowa is available by subscription. Subscription rates are established in accordance with subrule 1.5(3). Subscription inquiries may be directed to Publication Sales, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

223—15.4(303) Goldfinch.

15.4(1) Content. The Goldfinch is a children's history magazine produced to inform children in the fourth through the seventh grades of their Iowa heritage. It is published four times each year between September and May.

15.4(2) Submissions. The Goldfinch is produced by the staff of the society. Submissions of poetry, stories, and artwork by students in grades four through seven are occasionally published. Submissions may be directed to the Editor, Goldfinch, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916. Questions concerning submissions may be directed to the same address.

15.4(3) Material evaluation. Materials submitted are evaluated on the basis of the reproduction quality and space availability. Final responsibility for the acceptance and modification of materials shall rest with the editor. Questions concerning evaluation of materials may be directed to the Editor, Goldfinch, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

15.4(4) Subscriptions. The Goldfinch is available by direct subscription. Subscription rates are established in accordance with subrule 1.5(3). Subscription inquiries may be directed to Publication Sales, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

223—15.5(303) Iowa Historian.

15.5(1) Content. The Iowa Historian is the bimonthly newsletter of the society. In addition to informing members of activities of the society, the Iowa Historian prints informative articles concerning the preservation and dissemination of Iowa history.

15.5(2) Submissions. News items and suggestions for informative articles may be submitted to the Editor, Iowa Historian, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916. Questions concerning possible submissions and the technical requirements for submission may be directed to the same address.

15.5(3) Materials evaluation. Materials submitted are evaluated on the basis of interest to the membership and space availability. Final responsibility for acceptance and modification shall rest with the editor. Questions concerning the acceptance of materials may be directed to Editor, Iowa Historian, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

15.5(4) Subscriptions. The Iowa Historian is available as a benefit of membership in the society. Subscription rates are established in accordance with subrule 1.5(3). Subscription inquiries may be directed to Publication Sales, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

223—15.6(303) Books and monographs. The society occasionally publishes books and monographs of outstanding merit. The acceptance of manuscripts for publication depends upon the availability of funding and the quality of the manuscript. Inquiries concerning the publication of a book or monograph may be directed to Book Editor, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

223—15.7(303) Back issues and reprints.

15.7(1) Back issues. Copies of most issues of periodicals and many books previously published may be available. Inquiries may be directed to Publication Sales, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

15.7(2) Reprints. All materials published by the society are copyrighted in the name of the society. Inquiries concerning reprint permission may be directed to Book Editor, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916.

These rules are intended to implement Iowa Code section 303.2 and Iowa Code chapter 303, subchapter II.

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CHAPTERS 16 to 20
Reserved

TITLE IV
PUBLIC ACCESS PROCEDURES
CHAPTER 21
MEMBERSHIP IN THE SOCIETY
[Prior to 5/31/89, see [490] Ch 5 and [223] Ch 13]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—21.1(303) Function. The society operates a membership organization for the purpose of encouraging the study of Iowa history. Membership is open to all individuals and groups according to the policies and fee schedule established by the society. Life memberships are not available. Existing life members shall be serviced as provided in the original membership agreement.

223—21.2(303) Fees. Fees are charged for benefits and services provided to members. The membership program is administered by the Historical Division of the Department of Cultural Affairs, 600 East Locust Street, Des Moines, Iowa 50319, telephone (515)281-5111.
[ARC 4427C, IAB 5/8/19, effective 6/12/19]

223—21.3(303) Awards.

21.3(1) Purpose. The society shall make annual awards to individuals, government entities, groups, or organizations for the purposes of encouraging and rewarding contributions to the fields of Iowa history, archaeology and historic preservation; establishing an image of tradition and continuity; creating greater public and academic visibility for the society; and promoting high-quality rehabilitation of historic buildings.

21.3(2) Award programs. Awards may be made in nine programs.

a. William J. Petersen/Edgar Harlan Award. This award recognizes an individual, government entity, group, or organization that has made significant long-term or continuing contributions to Iowa history. No more than one award may be made annually.

b. Loren Horton Community History Award. This award recognizes an individual, government entity, group, or organization that has made a significant contribution to local history through a local history project during the previous calendar year. No more than one award may be given annually. One certificate of recognition may be awarded in each of the following categories each year:

- (1) Program or event;
- (2) Volunteers;
- (3) Project in museum, library, archives, historic preservation, or education;
- (4) Research or publications;
- (5) Youth.

c. Mildred Throne/Charles Aldrich Award. This award recognizes the author of the most significant article on Iowa history in a professional history journal during the previous calendar year. The board may give one award annually. Up to two certificates of recognition may be also awarded.

d. George Mills/Louise Noun Award. This award recognizes the author of the most significant illustrated article on an Iowa history topic published in a popular history periodical during the previous calendar year. The board may give one award annually. Up to two certificates of recognition may also be awarded.

e. Benjamin F. Shambaugh Award. This award recognizes the author of the most significant book published on Iowa history during the previous calendar year. The board may give one award annually. Up to two certificates of recognition may also be awarded.

f. Research Matters Award. This award recognizes outstanding library, archives, historic site and museum service provided to National History Day student researchers in Iowa during the previous program year. The board may award up to two certificates of merit and one certificate of achievement annually.

g. Preservation Projects of Merit Award. This award recognizes historic preservation projects that exemplify the best of preservation practices, meet the U.S. Secretary of the Interior's Standards for

Rehabilitation of Historic Buildings, and utilize the state historic preservation tax credit program. The board may give one award annually in each of the following four categories.

(1) Judith A. McClure Award. This award recognizes outstanding preservation of a residential property using state historic preservation tax credit program incentives. For purposes of this award, residential property shall be as defined in rule 223—48.2(303,404A).

(2) Adrian D. Anderson Award. This award recognizes outstanding preservation of a small historic preservation project using state historic preservation tax credit program incentives. For purposes of this award, small projects are defined as those projects having total qualified costs of \$750,000 or less.

(3) Margaret Keyes Award. This award recognizes outstanding preservation of a large historic preservation project using state historic preservation tax credit program incentives. For purposes of this award, large projects are defined as those projects having total qualified costs of more than \$750,000.

(4) William J. Wagner Award. This award recognizes the historic preservation project which best exemplified use of the U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Buildings while using state historic preservation tax credit program incentives.

h. Excellence in Archaeology and Historic Preservation Award. This award recognizes the best archaeology or historic preservation project at the local or state level. The board may give one award and one certificate of merit annually.

i. Dorothy Schwieder Excellence in Research Award. This award recognizes on a biennial basis the most significant research and contribution to the body of knowledge in Iowa history and is the top research and writing award given by the board during the two-year period.

21.3(3) Selection.

a. Committees. The chairperson of the society board of trustees shall appoint awards committees at the first meeting of the board held in each fiscal year. The nonvoting staff member on each committee shall be appointed by the administrator of the society to coincide with the other committee appointments. The term of office shall be one year.

(1) William J. Petersen/Edgar Harlan and Loren Horton awards committees. Nominations for these categories shall be reviewed by an awards committee composed of, at a minimum, three voting members, including at least one member of the society board of trustees. The committee shall also include one staff member of the society serving in a nonvoting capacity.

(2) Mildred Throne/Charles Aldrich, George Mills/Louise Noun and Benjamin F. Shambaugh awards committees. Nominations for these categories shall be reviewed by awards committees composed of, at a minimum, three voting members, including at least one member of the society board of trustees. The committees shall also include one staff member of the society serving in a nonvoting capacity.

(3) Research Matters Award. Nominations for this category shall be reviewed by an awards committee composed of, at a minimum, three voting members including at least one member of the society board of trustees and one practicing National History Day teacher. The committee shall also include one staff member of the society serving in a nonvoting capacity.

(4) Preservation Projects of Merit Award. Nominations for this category shall be reviewed by an awards committee composed of, at a minimum, three voting members, including at least one member of the society board of trustees, one licensed architect who specializes in historic preservation, and one member of the state nominations review committee appointed in accordance with 223—subrule 35.6(6). The committee shall also include one staff member of the society serving in a nonvoting capacity.

(5) Excellence in Archaeology and Historic Preservation Award. Nominations for this category shall be reviewed by an awards committee composed of, at a minimum, three voting members including at least one member of the society board of trustees. The committee shall also include one staff member of the society serving in a nonvoting capacity.

(6) Dorothy Schwieder Excellence in Research Award. Nominations for this category shall be reviewed by an awards committee composed of, at a minimum, three voting members including at least one member of the society board of trustees. The committee shall also include one staff member of the society serving in a nonvoting capacity.

b. Period of eligibility. Awards in the Mildred Throne/Charles Aldrich, George Mills/Louise Noun, Benjamin F. Shambaugh, Loren Horton, and Excellence in Archaeology and Historic Preservation

categories shall be made for activities and publications produced during the calendar year prior to the nomination. Awards in the Research Matters category shall be made for activities during the most recently completed National History Day competition in Iowa. Awards in the Preservation Projects of Merit category shall be made for state historic preservation tax credit projects with a Part 3 approved in the previous fiscal year.

c. Call for nominations.

