

571—15.9(483A) Volunteer bow and fur harvester education instructors, snowmobile and all-terrain vehicle (ATV) safety instructors, boating safety instructors and hunter education instructors.

15.9(1) Purpose. Pursuant to Iowa Code sections 321G.23(2), 462A.1 and 483A.27(4), the department will certify volunteer instructors to teach bow, fur harvester, snowmobile, ATV, boating and hunter education courses.

15.9(2) Definitions. For the purpose of this rule:

“*Certified instructor*” means a person who has met all criteria in this rule for one or more of the above-named courses.

“*Course*” means the department’s bow, fur harvester, snowmobile, ATV, boating and hunter education and ethics courses.

“*Department*” means the Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034.

“*Instructor applicant*” means a person who has applied to become a certified volunteer instructor for one of the above-named courses.

15.9(3) Minimum qualifications. The following conditions must be satisfied before any person can become a certified instructor. Failure to meet these conditions will result in the denial of the application. An applicant may be disqualified if the applicant has accumulated any habitual offender points pursuant to rule 571—15.6(481A), or other license suspension by the court or department. The instructor applicant will be notified of the denial by the recreational safety coordinator. An instructor applicant shall:

- a. Submit an application as provided by the department to the local conservation officer or recreational safety officer.
- b. Be at least 18 years of age.
- c. Have experience in handling equipment, such as firearms, bows and arrows, furbearer traps, snowmobiles, ATVs and various navigational vessels, that is necessary for the various prescribed courses.
- d. Have completed the course as defined in subrule 15.9(2).
- e. Attend and pass an instructor’s training and certification course administered by the department.
- f. Submit to a background check. This check will include, but not be limited to, a criminal history check as provided by the department of public safety. A record of a felony conviction will disqualify the applicant. A record of serious or aggravated misdemeanors may disqualify the applicant based on type of offense and year committed.
- g. Successfully complete the apprenticeship as required in subrule 15.9(4).

15.9(4) Instructor applicant apprenticeship. In addition to subrule 15.9(3), the following conditions must be satisfied to complete the instructor applicant apprenticeship:

- a. Participate in one course.
- b. Apprentice with a certified instructor.

The recreational safety officer may make the determination as to which certified instructor will be supervising the instructor applicant during the apprenticeship.

15.9(5) Certified education instructor responsibilities. A certified instructor has the following responsibilities:

- a. To complete all prerequisites to becoming an instructor as provided in subrules 15.9(3) and 15.9(4).
- b. To follow all policies and procedures as set forth in the current “Instructor Procedures Manual.”
- c. To assist in the recruitment and training of additional volunteer instructors.
- d. To recruit and train students in the applied-for prescribed course program.
- e. To actively promote the program in the instructor’s county and to arrange for publicity for each new class.
- f. To maintain order and discipline in the classroom and outdoor classroom at all times.
- g. To accurately fill out required forms and reports for each class and mail that material to the recreational safety coordinator within 15 days after completion of the course.
- h. To teach the course as prescribed by the department.
- i. To maintain a file on all students that the instructor teaches.

j. To actively participate in one course every two years. If this requirement is not met, the instructor's certification may be terminated after notification by letter by the recreational safety coordinator. The person may reapply to become a volunteer safety education instructor pursuant to subrule 15.9(3).

k. To attend a minimum of one continuing education instructor workshop every three years for hunter education as provided by the department.

15.9(6) *Grounds for revocation of instructor certification.* The department may, at any time, seek to revoke the instructor certification of any person who:

- a.* Fails to meet the instructor responsibilities as outlined in subrules 15.9(4) and 15.9(5).
- b.* Fails to follow the policies and procedures as set forth in the current "Instructor Procedures Manual."
- c.* Falsifies any information as may be required by the department.
- d.* Handles any equipment in an unsafe manner, or allows any student or other instructor to handle equipment in a reckless or unsafe manner.
- e.* Is convicted of or forfeits bond for any fish and game, snowmobile, ATV or navigation violation of this state or any other state.
- f.* Uses abusive or foul language while conducting a course.
- g.* Participates in a course while under the influence of alcohol or any illegal drug.
- h.* Has substantiated complaints filed against the instructor by the public, department personnel or other certified instructor(s).
- i.* Fails to meet the requirements in subrule 15.9(5), paragraphs "*j*" and "*k*."
- j.* Is convicted of a felony or an aggravated or serious misdemeanor as defined in the statutes of this state. This would also include any felonies or comparable misdemeanors of any other state.
- k.* Receives compensation directly or indirectly from students for time spent preparing for or participating in a course.

15.9(7) *Termination of certification.* Any certified instructor has the right, at any time, to voluntarily terminate certification. If an instructor voluntarily terminates certification or certification is terminated by the department, the instructor must return to the department the certification card and all materials that were provided.

15.9(8) *Compensation for instructors.* Instructor applicants and certified instructors shall not receive any compensation for their time either directly or indirectly from students while preparing for or participating in a course. However, instructor applicants and certified instructors may require students to pay for actual course-related expenses involving facilities, meals or materials other than those provided by the department.

15.9(9) *Hearing rights.* If the department seeks to revoke an instructor certification pursuant to subrule 15.9(6), the department shall provide written notice of intent to revoke the certification as provided in 561—7.16(17A,455A). If the certified instructor requests a hearing, it shall be conducted in accordance with 561—Chapter 7.

This rule is intended to implement Iowa Code sections 321G.23(2), 462A.1 and 483A.27.