

CHAPTER 171
GRANT APPLICATIONS AND AWARDS

[Prior to 10/21/98, see 347—Ch 95]

[Prior to 8/16/06, see 875—Ch 95]

875—171.1(90A) Scope. This chapter establishes rules of the athletic commissioner (commissioner) for the distribution of revenues collected pursuant to Iowa Code section 90A.7(1) in excess of the amount expected to be needed to administer chapter 90A.

875—171.2(90A) Application process.

171.2(1) The commissioner shall announce the opening of the application process by public notice.

171.2(2) All amateur boxing organizations seeking grant funds must submit an application to the commissioner on forms provided by the commissioner.

171.2(3) Contents. Each application shall contain:

a. The name and address of the applicant and the telephone number of a contact person.

b. A plan of action which details how the awarded funds will be spent and what results and benefits are expected. The action plan shall include:

(1) Grant goals, objectives, timeliness, responsible individuals, and evaluation. The grant results shall be quantifiable and measurable.

(2) Establish an end result which is beneficial to the sport of amateur boxing.

(3) Number of projected amateur boxing matches to be promoted by the applicant.

c. A budget detailing how the grant funds will be expended.

d. Assurances the applicant will comply with the conditions and procedures for grant administration.

e. A plan for evaluation.

f. Assurance the funds will not be used to retire preexisting financial obligations.

g. Assurances the applicant will comply with the conditions for financial management.

171.2(4) Applications not containing the specified information or not received by the specified date may not be considered. All applications shall be submitted in accordance with instructions in the requests for proposals. The proposals shall be submitted to the commissioner.

875—171.3(90A) Grant process.

171.3(1) All applications will be reviewed by the board. The board will recommend and advise the commissioner who shall have the final discretion to award funds.

171.3(2) The commissioner shall notify successful applicants and shall provide to each of them a contract for signature. This contract shall be signed by an official with authority to bind the applicant and shall be returned to the commissioner prior to the award of any funds under this program.

171.3(3) If the applicant and the commissioner are unable to successfully negotiate a contract, the commissioner may withdraw the award offer.

171.3(4) Applications shall be received by May 1 of each calendar year for an award the following fiscal year. Payment will be processed within 60 days of a grant award by the commissioner.

171.3(5) Grants shall be awarded for a 12-month period and may be renewed for a second year.

875—171.4(90A) Evaluation. The grantee shall cooperate with the commissioner and periodically provide requested information to determine how the goals and objectives of the project are being met.

875—171.5(90A) Termination.

171.5(1) Cause. The contract may be terminated in whole or in part at any time before the date of completion, whenever it is determined by the commissioner that the grantee has failed to comply substantially with the conditions of the contract. The grantee shall be notified in writing by the commissioner of the reasons for the termination and the effective date. The grantee shall not incur new obligations for the terminated portion after the effective date of termination and shall cancel as many outstanding obligations as possible.

171.5(2) Responsibility of grantee at termination. Within 45 days of the termination, the grantee shall supply the commissioner with a financial statement detailing all costs up to the effective date of the termination. If the grantee expends money for other than specified budget items approved by the commissioner, the grantee shall return moneys for unapproved expenditures.

171.5(3) Appeals. Any grantee aggrieved by a final decision regarding a grant award may appeal the decision by notifying the commissioner in writing within 10 days of the date of the decision. The commissioner shall issue a decision on the appeal within 60 days.

171.5(4) Refusal to issue ruling. The commissioner may refuse to issue a ruling or decision upon an appeal for good cause. Good cause includes, but is not limited to, the following reasons:

1. The appeal is untimely;
2. The appellant lacks standing to appeal;
3. The appeal is not in the required form or is based upon frivolous grounds;
4. The appeal is moot because the issues raised in the notice of appeal or at the hearing have been settled by the parties;
5. The termination of the grant was beyond the control of the department because it was due to lack of funds available for the contract.

875—171.6(90A) Financial management.

171.6(1) Financial documents. The grantee shall follow standards for financial records and procedures established by the commissioner.

171.6(2) Financial reporting. Within 90 days of the expiration or termination of a grant, the recipient shall submit to the commissioner:

a. A full disclosure of the status of grant expenditures compared to budgeted amounts on a line item basis.

b. Expenditures shall be reported on a line item basis and any expenditure exceeding 5 percent of the line item will require the grantee to submit an amended application to the commissioner for approval. This approval must accompany the close-out report to justify any positive 5 percent deviation.

171.6(3) Retention of records. All financial and programmatic records, supporting documents, statistical records, and other records of the grantee which are relevant to this rule shall be maintained for three years from the starting date of the grant agreement. This time period is extended if any litigation, claim, negotiation, audit, investigation, or other action involving the records has been started before the expiration of the three-year period. The extension is for one year past the completion of all actions and resolution of all issues which resulted in the extension of the period.

171.6(4) Access to records. The records required by this rule shall be accessible to the commissioner, the auditor of state, or their designees for the retention period established in this rule.

875—171.7(90A) Adjustments and collections.

171.7(1) Disallowances and adjustments. The closeout of a grant does not affect the commissioner's right to disallow costs and recover funds on the basis of an audit or other postgrant period review or the grantee's obligation to return any funds due as a result of unexpended funds, refunds, corrections or other transactions.

171.7(2) Collection. Any funds paid to a grantee in excess of the amount to which the grantee is finally determined to be due under the terms of the award constitute a debt to the state of Iowa. Amounts are due within 30 days of demand.

These rules are intended to implement Iowa Code section 90A.7.

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