(1) William J. Petersen/Edgar Harlan Award, Loren Horton Award, Mildred Throne/Charles Aldrich Award, George Mills/Louise Noun Award, Benjamin F. Shambaugh Award, Excellence in Archaeology and Historic Preservation Award, and Dorothy Schwieder Excellence in Research Award. The public may nominate entries for the awards. Nominators shall complete and submit respective award paperwork for awards. Nomination forms are available by contacting the State Historical Society of Iowa or electronically on the State Historical Society of Iowa web page: www.iowahistory.org. Nominations for the Shambaugh Award must be postmarked by January 2. All other awards must be postmarked by February 1 and must be submitted to the Administrator, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319-0290. Nominations may also be submitted electronically to the email address posted on the State Historical Society of Iowa web page: www.iowahistory.org.

(2) Research Matters Award. National History Day student researchers may nominate research libraries, archives, historic sites and museums on forms provided by the National History Day in Iowa program. Nominations shall include the name of the library, archive, historic site or museum nominated for the award and a description of the services provided by that library, archive, historic site or museum to National History Day student researchers in Iowa. Nominations must be received by the date of the annual state National History Day Contest. Nominations must be submitted to the Administrator, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319-0290. Nominations may also be submitted electronically to the email address posted on the State Historical Society of Iowa web page: www.iowahistory.org.

(3) Preservation Projects of Merit Award. All historic rehabilitation projects with a Part 3 approved in the previous fiscal year, as determined by state historic preservation tax credit program staff, shall be considered for this award.

d. Number of nominations. The awards committees shall report no more than three nominations for each award program and category to the society board of trustees for final selection. The awards committees shall transmit nominations to the board prior to the regularly scheduled meeting which permits the board to act 30 days prior to an annual awards meeting.

e. Board ineligibility. No member of the board of trustees shall be eligible for nomination in any award category during the member's term as a trustee.

f. Voting. Selection in each category shall be by vote of the board of trustees in accordance with Iowa Code chapter 21 and Robert's Rules of Order, Revised Edition. Evaluation shall be based on the criteria stated in 21.3(4). The society board of trustees reserves the right to decline any or all nominations based upon the awards criteria.

21.3(4) Criteria.

a. William J. Petersen/Edgar Harlan Award. Nominees shall have contributed a body of work advancing the preservation and interpretation of Iowa history. Each body of work shall be evaluated for significance, professionalism, and influence on Iowans' perceptions of themselves. These criteria shall be weighted equally.

b. Loren Horton Award. Nominees shall have contributed a local history project that:

- (1) Increases awareness and appreciation for local or community history;
- (2) Encourages collaboration and support between individuals, groups, and the community;
- (3) Promotes future interest in the history of the community and continues to generate enthusiasm;
- (4) Shows a diverse base of support from the members of the community;
- (5) Provides long-term protection of community history, whether tangible or intangible; and
- (6) Demonstrates an effort to include all interested members of the community.

c. Mildred Throne/Charles Aldrich Award. Each nominated article shall be evaluated on its contribution to knowledge about Iowa history, scholarship, readability, and appropriateness for the intended audience. These criteria shall be weighted equally.

d. George Mills/Louise Noun Award. Each nominated article shall be evaluated on its contribution to knowledge about Iowa history, scholarship, readability, and appropriateness for the intended audience. These criteria shall be weighted equally.

e. Benjamin F. Shambaugh Award. Each nominated book shall be evaluated on its contribution to knowledge about Iowa history, scholarship, readability, and appropriateness for the intended audience. These criteria shall be weighted equally.

f. Research Matters Award. Each nominated institution shall be evaluated on its commitment to research support for young historical researchers as demonstrated by the institution's positive attitude toward young researchers, its level of research knowledge, and its assistance to individual researchers. These criteria shall be weighted equally.

g. Preservation Projects of Merit Award. Each preservation project shall demonstrate outstanding application of the U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Buildings, the project's impact on the local historic preservation community, and the project's impact on economic development in the local community. These criteria shall be weighted equally.

h. Excellence in Archaeology and Historic Preservation Award. Projects shall be evaluated based on:

- (1) Level of effort needed to preserve the resource;
- (2) Historic significance of the resource;
- (3) Application of the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation;
- (4) Local impact of the project and benefit to the community;
- (5) Potential to replicate the project in another community;
- (6) Additional steps taken to share this history with the public;
- (7) Application of state or federal preservation laws.

i. Dorothy Schwieder Excellence in Research Award. Each nomination shall be evaluated on its contribution to knowledge about Iowa history, scholarship, readability, and appropriateness for the intended audience. Eligible works include, but are not limited to, articles in popular periodicals or academic journals, books, dissertations, films, National Register of Historic Places nominations, or online projects. Winners of other State Historical Society of Iowa awards—the George Mills/Louise Noun Award, the Mildred Throne/Charles Aldrich Award, or the Benjamin F. Shambaugh Award—are also eligible for this prize. One award will be given biennially.

21.3(5) Notification. Award recipients shall be notified by mail at least 21 days prior to an annual awards meeting.

21.3(6) Presentation. The award shall be presented by a member of the board of trustees at an annual awards meeting.

[ARC 7755B, IAB 5/6/09, effective 6/10/09; ARC 4427C, IAB 5/8/19, effective 6/12/19]

These rules are intended to implement Iowa Code section 303.7.

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CHAPTER 22
HISTORICAL LIBRARY AND STATE ARCHIVES PUBLIC ACCESS POLICIES AND
SERVICES

[Prior to 5/31/89, see [490] Chs 1, 5]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—22.1(303) Purpose. Policies exist to provide the widest possible public access to historical library, special collections and state archives of Iowa materials within the constraints of preservation of the materials. The collection and conservation policies of the library and archives shall be in accordance with 223—Chapter 13.

223—22.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 shall apply for terms as they are used throughout this chapter. In addition, the following definitions apply:

“*Archives*” means state agency records and other materials transferred to the custody of the state archives of Iowa in accordance with Iowa Code Supplement chapter 305.

“*Collections*” means printed material, photographs, archives, manuscripts and electronic records.

“*Electronic records*” means records in a form that requires a computer or other machine to process them. “Electronic records” includes word processing documents; electronic mail messages; documents transmitted via electronic data interchange; Internet and Intranet postings; numerical and textual spreadsheets and databases; electronic files; optical images; software; and information systems.

“*Library*” means a unit of the state historical society of Iowa that acquires, preserves and describes printed materials.

“*Manuscripts*” means handwritten or typed documents, including letterpress or carbon copies. A mechanically produced document in handwriting or typescript is also considered a manuscript. Manuscripts include bodies or groups of personal papers, business or organizational records that have organic unity; artificial collections of documents acquired from various sources according to a plan, but without regard to provenance; and individual documents acquired because of their special importance.

“*Materials,*” unless otherwise specified, means the collections of the historical library, the special collections unit of the historical library and the state archives of Iowa.

“*Patrons*” means any and all persons conducting research or otherwise reading, viewing or consulting the state historical society of Iowa collections. Patrons include both on-site and off-site persons.

“*Photographs*” means, in general, images mechanically recorded by a camera. This term includes negatives, prints, copy negatives, copy prints, digital photographic images, motion picture film, and videotape.

“*Printed materials*” means, in general, books, journals, serials, magazines, newspapers, and maps and atlases.

“*Reference*” means the basic function of providing information about library and state archives of Iowa materials and making the materials available for research.

“*Research*” means the studious inquiry into or examination of library and state archives materials aimed at the discovery and interpretation of facts.

“*Special collections materials*” means privately donated collections acquired by the library and publications bureau of the state historical society of Iowa.

“*Special collections unit*” means the unit of the state historical society of Iowa that acquires, preserves and describes special collections materials.

223—22.3(303) Location. The society operates two reading room facilities. These facilities are located in the Centennial Building, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916, and in the State Historical Building, 600 East Locust, Des Moines, Iowa 50319, (515)281-6200.

223—22.4(303) Availability of materials.

22.4(1) Materials are available during regular reading room hours as posted in accordance with 223—subrule 1.5(2).

22.4(2) Materials are available to the public regardless of race, color, sex, religion, national origin, age, creed, or mental or physical disability.

22.4(3) The use of some materials may be restricted because of donor restrictions, state or federal statute, or the physical condition of the materials. Questions concerning restrictions of use may be referred to the reading room staff at the appropriate location.

223—22.5(303) Reading room policies. In order to ensure that the research resources remain available to all persons and future generations, the reading room policies shall be developed and posted in the reading room facilities of the state historical society of Iowa.

22.5(1) to 22.5(20) Rescinded IAB 1/5/05, effective 2/9/05.

223—22.6(603) Copy services.

22.6(1) A photocopy machine and a microfilm reader/printer are available for patrons to make copies of library materials.

22.6(2) Requests for copies of maps, manuscripts, photographs and state archives materials shall be directed to the library and archives staff. Photocopying shall be available unless reproduction of materials is inappropriate due to legal or curatorial considerations.

22.6(3) Copy service shall not be provided for materials which are not part of the society's collections.

22.6(4) Use of personal photocopy machines, scanners, and similar equipment to reproduce state archives materials or special collections materials shall not be permitted. Use of this type of equipment with library materials is subject to approval by an administrator or designee and shall not be permitted if the administrator or designee determines that such use may damage library materials.

These rules are intended to implement Iowa Code section 303.2 and Iowa Code chapter 303, subchapter II.

