The Idaho Commission for Libraries (ICfL) provides support through grants, non-monetary assistance, and professional development opportunities. Program requirements are outlined by the ICfL through written agreements, applications, or other program agreements and correspondence. Individuals and organizations are expected to comply with these requirements for the duration of their involvement in each program. If program recipients fail to comply with program requirements, the ICfL may take the actions outlined in this document, as appropriate for the circumstance. The contents of this document are not intended to be exhaustive or exclusive.

Program recipients should contact the ICfL early on when there is a compliance concern. In these situations, the ICfL's goal is to find a mutually agreeable remedy before proceeding through more substantive and consequential actions.

Reasons for Noncompliance

Recipients of ICfL monetary and non-monetary awards and assistance, including participation in training and professional development opportunities, must comply with program requirements, terms, and conditions. Recipient noncompliance may occur through the following actions:

- **Failure to Meet Award or Program Requirements, Terms, and Conditions**
  Requirements, terms, and conditions include the items specified in written agreements, award notifications, written program guidelines, webpages, and email correspondence. They include both the ICfL requirements along with the applicable federal and state statutes, regulations, and policies applicable to the funding source. Specified ICfL policies also apply, including the Grant Program Eligibility Policy. The ICfL will clearly identify the requirements, terms, and conditions applicable to each monetary, non-monetary, and training/professional development program.

- **Making False Statements**
  Providing false statements or information in applications, reports, trainings, and professional development sessions, is prohibited.

- **Fraud, Waste, Abuse, and Mismanagement of Funds**
  Recipients of ICfL grants and monetary awards should establish internal controls to prevent fraud, waste, abuse, and mismanagement of funds.

- **Discrimination and Harassment**
  Discrimination and harassment based on race, color, religion, sex (including sexual orientation and gender identity), national origin (including limited English proficiency), age, disability, marital status, citizenship, genetic information, pregnancy, military status, or any other characteristic protected by law are prohibited in ICfL-sponsored programs. See the Equal Employment Opportunity Commission website (https://www.eeoc.gov/discrimination-type) for additional information.

- **Debarment and Suspension from Federal Programs**
  The ICfL does not provide monetary grants or assistance to organizations or individuals suspended or debarred from federal programs. See 2 C.F.R. 180 for additional information. Entity or individual debarment and suspension status is available on the SAM.gov website.

- **Civil or Criminal Legal Proceedings**
  A recipient organization or individual subject to legal proceedings or judgments may become noncompliant.

Remedies for Noncompliance

The ICfL may take the following actions to remedy a noncompliance situation. Depending on the severity of the situation, remedies will generally begin with the least severe, before escalating to more consequential and punitive actions.

- **Corrective Action During Participation**
  The ICfL will generally allow recipients to take corrective action as a first step when there is a noncompliance situation. For minor issues, the recipient may continue with program participation while taking these measures.

- **Award Modification**
  An award may be modified with the written approval of the ICfL and the recipient. These changes could allow a recipient to return to compliance with award terms. Modifications for grant awards could include a change to the award period, award amount, reporting requirements, project scope, or professional development requirements. The federal and state statutory, regulatory, and policy terms and conditions can generally **not** be amended for grants and other monetary awards.

  The ICfL may also amend the terms for participation in non-monetary award and training programs to bring recipients back into compliance. Modifications could include a change to the program period, quantity or type of materials provided, number of training sessions required, or reporting requirements.

- **Increased Monitoring**
  The ICfL may increase project monitoring efforts for recipients found to be noncompliant. Monitoring may take the form of increased access to project or financial records, conducting site visits, increased communication with recipient staff, or increased reporting frequency.

- **Reimbursement Instead of Advance Payment**
  The ICfL may issue reimbursement payments instead of advance payments for noncompliant recipients of grants and monetary awards.

- **Suspension**
  When noncompliance issues are considered to be above a minor level, recipients may be suspended from participation until appropriate corrective measures are initiated or completed. For recipients of grants and monetary awards, the ICfL may temporarily withhold cash payments. The recipient should not incur expenses during suspension, as these costs may be disallowed or denied.

  For recipients of non-monetary assistance, shipments of goods from the ICfL, such as books, electronics, or other materials will be withheld. For participants in ICfL professional development or training programs, suspension includes losing access to training sessions, materials, and non-employee travel reimbursements.

  The ICfL will notify recipients in writing if they are being suspended from a program. It is the sole

responsibility of the recipient to take the necessary corrective actions to bring about program compliance. The ICfL will inform the suspended recipient in writing of their reinstatement status.

- **Award Termination**
  Awards may be totally or partially terminated as follows:

  - By the ICfL if a recipient fails to comply with program requirements, terms, and conditions. This outcome could follow if the recipient has not taken the corrective actions necessary to return to compliance.
  - By the ICfL if the recipient is found to be in violation of federal or state statutes and regulations applicable to administration of the award.
  - By the ICfL following termination provisions included in the award.
  - By the recipient after sending the ICfL written notice. The recipient must communicate the reasons for termination and the effective date.

  The ICfL will notify recipients in writing of the intention to terminate. If a grant or monetary award is terminated, unspent funds must be returned to the ICfL. The ICfL may require goods such as books, electronics, and other materials to be returned for termination of non-monetary awards. If an award is terminated, the recipient will remain responsible for completing reporting requirements if funds were spent or materials were received.

  The ICfL may also terminate participation in professional development or training programs for failure to comply with program requirements. Termination from these types of programs would prevent further access to training sessions, materials, and reimbursement for non-employee travel.

- **Withholding Future Awards**
  The ICfL may decide to withhold future monetary or non-monetary support or deny access to professional development opportunities for noncompliant recipients. The ICfL will notify the recipient in writing if future awards will be withheld.

- **Other Means Including Legal Proceedings**
  The ICfL may use other legal remedies to address a noncompliant recipient or situation up to and including civil and criminal proceedings.

Determination Process
The ICfL staff responsible for administering each program will assess noncompliance situations and elevate to agency management as necessary. Remedies involving suspension, termination, and withholding future awards will be approved by the State Librarian or designee in addition to the program administrators. Initiation of legal proceedings will be approved by the ICfL management team, State Librarian or designee, and State of Idaho Office of the Attorney General.

Opportunity to Appeal
Award recipients may appeal ICfL actions taken to remedy noncompliance. Objections must be submitted in writing within 30 days of notification of the remedying action. The ICfL will convene a review panel composed of staff members not involved in the enforcement decision. The panel will review:

- the award
- the recipient's noncompliance situation

- the ICfL's enforcement or remedying decision
- the recipient's objection

The ICfL will notify the recipient within 30 days of the appeal submission of the review panel's decision.