

441—150.7(234) Iowa donation of funds contract.

150.7(1) Contract development. The service area manager or designee shall assist the donor in completion of the contract document.

a. Contract approval or rejection. Before a contract can be effective it shall be signed by the following persons within the time frames provided:

- (1) Donor or the donor's authorized representative.
- (2) Service area manager, within one week from receipt.
- (3) Rescinded IAB 5/11/05, effective 5/1/05.
- (4) Chief of the bureau of purchased services, within two weeks from receipt.

b. Contract effective date. The contract is effective upon signature of the chief of the bureau of purchased services.

c. Contract ending date. The contract ending date shall be specified in the contract, but shall not be later than June 30 following the effective date of the contract.

150.7(2) Contract administration.

a. Contract management. During the contract period the service area manager or designee shall be the liaison between the department and the donor. The liaison shall be contacted on all interpretations and problems relating to the contract. When a problem involves a particular service or administrative support contract, the project manager for that contract shall be notified by the liaison for the donor, if the project manager is not also the liaison.

b. Contract amendment. The contract shall be amended if:

(1) The donor or department is unable to comply with the existing terms of the contract and contract termination is not being sought.

(2) The donor decides to provide additional funds and the department agrees to accept them.

c. Contract termination. The contract may be terminated early if any of the following conditions exist:

(1) The donor and the department agree to terminate the contract early.

(2) The donor or the department fails to comply with contract terms.

d. Contract renewal. A donation of funds contract cannot be renewed. A new contract shall be negotiated when the donor wishes to provide funds in subsequent periods.

150.7(3) Conditions of participation.

a. Signed contract. A contract shall be effective only when signed by all parties required in 150.7(1) "a."

b. Civil rights laws. The donors shall be in compliance with all federal, state, and local civil rights laws and regulations with respect to equal employment opportunity, or have a written work plan approved by the diversity programs unit to come into compliance.

c. Title VI compliance. The donors shall be in compliance with Title VI of the 1964 Civil Rights Act and all other federal, state, and local laws and regulations regarding the provision of services, or have a written plan approved by the diversity programs unit to come into compliance.

d. Section 504 compliance. The donors shall be in compliance with Section 504 of the Rehabilitation Act of 1973 and with all federal, state, and local Section 504 laws and regulations, or have a written work plan approved by the diversity programs unit to come into compliance.

e. Affirmative action. The donors shall be in compliance with all federal, state, and local laws and regulations regarding affirmative action, or have a written work plan approved by the diversity programs unit to come into compliance.

f. Confidentiality. The donor shall comply with all applicable federal and state laws and regulations on confidentiality.

g. Eligibility of clients for programs. Clients for whom services are purchased using funds donated through this contract must be determined eligible by the department using 441—Chapters 130 and 153.

h. Purchase of service system. The donor shall follow the policies of the purchase of service system established by the department.

i. Restrictions on donated funds. The donor may specify the geographical area to be served and the service to be provided.

j. Transmittal of funds. Any funds available under this contract shall be transmitted to the department at least quarterly. When funds are for match purposes, they shall be transmitted in amounts sufficient to cover the anticipated quarterly expenditures.

k. Accounting. The department shall supply a monthly report which provides an accounting of the use of the funds to the donor.

150.7(4) Administrative control of funds. Except for restrictions permitted by subrule 150.7(3) “i,” all donated funds shall be donated on an unrestricted basis for use as if they were appropriated funds and shall be under the administrative control of the department.

150.7(5) Reversion of unspent funds. No funds donated and transmitted to the department will be returned to the donor unless the donor is a public agency. Unspent funds will be returned to the public agency donor after the contract period upon submittal of a written request to the chief of the bureau of purchased services.