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CHAPTER 23
HISTORICAL MARKERS PROGRAM

[Prior to 5/31/89, see [490] Ch 5]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—23.1(303) Purpose. The society in cooperation with the Iowa department of transportation shall develop a historical markers program for the following purposes:

1. Identifying and locating, for the purpose of preservation of information or artifacts, those sites and topics deemed to be significant in Iowa history;
 2. Educating the public about significant people, places, and things in Iowa history and thereby developing a public sense of the importance of Iowa history;
 3. Encouraging the public to preserve the state's history and develop a sense of identity as Iowans;
 4. Enhancing the tourism potential of Iowa by encouraging visitors to investigate the state's history;
- and
5. Uniting people from various regions of Iowa through improving information concerning other regions of the state.

223—23.2(303) Categories of historical markers. The society may erect markers to commemorate or memorialize Iowa history in any of three categories.

1. Persons or organizations from all walks of life whose contributions or notoriety in their communities, counties, or the state as a whole merit widespread recognition;
2. Sites such as historic buildings, avenues of transportation, or other places where important events have occurred; or
3. Events which have state or regional significance.

223—23.3(303) Selection of historical markers.

23.3(1) *Nomination of potential marker site.* Nominations of potential marker sites may be made by an individual or group external to the society or by the board or staff of the society.

23.3(2) *Nomination forms.* Nominations shall be made on the application form obtained from the society. All inquiries may be directed to the Historical Markers Program Coordinator, State Historical Society of Iowa, 402 Iowa Avenue, Iowa City, Iowa 52240, (319)335-3916. This form shall provide, as a minimum, the following information:

1. Name and location of the site;
2. Description and documentation of the historical significance of the site;
3. Suggested placement of the historical marker, including all appropriate clearance of the site by the landowner, unit of government, or the department of transportation;
4. Name, address, and telephone number of the person or group nominating the site;
5. Financial arrangement for construction and maintenance of the historical marker; and
6. Expected annual visitation to the site.

23.3(3) *Review procedure.*

a. The historical markers program coordinator shall review all nominations. This review may include verification of the historical accuracy, location, and historical significance of the proposed historical marker.

b. Eligible applications shall be forwarded by the historical markers program coordinator to the administrator of the society for approval. The administrator shall forward the applications to the review panel.

c. Review panel.

(1) *Composition.* The review panel shall consist of one member of the board of trustees appointed by the chairperson of the board, one member of the board of directors of the Iowa historical foundation appointed by the chairperson of the board, one staff representative of the Iowa department of transportation appointed by the director of the Iowa department of transportation, one staff representative of the Iowa

department of economic development appointed by the director of the Iowa department of economic development, and two history professionals appointed by the administrator of the society.

(2) Chair. The review panel shall be chaired by the appointed member from the board of trustees of the society.

(3) Duties. The review panel shall create a prioritized annual plan for historical markers. This plan shall be presented annually at the last meeting of the fiscal year to the board of trustees of the society for approval and for potential funding in the coming fiscal year.

(4) Prioritization of historical markers. The selection of historical markers shall be based upon two equally weighted criteria:

1. Degree of statewide significance of the topic; and
2. Level of interest of the topic to the general public.

(5) Guidelines for selection. The review panel shall operate with the following guidelines:

1. All historical time periods should be represented. Current history should be included, but living people will not generally be the subject of a historical marker.

2. The informational content of the marker must be historically accurate and verifiable.

3. Controversial topics should not be disqualified as historical marker topics.

4. The geographical distribution of historical markers throughout the state should be representative of the significant events of the state's history.

5. The markers may be placed on either public or private land if the appropriate approvals and maintenance agreements are available.

223—23.4(303) Appeals.

23.4(1) *Informal appeals.*

a. Decisions concerning nomination and approval of historical markers may be appealed on any of the following bases:

- (1) Action was outside the statutory authority;
- (2) Decision was influenced by a conflict of interest;
- (3) Action violated state law, administrative rules, or policy;
- (4) Insufficient public notice was given; and
- (5) Alterations in the review and selection process were detrimental to the nomination.

b. All appeals shall contain:

- (1) Facts of the case;
- (2) Argument in favor of the appeal; and
- (3) Remedy sought.

c. Appeals should be directed to the administrator within 30 days of final notification of nomination status. All appeals shall be directed to the Administrator, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-8837.

d. The administrator shall consider and rule on the appeal after receiving all documentation from the appellant and shall notify the appellant in writing within 30 days.

23.4(2) *Contested case appeals.* All appeals shall be conducted according to 221—Chapter 3.

These rules are intended to implement Iowa Code sections 303.1A, 303.2, and 303.4 to 303.18.

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CHAPTERS 24 to 34
Reserved

TITLE V
HISTORIC PRESERVATION PROGRAMS

CHAPTER 35
ADMINISTRATION

[Prior to 5/31/89, see [490] Ch 10]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—35.1(303) Purpose. The historic preservation program operates to survey, evaluate significance, nominate to the National Register of Historic Places, and protect the historic buildings, structures, historic sites, objects, districts and landscapes of Iowa. Through the historic preservation program the society creates, fosters, and plans for the preservation of Iowa's historic resources.

223—35.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 and rule 223—1.2(303), Iowa Administrative Code, shall apply for terms as they are used throughout Title V of these rules. In addition, the following definitions apply:

“Act” means the National Historic Preservation Act of 1966, Public Law 89-665, as amended through December 22, 2006 (16 U.S.C. §470 et seq.).

“Advisory Council” means the Advisory Council on Historic Preservation established under the Act.

“Applicant” means any individual or entity seeking funding, permitting, licensing or approval from a federal agency or funding or service for a historic preservation activity from the society.

“Certified local government” means a unit of local government which is certified by the National Park Service to carry out the purposes of the National Historic Preservation Act in accordance with Sections 101(c), 103(c) and 301 of the Act and 36 CFR Part 61.

“Considered eligible” means properties formally determined as eligible in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

“Deputy state historic preservation officer” means the designee of the state historic preservation officer who is responsible for the daily administration of the historic preservation program in the state.

“Determination of eligibility” means the process described in 36 CFR § 800.4(c) for evaluating the historic significance of identified properties.

“Historic context” means a historical theme summary created for planning purposes that links historical information with related historic properties based on the minimal components of a shared theme, specific time period, and geographical area.

“Historic preservation” includes identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training regarding the foregoing activities, or any combination of the foregoing activities.

“Historic Preservation Fund” means the federal source from which moneys are appropriated to fund the program of matching grants-in-aid to the states and other authorized grant recipients for historic preservation programs, as authorized by Section 108 of the National Historic Preservation Act as amended through December 22, 2006.

“Historic property” means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on, the National Register of Historic Places. “Historic property” includes artifacts, records, and material remains that are related to such properties or resources.

“Investment tax credit” means a federal income tax credit for the substantial rehabilitation of historic buildings for commercial, industrial, and rental residential and nonresidential purposes.

“National Register of Historic Places” means the national list of historic properties significant in American history, architecture, archaeology, engineering, or culture, maintained by the Secretary of the Interior.

“National Trust for Historic Preservation” means the private, nonprofit organization chartered by legislation approved by Congress on October 26, 1949, with the responsibility for encouraging public participation in the preservation of districts, structures, sites, buildings, and objects significant in American history and culture.

“*Review and compliance*” means the review of undertakings pursuant to Section 106 of the Act and its implementing regulations at 36 CFR Part 800.

“*Secretary’s Standards and Guidelines*” means the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation (36 CFR Part 61), which provide technical information about archaeological and historic preservation activities and methods. The subjects covered include preservation planning; identification, evaluation, registration, historic research and documentation; architectural and engineering documentation; archaeological investigation; historic preservation projects; and preservation terminology.

“*Section 106*” means the section of the Act that requires federal agencies to take into account the effects of the undertakings that the agencies carry out, fund, license, permit or approve on historic properties and afford the Advisory Council a reasonable opportunity to comment. The regulations of 36 CFR Part 800 define the process used by an agency to meet these responsibilities and the role of the state historic preservation officer in review and comment on these undertakings.

“*State historic preservation officer*” or “*SHPO*” means the governor’s appointee who is responsible for the management of the historic preservation program of the state and compliance of the state historic preservation program with federal statutes and regulations including those of the National Park Service.

“*State historic preservation review board*” means the Iowa state national register of historic places nominations review committee established as provided in Section 101(b)(1)(B) of the Act:

1. The members of which are appointed by the SHPO (unless otherwise provided for by state law);
2. A majority of the members of which are professionals qualified in the following and related disciplines: history, prehistoric and historic archaeology, architectural history, architecture, folklore, cultural anthropology, curation, conservation, and landscape architecture; and
3. Which has the authority to:
 - Review National Register nominations and appeals from nominations;
 - Review appropriate documentation submitted in conjunction with the Historic Preservation Fund;
 - Provide general advice and guidance to the state historic preservation officer; and
 - Perform such other duties as may be appropriate.

“*Technical assistance*” means services provided for the development of skills or the provision of knowledge relative to the background, significance, operation, or implications of some aspect of the historic preservation program.

[ARC 0267C, IAB 8/8/12, effective 9/12/12]

223—35.3(303) Organization of programs. The division operates the following preservation programs:

1. Certified Local Governments;
2. Investment Tax Credits;
3. National Register of Historic Places;
4. Education;
5. Preservation Partnership;
6. Survey and Inventory of Cultural Resources;
7. Review and Compliance;
8. Technical Assistance;
9. State Register of Historic Places; and
10. Comprehensive Preservation Planning.

223—35.4(303) Eligibility.

35.4(1) Participation in any historic preservation program is open to any individual, community, organization, or governmental unit which meets the requirements of the specific program as determined by the state historic preservation officer.

35.4(2) Recipients of Federal Historic Preservation Fund moneys shall agree when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, to clearly state the percentage of the total cost of the program or project which will be financed with federal money, and the dollar amount of federal funds for the project or program as well as contributions by the society.

35.4(3) All programs supported by Federal Historic Preservation Fund moneys shall be open to the public.

223—35.5(303) Contracts and grants.

35.5(1) Funds from other federal programs, with the exception of specially identified programs, shall not be used to match Federal Historic Preservation Fund grants.

35.5(2) Applications shall be submitted on the appropriate forms and with the requested supporting materials to be considered for funding.

35.5(3) Unless otherwise specified in a prior written contract, all products, artifacts, patents, copyrights, or legal interests of relevance to projects funded by Federal Historic Preservation Fund moneys shall become the sole and exclusive property of the society.

35.5(4) All applications for grants or contracts may be submitted to the Certified Local Governments Coordinator, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-8741.

35.5(5) All applications for funding shall be reviewed by a staff person. An advisory committee may be appointed to assist in the review process. All grant or contract awards shall receive the written approval of the state historic preservation officer.

35.5(6) Evaluation criteria. The following evaluation criteria shall be applied to all grant or contract applications:

- a. Compliance with state and federal standards and grant guidelines.
- b. Clearly stated or specific goals that can be realistically attained within the funding period and proposed budget.
- c. Measurable results or products (number, quality).
- d. Linkage with goals and objectives embodied in state or local preservation plans.
- e. Past grant/contract performance of applicant.

35.5(7) Appeals.

a. Eligible applicants, whose applications are not funded or otherwise serviced adequately, in the view of the applicant, shall have the right of appeal.

b. If state funds are involved in the grant or contract, the first appeal shall be directed to the deputy state historic preservation officer; the second appeal shall be directed to the state historic preservation officer; and the final appeal shall be directed to the director of the department of cultural affairs. All appeals shall be mailed to the appropriate official at the State Historical Society of Iowa or the Department of Cultural Affairs, Capitol Complex, Des Moines, Iowa 50319, (515)281-8741; (515)281-8837; (515)281-6258.

c. The initial appeal shall be received within 15 days of the notification of the selection.

d. The written appeal shall contain the following items:

- (1) Facts of the appeal;
- (2) Argument in favor of the appeal; and
- (3) Remedy sought.

e. Appeals shall be considered on the grounds that staff or review committee action was:

- (1) Outside the statutory authority;
- (2) Violated state or federal law;
- (3) Afforded inadequate public notice;
- (4) Procedure was altered to the detriment of the applicant without sufficient prior notice; or
- (5) A conflict of interest.

f. The deputy state historic preservation officer, state historic preservation officer, and director of the department of cultural affairs shall successively consider and rule on the appeal. Each officer shall notify the appellant of the decision within 30 days.

If the decision and remedy is believed insufficient by the appellant, the next step of the appeal process may be contacted. The decision of the director of the department of cultural affairs shall be final except as provided by Iowa Code sections 17A.19 and 17A.20.

If federal funds are involved, the first appeal shall be directed to the deputy state historic preservation officer; the second appeal shall be directed to the state historic preservation officer; and subsequent appeals to the National Park Service. Inquiries and appeals related to federal funds may be directed to the Rocky

Mountain Regional Office, Division of Cultural Resources, National Park Service, 12795 West Alameda Parkway, P.O. Box 25287, Denver, CO 80225, (303)969-2875.

223—35.6(303) Advisory committees.

35.6(1) Advisory committees may be appointed by the state historic preservation officer for the purpose of conducting peer reviews of grant products, reviewing and rating grant applications for funding, nominating historic resources to the National Register of Historic Places, and providing other professional input.

35.6(2) Advisory committees may be permanent or temporary. The term of office on temporary advisory committees shall be determined by the state historic preservation officer.

35.6(3) Recommendations by all advisory committees shall be nonbinding on the state historic preservation officer.

35.6(4) Members of an advisory committee shall not submit an application for a grant or contract from the state historical society of Iowa. Action by an advisory committee member shall be in accordance with Iowa Code chapter 68B and 223—subrule 1.6(6), Iowa Administrative Code.

35.6(5) Members of advisory committees may be reimbursed for travel, lodging, and expenses at the discretion of the deputy state historic preservation officer.

35.6(6) Iowa state national register of historic places nominations review committee.

a. The committee shall be a permanent advisory committee within the historic preservation program.

b. Responsibilities. The committee shall have the following responsibilities as a minimum:

(1) Review of all nominations of Iowa properties to the National Register of Historic Places for the purpose of determining if the property meets the National Register criteria for significance, and recommending that the state historic preservation officer nominate or reject the proposed nomination;

(2) Review of appeals to National Register nomination and provide written opinions on the significance of the properties;

(3) Advise the deputy state historic preservation officer concerning Historic Preservation Fund grant applications, end-of-year reports, and the state comprehensive historic preservation plan;

(4) Provide general advice, guidance, and professional recommendations to the state historic preservation officer in carrying out the duties and responsibilities assigned by the federal program in Procedures for Approved State and Local Historic Preservation Programs 36 CFR 61, April 13, 1984, and August 30, 1984; and

(5) Approve operating bylaws consistent with federal regulations.

c. Membership.

(1) The committee shall be composed of no more than 12 voting members, all of whom are citizens of Iowa, and the majority of whom are professionals in historic preservation disciplines of American history, architectural history, architecture, prehistoric and historical archaeology, or related professional disciplines.

The committee may include citizen members, representatives of other preservation-related professions, and nonvoting members.

(2) The committee may include two nonvoting or ex officio members appointed by representatives of primary public preservation organizations.

d. Qualifications.

(1) The professional requirement for historians and architectural historians shall consist of a graduate degree, or a bachelor's degree with two years of relevant experience. The bachelor's degree shall include a concentration of study in American history or American architecture. Substantial contributions to the discipline's field of scholarly knowledge through research and publication may be accepted in lieu of experience.

(2) The professional requirement for an archaeologist shall be a graduate degree in archaeology, one year of relevant experience with a minimum of four months' independent research as a principal investigator in North American archaeology, and demonstrated ability to complete research.

(3) The professional requirement for an architect shall be a bachelor's degree in architecture and two years' relevant experience or a state license.

e. Appointment. The state historic preservation officer shall appoint members to the committee. Approval of appointees by the Department of the Interior shall be obtained. The state historic preservation

officer shall seek to appoint members consistent with affirmative action policy; reflective of the urban-rural, regional and minority representation concerns of Iowa; and representative of citizen expertise in the field of historic preservation.

f. Term of office.

(1) The term of office for committee members shall be three years. The terms shall be staggered to permit one-third of the appointments to be made each year.

(2) The term of appointment shall begin on January 1 and be effective through December 31 three years later.

g. Meeting procedures.

(1) Members shall be reimbursed for travel, lodging, and expenses incurred in the performance of committee service.

(2) Members shall adhere to the conflict of interest statements in accordance with federal regulations stated in the National Register Programs Manual, NPS-49, Chapter 3 and 223—1.6(6), Iowa Administrative Code.

(3) Committee members shall refrain from voting and commenting upon any nominated property for which the member serves as an officer, trustee, fiduciary employee, or for which the member has consulted either for remuneration or gratis in the preparation of the nomination, or for which the member has or expects to participate in the development or use of the property.

(4) The committee shall meet quarterly. The committee may schedule additional meetings as necessary to carry out its business.

(5) The state historic preservation officer or designee shall preside at all meetings of the committee.

(6) Members are permitted to miss no more than two regular meetings in a year and shall notify the deputy state historic preservation officer at their earliest opportunity of the need to miss a meeting. If a member misses more than two regular meetings in a year, the state historic preservation officer may replace the member.

(7) Meetings shall be open meetings conducted in accordance with Iowa Code chapter 21 and Robert's Rules of Order, Revised Edition.

(8) The quorum necessary to conduct committee business shall be a majority of full, active, voting members of the committee. Acceptance of nominations for recommendation to the National Register of Historic Places shall be a majority of full, active committee members present. No nomination shall be considered by the committee unless one committee member with professional expertise in the area of nomination is present.

(9) Citizens may appear before the committee to discuss a nomination. The length of presentations may be limited by the chair.

223—35.7(303) Grants available. The following categories of historic preservation grants may be funded:

35.7(1) *Survey and planning subgrants.*

a. Purpose. The program provides funds for planning and implementation of activities related to the survey, evaluation, nomination, and protection of Iowa's cultural resources.

b. Procedure.

(1) Individuals or other entities may submit survey or planning proposals to the deputy state historic preservation officer during the annual workplan development period between June 1 and August 31. If the proposal is accepted, a competitive bidding process shall be held. The individual or entity suggesting the proposal may be an eligible bidder.

(2) Allowable activities shall include the survey of cultural resources, nomination and evaluation of cultural resources, research on historic contexts, and preservation planning.

(3) All applicants are encouraged to include community involvement and local volunteer participation.

(4) All grants under this program require match equal to or greater than 30 percent of state funding.

(5) All questions and applications may be directed to Deputy State Historic Preservation Officer, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-8741.

35.7(2) *Preservation partnership subgrants.*

a. Purpose. This program provides preservation education and technical assistance for a one-year period to a competitively selected multicounty area which has not been the subject of a cultural resources survey and does not participate in the certified local government program.

b. Procedure.

(1) Individuals or other entities may submit competitive applications for the selection of their two-or three-county area to the deputy state historic preservation officer during the annual workplan development period between March 1 and April 15. Potential applicants shall be notified by a mailing to all county boards of supervisors and county and local historical organizations in counties with no county preservation commissions or existing cultural resource surveys 45 days prior to the application deadline. Award decisions shall be made by May 15 of each year.

(2) Applicants shall identify goals and objectives to be achieved during the project, interested individuals and organizations, sources of potential matching funds, known historical resources in the county, and a potential local project coordinator for each county.

(3) Survey and planning grants may be awarded in the same project area.

(4) All applicants are encouraged to include community involvement and local volunteer participation.

(5) All proposals shall be limited to activities to be completed within one year.

(6) All questions and applications may be directed to Deputy State Historic Preservation Officer, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-8719.

35.7(3) *Certified local government subgrants.*

a. Purpose. This program seeks to enrich, develop, and help local historic preservation programs in cooperation with state and federal historic preservation programs.

b. General policy.

(1) Only certified local governments shall be eligible to apply for and receive a grant through this program.

(2) The state historic preservation officer shall not be required to award funds to all certified local governments.

(3) The program shall operate as a competitive grant program.

(4) Following the award of a grant a contractual agreement specifying the terms of the grant shall be executed between the society and the grant recipient.

c. Procedure.

(1) Application packets shall be sent to all eligible applicants at least 45 days prior to each application deadline.

(2) All applications shall be submitted on the forms provided by the state historical society of Iowa. All applications shall contain a description of the proposed project including a time schedule for implementation; the amount of grant funds requested; the amount, kind, and source of local match which is committed to the project; a budget for the project; written assurance that the applicant shall follow the Secretary of the Interior's Standards for Archaeology and Historic Preservation; and written assurance that the applicant shall select a principal investigator who meets the Secretary of the Interior's professional qualification standards.

(3) Survey projects shall have local match not less than 30 percent of the total project cost. All other types of projects shall have local match not less than 50 percent of total project cost.

(4) Staff shall be available for consultation with applicants regarding the development of project proposals.

(5) Staff shall review applications for completeness and eligibility upon receipt of the application. Incomplete or ineligible applications shall be returned to the applicant. The applicant may correct and return the application prior to the grant deadline.

(6) Program staff shall conduct a preliminary review of each application to determine eligibility, completeness, consistency with program purpose, and amount of local match. Applications which do not meet these criteria shall not be considered for funding. Results of the staff review shall be transmitted to the state National Register nominations review committee which will prepare recommendations for the board of trustees.

(7) Applications shall be reviewed by the state National Register nominations review committee at a regular meeting closely following the application deadline. The date of review shall be established by the administrator of the society. Recommendations from the committee shall be submitted to the board of trustees for formal approval. Final authority for funding shall rest with the state historic preservation officer.

(8) Applicants objecting to the decision of the state historic preservation officer may appeal to the National Park Service. Inquiries and appeals may be directed to the Rocky Mountain Regional Office, Division of Cultural Resources, National Park Service, 12795 West Alameda Parkway, P.O. Box 25287, Denver, CO 80225, (303)969-2875.

d. Grant awards.

(1) Upon the approval of a grant by the state historic preservation officer, a grant agreement shall be prepared that specifies the terms and conditions of the grant, including the grant amount, project description, matching requirements, and dates for the submission of specified products.

(2) The grant agreement shall be signed by the state historic preservation officer or designee and the chief elected local official of the certified local government or designee.

(3) If grant funds are awarded and later the certified local government determines that the project cannot be completed, the certified local government coordinator shall recommend to the state historic preservation officer alternatives for expenditure of the funds. The decision of the state historic preservation officer shall be final.

223—35.8(303) Reporting and audit requirements.

35.8(1) The state historical society of Iowa may require subgrantees to submit progress reports on the status of projects.

35.8(2) All subgrantees shall submit a financial compliance audit of their subgrant project expenditures.

35.8(3) All subgrantees shall submit documentation of expenses for all subgrant expenditures.

35.8(4) All inquiries and applications may be directed to the Certified Local Government Coordinator, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-6826.

These rules are intended to implement Iowa Code section 303.2 and Iowa Code chapter 303, subchapter II.

[Filed 6/22/77, Notice 5/18/77—published 7/13/77, effective 8/18/77]

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CHAPTER 36
CERTIFIED LOCAL GOVERNMENT PROGRAM
Transferred to 261—Chapter 417, IAC Supplement 4/3/24

CHAPTER 37
INVESTMENT TAX CREDIT PROGRAM
Transferred to 261—Chapter 411, IAC Supplement 2/7/24

CHAPTER 38
NATIONAL REGISTER OF HISTORIC PLACES
[Prior to 5/31/89, see Historical Department [490] Ch 17]
Transferred to 261—Chapter 412, IAC Supplement 2/7/24

CHAPTER 39
EDUCATION PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—39.1(303) Purpose. The Education Program provides educational services to the public concerning many topics. Printed materials, audiovisual materials, and staff presentations are available.

223—39.2(303) Regulations. The Education Program shall operate in accordance with the National Historic Preservation Act of 1966 and the Program Guidelines-NPS 49, Chapters 12 and 13.

223—39.3(303) Procedure. Services are provided to individuals or organizations on a first-come, first-served basis. Fees may be charged to cover expenses. Requests for services may be directed to the Iowa History Resource Center, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-6860. Many materials may be obtained from the Iowa History Resource Center, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-6860.

These rules are intended to implement Iowa Code section 303.2 and Iowa Code chapter 303, subchapter II.

[Filed without Notice 5/12/89—published 5/31/89, effective 7/5/89]

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CHAPTER 40
PRESERVATION PARTNERSHIP PROGRAM
Transferred to 261—Chapter 413, IAC Supplement 2/7/24

CHAPTER 41
SURVEY AND REGISTRATION OF CULTURAL RESOURCES PROGRAM

[Prior to 5/31/89, see [490] Ch 18]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—41.1(303) Purpose. The Iowa Cultural Resources Survey and Registration Program is responsible for identifying and evaluating prehistoric and historic sites, buildings, structures, objects, and districts of significance to Iowa, its communities and the nation as a whole.

223—41.2(303) Regulations. The Iowa Cultural Resources Survey and Registration Program shall operate in accordance with the National Historic Preservation Act of 1966, as amended in 1980, Section 101 and Section 106; Executive Order 11593; and 36 CFR Part 800, September 21, 1986.

223—41.3(303) Survey selection.

41.3(1) Surveys may be conducted by the society staff, subgrants to consultants, certified local governments, or interagency agreements with federal, state, and local governmental agencies.

41.3(2) Selection of survey areas or topics, and the inclusion of survey results in the survey files, shall be determined by the priorities of the Iowa historic preservation plan, requirements of the Secretary of the Interior and, as appropriate, by requirements of the state of Iowa.

41.3(3) The society shall make available to the public, on request, federal and state guidelines for planning and conducting surveys of historic properties, survey data collection forms and continuation sheets, photo field catalog sheets, photographic specifications, and guidelines for the reporting of results to the society. These specifications and guidelines shall be used in all historic property surveys conducted or funded either partially or totally by the society. Adoption of these specifications and guidelines is not binding on federal agencies, other Iowa state agencies, local governments, or individuals, but their adoption is strongly recommended to facilitate comprehensive preservation planning, Section 106 review, information sharing, consistency in survey standards, and listing of historic properties on the National Register of Historic Places.

41.3(4) Federal agencies, state and local government entities, public and private institutions, and private individuals may be requested to conduct surveys if they are utilizing federal funds or engaging in a federally licensed, guaranteed, or regulated activity in order to comply with Section 106 of the National Historic Preservation Act of 1966 and Executive Order 11593.

41.3(5) State historical society of Iowa staff may assist federal and state agencies, local governments, and individuals in survey planning, the preparation of requests for proposals, and proposal evaluation. Requests for assistance may be directed to Deputy State Historic Preservation Officer, State Historical Society, Capitol Complex, Des Moines, Iowa 50319, (515)281-8741.

223—41.4(303) Survey funding.

41.4(1) Surveys funded by the society shall be conducted by principal investigators who meet the minimum professional qualifications specified for the appropriate discipline by the National Park Service in 36 CFR, Part 61, April 13, 1984, and August 30, 1985. The same standards are recommended for investigators in projects not funded by the society.

a. The staff maintains a list of consultants meeting the requirements of 36 CFR, Part 61, April 13, 1984, and August 30, 1985, and expressing an interest in conducting survey activities. Persons or firms interested in being listed may apply by submitting a résumé and other materials describing their qualifications to the staff. The staff shall review the qualifications and inform the applicant of the outcome of the review within 30 working days of submittal of complete documentation. Printed lists of qualified consultants shall be issued annually on January 15.

b. Inclusion on the consultant list does not constitute endorsement of an individual or a firm. At public request the staff shall review credentials of consultants not on the list and under consideration for a specific project funded by the society.

41.4(2) All survey projects to be conducted by a consultant shall be awarded in a competitive bidding process. A request for proposal shall be prepared by the staff. The request for proposal shall describe the project, specifications for the final product, and evaluation factors for the awarding of the contract.

41.4(3) The request for proposal shall be sent by the staff to all individuals and firms on the appropriate consultant list. A minimum of 30 days shall be permitted for the submittal of bids. State historical society of Iowa staff and other qualified individuals shall review the proposals and inform the consultants of the status of their bid within 30 working days. The society may reject all proposals; request some bidders to submit best and final offers in 15 working days; or award the contract. Awards shall be made to the offeror whose proposal is deemed to be the most advantageous to the state of Iowa on the basis of price and other factors.

223—41.5(303) Conduct of the surveys.

41.5(1) All surveys are subject to all state and federal laws regarding trespass and egress and the protection of archaeological resources. Responsibility for compliance rests solely with the firm or individual conducting the survey.

41.5(2) Information collected from private and public repositories, individuals and groups, and within the public right-of-way including photography shall be subject to inclusion in the project file. All information collected from private and public repositories, individuals and groups, and within the public rights-of-way including photography shall be considered suitable for inclusion in project files and be made available to the public upon request.

223—41.6(303) Availability of survey information. The state historical society of Iowa is the repository for all architectural and historical survey data collected through projects funded by the state historical society and the review and compliance (Section 106) process. Other agencies and individuals are encouraged to deposit their survey materials or a copy of those materials with the state historical society of Iowa.

223—41.7(303) Confidentiality of archaeological site information.

41.7(1) In accordance with Iowa Code subsection 22.7(21) and 685—Chapter 14, Iowa Administrative Code, specific locational information on archaeological resources is confidential unless approved for disclosure. The state historic preservation officer, or designee, shall make archeological site records available to the following entities for inspection and copying:

1. Federal and state agencies, local governments, and applicants for federal assistance, permits, and licenses in compliance with Section 106;
2. Federal and state agencies, local governments, and other planning bodies for management and oversight of archaeological sites under their jurisdiction;
3. Members of the Association of Iowa Archaeologists;
4. Members of the Society of Professional Archaeologists;
5. Qualified archaeologists as defined in 685—14.2(305A), Iowa Administrative Code; and
6. Other persons deemed to present no unreasonable risk of damage or loss of the resource.

41.7(2) Notwithstanding any of the preceding subrule, the state historic preservation officer, or designee, shall retain the authority to deny access to the Iowa site records, site location maps, and all supporting documents if the release is believed to result in an unreasonable risk of damage or loss of the resource. An appeal committee consisting of three qualified archaeologists as defined in 685—14.2(305A), Iowa Administrative Code, shall review contested cases and make recommendations to the director of the department of cultural affairs for final decision.

41.7(3) The society may enter into agreements with the state archaeologist or other agencies to obtain or make available Iowa site records for planning purposes.

41.7(4) Unless subject to restriction, copies of survey material may be obtained from the state historical society of Iowa. Fees shall be posted in accordance with 223—subrule 1.5(3), Iowa Administrative Code. Requests may be directed to Consulting Archaeologist, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-8744.

These rules are intended to implement Iowa Code section 303.2 and Iowa Code chapter 303, subchapter II.

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CHAPTER 42
REVIEW AND COMPLIANCE PROGRAM
Transferred to 261—Chapter 414, IAC Supplement 2/7/24

CHAPTER 43
TECHNICAL ASSISTANCE PROGRAM
Transferred to 261—Chapter 415, IAC Supplement 2/7/24

CHAPTER 44
STATE REGISTER OF HISTORIC PLACES PROGRAM
[Prior to 5/31/89, see Historical Department[490] Ch 17]
Transferred to 261—Chapter 416, IAC Supplement 2/7/24

CHAPTER 45
COMPREHENSIVE PRESERVATION PLANNING PROGRAM
Reserved

CHAPTER 46
MAIN STREET LINKED INVESTMENTS LOAN PROGRAM
Rescinded **ARC 8101C**, IAB 7/10/24, effective 8/14/24

CHAPTER 47
HISTORIC PROPERTY REHABILITATION TAX EXEMPTION

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—47.1(303) Purpose. Property owners desiring property tax benefits for substantial rehabilitation of historic buildings may apply for certification of completed work to the consulting architect of the state historical society of Iowa. Applicants are encouraged to apply for preliminary review and approval prior to start of rehabilitation work to prevent delays in certification of completed work or denials caused by unacceptable rehabilitation work.

Approved certifications of completed work may then be filed by the property owner with the assessor of the jurisdiction who shall certify the eligibility of the property for exemption and forward the application to the board of supervisors.

223—47.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 and rules 223—1.2(303) and 223—35.2(303) shall apply for terms as they are used throughout this chapter. In addition, the following definitions apply:

“Application for certification” means the application for approval of substantial rehabilitation work to a historic property filed with the state historical society of Iowa.

“Application for exemption” means the application for a property tax exemption filed with the assessor for the substantial rehabilitation work on a historic property certified as approved by the state historic preservation officer.

“Base year valuation” means the assessed valuation for the building on January 1 of the year in which the rehabilitation work was initiated.

“Exemption” means the temporary release from the increase in valuation due to certified substantial rehabilitation of a historic property and is dependent on maintaining the certification from the state historic preservation officer.

223—47.3(303) Program administration.

47.3(1) The staff of the society shall review and evaluate proposed and completed substantial rehabilitation applications. The state historic preservation officer shall provide applicants of approved projects with a certification of completed work.

47.3(2) Boards of supervisors shall establish their priorities for which an exemption may be granted. Examples of exemption priorities may be: a maximum annual dollar amount of exemptions allowed on a first-come basis; types of historic properties as defined in Iowa Code section 427.16; property types defined by use or location; exclusion of properties within a tax increment financing or special municipal improvement district; or other criteria specified by the board of supervisors. An annual priority list shall be established by boards of supervisors as required by Iowa Code section 427.16.

47.3(3) An annual report listing all historic properties in the county for which an exemption has been granted shall be prepared by the assessor on or before July 1, submitted to the respective county auditor and to the state historic preservation officer.

223—47.4(303) Eligibility.

47.4(1) All applications for exemption eligibility submitted to the assessor and board of supervisors shall have received a certification of completed work from the state historic preservation officer. The approved certification shall be attached to the exemption application.

47.4(2) Applications for eligibility shall be evaluated using the board of supervisors’ adopted priority list.

223—47.5(303) Application for exemption procedure.

47.5(1) All applications for exemption shall be submitted on the historic property rehabilitation tax exemption form prescribed by the department of revenue. All applications shall have attached an approved application for certification of completed work. Forms may be obtained from the Department of Revenue,

Capitol Complex, Des Moines, Iowa 50319; Consulting Architect, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, telephone (515)281-8719; or the office of the appropriate assessor or board of supervisors.

47.5(2) Applications for certification of completed work shall provide historical, architectural and financial information; and plans, photographs and maps as required on the application form.

a. Part 1 of the application form shall establish the significance of the property. As a minimum, current photographs of all exterior sides of the building, the streetscape and representative views of the interior shall be provided. Where property is within a National Register Historic District or area of historic significance as defined in Iowa Code section 303.20 or 303.34, a map locating the property within the boundaries of the area shall be provided.

b. Part 2 of the application form shall detail the existing conditions and the proposed rehabilitation workplan. Photographs shall show specific areas of work and both the interior and exterior conditions prior to the start of work.

c. Request for Certification of Completed Work (part 3) shall document the completed work. Photographs shall show specific areas where work has been completed and both the interior and exterior conditions after the completion of work.

d. Applicants are strongly encouraged to obtain approvals on parts 1 and 2 of the application prior to the start of work. Applicants shall file completed part 3 application forms with the state historical society of Iowa on or before December 31 for work completed that calendar year. Applicants whose work is approved shall file certifications of completed work as part of their application for exemption with their assessor on or before March 1 of the appropriate tax year.

47.5(3) Materials submitted to the society shall not be returned.

47.5(4) In some localities or with some funding sources, other preservation or design-related reviews may be required before any rehabilitation occurs. The process of application for certification of completed work as part of historic property rehabilitation tax exemption program does not substitute for any other reviews/applications which may be required of property owners.

47.5(5) Inquiries concerning information required, historic property eligibility, and review criteria should be addressed to the Deputy State Historic Preservation Officer, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, telephone (515)281-8719.

223—47.6(303) Review and approval standards for applications for certification.

47.6(1) Project certification shall be based on the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, 36 CFR Part 67.7 (1990), National Park Service, Preservation Assistance Division, Washington, D.C. 20013-7127.

47.6(2) The standards apply equally to interior and exterior work. All reviews shall consider the entire rehabilitation project, including any new construction on site, rather than only a limited segment of the project; and the certification shall be based on conformity of the total project to the standards.

47.6(3) If required documentation is incomplete and the review and evaluation cannot be completed, the project shall be denied the requested certification. The applicant shall be notified by the society.

223—47.7(303) Appeals. Decisions made by the society or its designee adversely affecting applicants may be appealed pursuant to 221—Chapter 3.¹

¹ See Notice of Intended Action **ARC 1811A**, IAB 3/20/91.

These rules are intended to implement Iowa Code sections 303.2 and 427.16.

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CHAPTER 48
HISTORIC PRESERVATION AND CULTURAL AND
ENTERTAINMENT DISTRICT TAX CREDITS
Rescinded **ARC 0337D**, IAB 6/10/26, effective 7/15/26

TITLE VI
GRANT PROGRAMS
CHAPTER 49
HISTORICAL RESOURCE DEVELOPMENT PROGRAM GRANTS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—49.1(303) Purpose. The historical resource development program provides funds to preserve, conserve, interpret and enhance, and to educate the public about, the historical resources of the state. These rules define parameters for the administration of grants through the historical resource development program.

223—49.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 and rules 223— 1.2(17A,303), 223—1.6(303), 223—13.2(303), 223—22.2(303), and 223—35.2(303) shall apply to terms as they are used throughout this chapter. In addition, the following definitions apply:

“Conservation” means action to chemically stabilize or physically protect historical documents or artifacts to ensure their long-term survival.

“Documentary collections” means collections of current or historical materials that are or might become valuable in interpreting Iowa history, including but not limited to government records, newspapers, photographic images, electronic records, manuscripts, and printed materials.

“Emergency” means a threat to a historical resource that is not the result of delinquency by the current owner and that requires timely action to prevent immediate loss of the resource.

“Grantee” means any applicant that receives grant funds.

“Historical resource” means any site that is listed by the state historic preservation officer on the National Register of Historic Places or personal property that has inherent historical value due to its association with the history of Iowa or the heritage of Iowa’s people.

“HRDP” means the historical resource development program as established in Iowa Code section 303.16.

“Interpretation” means the presentation of Iowa history to the public through exhibitions, exhibition catalogs, education programs, historical markers, and other appropriate means.

“Preservation” means the stabilization and rehabilitation of a property eligible for or listed on the National Register of Historic Places, or the salvaging or reformatting of information contained in a historical document or artifact by the use of various surrogate media.

“REAP” means the resource enhancement and protection Act as established in Iowa Code section 455A.16.

“REAP/HRDP steering committee” means the historical division’s staff committee appointed by the director and consisting of the grants manager, a division leadership team member, and professional staff members from historic preservation, museum, and documentary collections interest areas.

[ARC 7583B, IAB 2/25/09, effective 4/1/09]

223—49.3(303) Funding policies. The grant programs shall be conducted according to published guidelines that outline funding priorities, review criteria, application forms, adjudication processes and grantee requirements. Programs include REAP/HRDP regular grants, REAP/HRDP emergency grants, and country school grants.

49.3(1) Grant programs shall require formal application and review prior to the awarding or denial of any funds. The application and awards process may vary in accordance with the nature and design of each grant program but shall follow published guidelines.

49.3(2) All funded projects shall comply with professional standards for historic preservation, museums, or documentary collections as follows:

a. Historic preservation projects shall adhere to the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation and the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

b. Museum projects shall adhere to applicable national standards or follow technical guidelines generally accepted by the museum profession. Applicants shall demonstrate a commitment to providing, and the ability to provide, care for their collections on a long-term basis.

c. Documentary collections projects shall adhere to national standards, where they apply, or otherwise follow technical guidelines generally accepted by the library, archives, and conservation communities. Applicants shall demonstrate a commitment to providing, and the ability to provide, care for their collections on a long-term basis.

49.3(3) Applications for grants shall be reviewed as follows:

a. Applications for REAP/HRDP emergency grants shall be evaluated by the REAP/HRDP steering committee. Awards shall be determined by majority vote of the steering committee.

b. Applications for REAP/HRDP regular grants and country school grants shall be evaluated by a review panel composed of a minimum of nine members, including at least six public members and three historical division staff members, as follows:

(1) Public members:

1. At least two Iowa museum professionals;

2. At least two members of the Iowa state national register of historic places nominations review committee;

3. At least two members of the Iowa historical records advisory board.

(2) Historical division staff members:

1. One professionally trained museum specialist;

2. One professionally trained historic preservation specialist;

3. One professionally trained archives specialist.

49.3(4) An applicant may not submit more than one application in any single category in any grant cycle.

49.3(5) Applicants funded in two consecutive fiscal years in the same grant category are not eligible to receive funding in the same grant category during the next fiscal year.

49.3(6) Review criteria scores shall be the official record of the proceedings of a review panel or steering committee meeting. Historical division staff shall, upon request, provide an applicant with a written record of these scores.

49.3(7) The review panel shall make grant award recommendations to the state historical society board of trustees. The state historical society board of trustees shall make grant award recommendations to the administrator of the historical division.

49.3(8) The historical division shall issue contracts for all funds awarded.

49.3(9) No state funds awarded under the historical resource development program shall be used by a grantee to meet the grantee's obligation to match other historical division or cultural affairs department grants or programs.

49.3(10) No appropriated state funds shall be used by a grantee to match the grantee's historical resource development program grant.

49.3(11) A grantee shall not utilize historical resource development program funds for any lobbying purpose.

49.3(12) An applicant shall not apply for or use any program funds for the purpose of regranting.

49.3(13) Grant funds shall not be awarded to a city or county government for a project in the historic preservation category unless the city or county government has been approved as a Certified Local Government (CLG) by the National Park Service and determined to be a CLG in good standing by the state historic preservation office (SHPO). CLG cities, counties, and land use districts must be current in their submission of Iowa CLG annual report forms to be considered in good standing.

49.3(14) All government, nonprofit corporation, or Indian tribe applicants shall demonstrate that the historical resource is accessible to the public no less than an average of 16 hours per week or shall provide a statement concerning actions to be taken in the forthcoming 36 months after the grant award to provide the above-specified accessibility of the funded project to the public, unless access is restricted by specific federal or state code. Archaeological sites that are part of funded projects are not required by this program to be accessible to the public.

49.3(15) All private corporations, businesses, and individual applicants shall demonstrate that the historical resources which benefit from being acquired, developed or preserved, or the portions of the historical resource so benefited, shall be accessible to the public no less than an average of 96 hours per year or shall provide a statement concerning actions to be taken in the forthcoming 36 months after the grant award to provide the above-specified accessibility of the funded project to the public, unless access is restricted by specific federal or state code. Archaeological sites that are part of funded projects are not required by this program to be accessible to the public.

49.3(16) A grantee shall credit the historical resource development program in all promotions, publicity, advertising, and printed materials relating to the grant-supported project, with the following credit line or a reasonable facsimile: “This program is supported in part by the State Historical Society of Iowa, Historical Resource Development Program.” Noncompliance with this requirement shall jeopardize future funding of the grantee by the historical division.

49.3(17) The historical division may, for cause, find that a grantee is not in compliance with the requirements of this program or the terms of the contract. At the division’s discretion, remedies for noncompliance may include penalties or the repayment of program funds. Reasons for a finding of noncompliance include but are not limited to: the grantee’s use of program funds for activities not described in its application or not permitted under the program; the grantee’s failure to complete approved activities in a timely manner; the grantee’s failure to comply with any applicable professional standards, state rules, or federal regulations; the lack of a continuing capacity on the part of the grantee to carry out the approved program in a timely manner; or violation of the terms of the contract.

[ARC 7583B, IAB 2/25/09, effective 4/1/09; ARC 8487B, IAB 1/27/10, effective 3/3/10]

223—49.4(303) Record keeping and retention. Grantees shall keep adequate records relating to the administration of a project, and particularly relating to all expenses incurred. These records shall be available for audit by representatives of the department and the state auditor’s office. All records shall be retained in accordance with state laws.

223—49.5(303) Appeals.

49.5(1) Applicants or grantees may appeal a decision of the historical division on any of the following bases:

- a. The action was outside the statutory authority;
- b. The decision was influenced by a conflict of interest;
- c. The action violated state law, administrative rules, or policy;
- d. Insufficient public notice was given; or
- e. Alteration of the review and certification processes was detrimental to the applicant.

49.5(2) Written appeals shall be directed to the director of the department within 30 calendar days of notification of the decision. All appeals shall be mailed to the following address: Director, Department of Cultural Affairs, 600 East Locust Street, Des Moines, Iowa 50319-0290.

49.5(3) All appeals shall contain:

- a. The facts of the case;
- b. An argument in favor of the appeal; and
- c. The remedy sought.

49.5(4) The director of the department of cultural affairs shall consider and rule on the appeal after receiving all documentation from the appellant and shall notify the appellant in writing of the decision within 30 days of receipt of all documentation. The decision of the director of the department of cultural affairs shall be final except as provided in Iowa Code sections 17A.19 and 17A.20.

These rules are intended to implement Iowa Code chapter 303.

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CHAPTER 50
HISTORIC SITE PRESERVATION GRANT PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—50.1(303) Purpose. The purpose of the historic site preservation grant program is to provide matching grants to nonprofit organizations, governmental bodies, and Indian tribes for the restoration, preservation, and development of historical sites.

The state historical society of Iowa, the historical division of the Iowa department of cultural affairs, shall administer the historic site preservation grant program.

223—50.2(303) Definitions.

“Administrator” means the administrator of the state historical society of Iowa, the historical division of the department of cultural affairs.

“Director” means the director of the department of cultural affairs.

“Emergency” means a threat to a historical resource that is not the result of delinquency by the current owner and that requires timely action to prevent immediate loss of the resource.

“Facility” means a site, structure, building, or object such as a sculpture or monument.

“Historical site” means a property that is listed or declared eligible by the state historic preservation officer for listing on the National Register of Historic Places, or a facility in which Iowa’s history or the heritage of Iowa’s people is interpreted. Historical sites shall relate to the human occupation of Iowa, but may be of prehistoric or historic age.

“Indian tribe” means any tribe, band, nation, or other organized group or community of Indians that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“Infrastructure” is defined in Iowa Code section 8.57(5c) as “vertical infrastructure” and shall include only land acquisition for construction, major rehabilitation of buildings, all appurtenant structures, utilities, and site developments.

“Society” means the state historical society of Iowa, the historical division of the department of cultural affairs, established in Iowa Code section 303.1.

223—50.3(303) Application procedures.

50.3(1) Eligible applicants. Grants shall be awarded to any local political subdivisions of the state, state agency, Indian tribe, or nonprofit organization that is duly authorized and charged with responsibilities for construction, maintenance and operation of historical sites.

50.3(2) Eligible projects. Grants under this program shall be used for “vertical infrastructure” as defined in Iowa Code section 8.57(5c). Applicants shall submit only one grant application per funding cycle. Projects that received designated legislative earmarking of funds in the current fiscal year shall not be eligible for funding through this program. Projects that received funding from this program are ineligible to apply for three years from the date of grant award.

50.3(3) Project requirements. When applicable, all project work shall meet the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation. All applicants shall submit project information to the society’s community programs bureau for review as part of the application process. Successful applicants shall consult with the society’s historic preservation staff to ensure that the standards are met. Failure to meet the standards shall result in cancellation of the grant.

50.3(4) Form of application. Grant applications shall be on forms provided by the society and shall follow all prescribed guidelines. Completed applications shall provide sufficient detail to clearly describe the scope of the project.

50.3(5) Application timing. Grant applications (1 original and 11 copies) shall be received by 4:30 p.m. in the program coordinator’s office at the State Historical Society of Iowa, 600 East Locust, Des Moines, Iowa 50319-0290, on or before the deadline date, or shall have a United States Postal Service postmark, dated on or before the fourteenth day of September.

50.3(6) *Assistance ceiling and cost share.* Grants to any individual project shall not exceed \$100,000. Project sponsors shall provide cash match at the rate of one dollar for each state grant dollar. An applicant shall certify that it has committed its share of project costs by the time final payment is made. State funds shall not be used as cash match for this program. Indirect costs and staff salaries shall not be used as match.

50.3(7) *Minimum grant amount.* No application requesting less than \$40,000 in grant funds shall be considered.

50.3(8) *Geographic distribution of funds.* No more than \$200,000 may be awarded in any grant cycle within a single county.

[ARC 8234B, IAB 10/21/09, effective 11/25/09]

223—50.4(303) Project review and selection.

50.4(1) *Staff review.* Applications shall be reviewed by society staff to ensure compliance with the program's administrative rules and guidelines. All applications meeting the requirements shall be forwarded to the review and selection panel. Ineligible applications shall not be considered.

50.4(2) *Review panel.* A review and selection panel, hereinafter referred to as the review panel, comprised of ten members appointed by the administrator, shall review and evaluate project applications and shall develop funding recommendations to be forwarded to the state historical society board of trustees for approval.

The review panel shall be comprised of the following members:

1. Panel chairperson, appointed by the administrator.
2. Five citizens, each with a background in archaeology, history, architectural history, architecture, museum studies, Iowa heritage, or a closely related field. Citizens serving on the committee shall be selected from a wide geographic area.
3. One member of the society's board of trustees.
4. One staff representative selected by the administrator of the Iowa division of tourism, Iowa department of economic development.
5. One staff representative selected by the administrator of the Iowa division of parks, recreation and preserves, Iowa department of natural resources.
6. One staff representative selected by the administrator of the division of project planning, Iowa department of transportation.

50.4(3) *Final review and selection of grants.* The society's board of trustees shall review the recommendations of the review panel and shall make recommendations to the administrator. The administrator shall make final funding decisions.

50.4(4) *Conflict of interest.* If a project is submitted by an eligible sponsor, one of whose members or employees is on the review panel, that panelist shall not participate in discussion and shall not vote on that particular project.

223—50.5(303) Application rating system. The review panel shall apply a numerical rating system to each grant application that is considered for funding assistance. The criteria, with a weight factor for each, shall include the following:

1. The historical or cultural significance of the project, and the degree to which the project is of regional, state, or national significance (30 percent);
2. The quality of the plans to interpret the historical resource (25 percent);
3. The extent to which the project will enhance educational opportunities for a broad and diverse audience (25 percent);
4. The degree to which the budget is reasonable and appropriate to the project (10 percent);
5. The degree to which the applicant demonstrates a commitment to the future viability of the resource by planning for the ongoing operation and maintenance of the project (10 percent).

Each criterion shall be given a score from 1 to 10, which is then multiplied by the weight factor.

223—50.6(303) Grant administration.

50.6(1) *Contract agreement.* Successful applicants shall enter into a contract agreement with the society.

50.6(2) *Timely commencement of projects.* Grant recipients are expected to carry out their projects in an expedient manner. Projects shall be under contract by February 1 in the year following their approval and shall be completed by the date specified in the contractual agreement. Failure to initiate projects in a timely manner may be cause for termination of the agreement and cancellation of the grant.

50.6(3) *Funding acknowledgement.* The grantee shall agree to include in all printed lists of contributors the following credit line: “State Historical Society of Iowa, Historic Site Preservation Grant Program.”

50.6(4) *Disbursement of funds.* All project moneys, including grant funds and matching funds, shall be expended within the period established by legislation. Disbursement of grant funds shall be made on a schedule as determined in the contractual agreement.

50.6(5) *Record keeping and retention.* Grant recipients shall keep adequate records relating to the administration of a project, particularly relating to all incurred expenses. These records shall be available for audit by representatives of the society and the state auditor’s office. All records shall be retained in accordance with state laws.

50.6(6) *Penalties.* During the contract period, whenever any property, real or personal, acquired or developed with grants under this program passes from the control of the grantee or is used for purposes other than the approved project purpose, it shall be considered an unlawful use of the funds.

50.6(7) *Remedy.* Funds used without authorization, for purposes other than the approved project purpose, or unlawfully, shall be returned to the society for deposit in the account supporting this program. In the case of diversion of personal property, the grantee shall remit to the department funds in the amount of the original purchase price of the property. The grantee shall have a period of two years after notification by the society in which to correct the unlawful use of funds. The remedies provided in this subrule are in addition to others provided by law.

50.6(8) *Ineligibility.* Whenever the administrator determines that a grantee is in violation of this rule, that grantee shall be ineligible to receive further grant funds until the matter has been resolved to the satisfaction of the state historical society board of trustees.

50.6(9) *Technical assistance.* The department may use up to 2 percent of the total appropriation for providing technical assistance to grant applicants and for administrative costs incurred in implementing the program.

223—50.7(303) Informal appeals. Eligible applicants or grantees may informally appeal a decision of the society not to grant historic site preservation grant funds on any of the following bases:

1. Action was outside statutory authority;
2. Decision was influenced by a conflict of interest;
3. Action violated state law, administrative rule, or written policy;
4. Insufficient public notice was given; and
5. Alteration of the review process was detrimental to the applicant.

Informal appeals in writing may be directed to the director within 15 days of the incident. All informal appeals shall be directed to the Director, Department of Cultural Affairs, Historical Building, 600 East Locust, Des Moines, Iowa 50319-0290. All informal appeals shall contain facts of the case, argument in favor of the appeal, and remedy sought.

The director shall consider and rule on the informal appeal after receiving all documentation from the appellant and shall notify the appellant in writing of the decision within 30 days. Decisions by the director may be appealed through the contested case process as set out in Iowa Code sections 17A.10 to 17A.19.

223—50.8(303) Emergency grants.

50.8(1) *Eligible applicants.*

a. Emergency grants may be awarded to any local political subdivision of the state, state agency, Indian tribe, individual or nonprofit organization that is duly authorized and charged with responsibilities for construction, maintenance and operation of historical sites, or to the owner of a historical site as defined in rule 50.2(303).

b. Emergency grants may be awarded for projects arising in counties for which a gubernatorial disaster emergency proclamation has been issued for natural disasters arising during the period of April 1, 2008, through June 30, 2008.

50.8(2) *Eligible projects.* Emergency grants may be awarded to projects for emergency stabilization of historical sites. All emergency grant projects shall meet the U.S. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

50.8(3) *Grant amount.* Any application requesting less than \$1,000 in grant funds or more than \$50,000 in grant funds shall not be considered.

50.8(4) *Application deadline.* Applications (one original and four copies) will be received on a continuous basis and will be reviewed monthly.

50.8(5) *Review panel.* A review and selection panel, hereinafter referred to as the review panel, comprised of four members appointed by the administrator, shall review and evaluate emergency project applications and shall develop funding recommendations to be forwarded to the administrator of the historical division for approval.

50.8(6) *Application rating system.* The review panel shall apply a numerical rating system to each grant application that is considered for funding assistance. The criteria shall include all of the following:

a. The emergency status of the project as evaluated against the definition of emergency in rule 50.2(303) and eligibility criteria identified in subrule 50.8(1);

b. The historical or cultural significance of the project and the degree to which the project is of regional, state, or national significance;

c. The quality of the plans to stabilize the historical resource;

d. The degree to which the budget is reasonable and appropriate for the project; and

e. The degree to which the applicant demonstrates a commitment to the future viability of the resource by planning for the ongoing operation and maintenance of the project following stabilization.

These rules are intended to implement Iowa Code sections 303.1A and 303.2.

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CHAPTERS 51 to 54
Reserved

TITLE VII
Terrace Hill

CHAPTER 55
ORGANIZATION AND OPERATION OF TERRACE HILL
Transferred to 401—Chapter 14, 2/16/94 IAB

CHAPTER 56
Reserved
Transferred to 401—Chapter 15, 2/16/94 IAB

CHAPTER 57
TERRACE HILL ENDOWMENT FOR
THE MUSICAL ARTS
Transferred to 401—Chapter 16, 2/16/94 IAB