

Legal Issues

County Extension Law

County Agricultural Extension Law, Iowa Code 176A, Appendix 4, is the governing authority over the state and local partners for extension in Iowa. The law, among other things:

- Provides for the authorization of councils and sets forth their powers and duties.
- Specifies how extension councils will operate and handle county extension education funds.
- Sets the amount of local funds and provides for their appropriation. Council members should become familiar with the provisions of this law.

Iowa Open Meetings Law

Council meetings are subject to the rules of the Iowa Open Meetings Law, Iowa Code 21, Appendix 7.

“This chapter seeks to assure, through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people. Ambiguity in the construction or application of this chapter should be resolved in favor of openness.”

This law sets forth several requirements for public bodies falling within its jurisdiction, the most significant of which are described here:

- Minutes are to include the date, time, and place of the meeting; the members present; and the action to be taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The minutes shall be public records open to public inspection.
- An agenda for each regular meeting must be posted 24 hours in advance of each meeting *“at the principle office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.”*
- Meetings may only be closed to protect the public interest or safeguard personal privacy. The exceptions under which a meeting may be closed are very specific and can be found in the Iowa Code.

Council members should become familiar with the provisions of the Iowa Open Meetings Law as there are substantial fines for members of the council who violate any provision of this chapter of the code.

Examination of Public Records

The Iowa Open Records Law is a series of laws designed to guarantee that the public has access to public records of government bodies at all levels. The law includes all records of government agencies except documents that have been deemed confidential. Exemptions include:

- Personal information on accepted students, current students, and past students
- Medical records
- Trade secrets
- Records of attorneys who represent the state
- Reports that result in unfair competition
- Appraisal information for public land purchases
- Criminal files
- Military confidential records
- Personal information in records of employees and elected officials of public agencies
- Library records
- Information on the donors of charitable contributions

- Corrections department information that would jeopardize security
- Communications made to the government but not required by statute
- Examinations
- Archaeological and historical ecologically sensitive material locations and information
- Marketing and advertising budgets and strategies for non-profits
- Information maintained by mediators employed to solve disputes with government agencies

Anyone can request public records in writing and the law does not require a statement of purpose for records requests. There are no restrictions for use of the records in the law and you must allow for 10-20 days for a request to be completed. Council members should become familiar with provisions of the Iowa Open Records Law, Iowa Code Chapter 22, Appendix 23.

Memorandum of Understanding

ISU Extension and Outreach and the U.S. Department of Agriculture have a legal agreement, entitled the Memorandum of Understanding (MOU) that explains extension's federal and state partnership. ISU Extension and Outreach, in turn, has a MOU with each extension district. These outline the responsibilities of each partner related to carrying out the mission of ISU Extension and Outreach. Council members should become familiar with the details of the MOU located Appendix 24.

County Fair Agreements

County fairs are important to rural communities and honor Iowa's agricultural heritage and culture. Their success depends on a lot of hard work and planning from many different people and collaboration among organizations. In particular, the Fair Board, Iowa State University Extension and Outreach and FFA Chapters work together to provide youth a positive educational experience for developing confidence, leadership and integrity.

To help facilitate communication and planning for a successful fair for youth and fair goers, a committee representing the Association of Iowa Fairs, Iowa State University Extension and Outreach and Iowa FFA developed a [County Fair Partnership Agreement template](#). This written document is particularly important as new people join the discussion. Refer to Appendix 6, Learning Module 7 or visit website www.extension.iastate.edu/countyfairmou/.

Affirmative Action for Programs

The role of ISU Extension and Outreach is to be responsive to changing educational needs in Iowa counties. As societal issues and demographics of Iowa change, the cultural backgrounds and linguistic characteristics of our clientele are changing. We welcome new clientele and strive to make their educational experience as relevant and effective as extension education traditionally has been for residents of our state.

In addition to acting on our educational mission, as a recipient of federal financial support, Cooperative Extension has a responsibility to make reasonable steps to provide individuals who have limited English proficiency with meaningful access to educational programs and activities. This responsibility is outlined in Executive Order 13166, issued Aug. 11, 2000. Limited English proficient individuals are those who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.

Title VI of the Civil Rights Law of 1964 and its accompanying regulations prohibit Cooperative Extension from discriminating on the basis of race, color, or national origin. Language is usually tied to national origin. Discrimination on the basis of national origin can occur if Cooperative Extension does not provide appropriate language assistance to Limited English Proficiency (LEP) because these individuals will not have access to the same benefits, services, information, or rights that Cooperative Extension provides to everyone

else. No one can be excluded from participation in programs or denied equal employment opportunity because of birthplace, ancestry, culture, or linguistic characteristics common to a specific ethnic group.

Use of the 4-H Name and Emblem

The 4-H youth development program is the youth outreach program from the land grant universities, Cooperative Extension, and the United States Department of Agriculture (USDA). The 4-H name and emblem is intended to represent the ideals of the program with its focus on head, heart, hands, and health. Today, it is one of the best-known and most valued images emblematic of a century of 4-H achievement. The 4-H name and emblem is very important to us as an organization because it represents who we are.

What Is the 4-H Name and Emblem?

The official 4-H emblem is a clover with four leaves and an “H” on each leaf. The clover’s stem must point to the right as you look at the image. The 4-H emblem is *not* a plain four-leaf clover. The 4-H emblem should appear in specific colors and in its entirety. The 4-H name and emblem belong to the 4-H youth development program, under the authority of USDA, and anyone wishing to use it must obtain permission to use it ahead of time.

Whoever uses such emblem or any sign, insignia, or symbol in colorable imitation thereof, or the words “4-H Club” or “4-H Clubs” or any combination of these or other words or characters in colorable imitation thereof, without being duly authorized, shall be fined not more than \$5,000 for individuals and \$10,000 for groups, or imprisoned not more than six months, or both. Appendix 25 is the full [4-H Name and Emblem Policy Guide](#) for 4-H professionals.

Other considerations:

The national 4-H organization has regulations and procedures regarding volunteers who work with 4-H programs and that they should familiarize themselves with and follow those regulations.

The county extension council may have contractual relationships with other entities (i.e. cities within the county; private parties) with which you should be familiar and ensure the council complies.

As employers, the county extension council may have legal obligations under various statutes and regulations, including but not limited to laws related to discrimination, wage payment, safety, and various other topics. You should be familiar with and follow these requirements.

Liability and Risk Management Insurance

ISU Extension and Outreach County Services and the Iowa Extension Council Association work with an approved insurance broker to secure quotes and coverage options for the July 1 effective date. This bundling or packaging of policies provides basic coverage for all counties at an economical group rate.

Always important to this process is to understand what each insurance covers and ways to manage risk. Training videos that explain risk management and the different types of insurance are located on the County Services website under Council. Information regarding coverage descriptions, limits, claims handling, contract review, and certificates of insurance are also posted on the County Services website.

All questions regarding coverage and certificates of insurance go directly to the broker. For complete information about certificates of insurance, see Appendix 27. Also see Appendix 28 to review the Crisis Communication Plan.

The table on the following page reflects the type of insurance coverage and explanation about that coverage.

Type of Insurance	Notes
General Liability	General liability coverage is provided for operations and activities of the County Agriculture Extension District by a commercial general liability policy through an approved insurance broker. This insurance provides for county office locations and contracted facility use for programs and other county extension activities when negligent acts and/or omissions result in claims of property damage and/or claims of bodily injury.
Umbrella Excess Liability #1	Excess over general liability coverage for County Agriculture Extension District activities including 4-H and Master Gardener activities.
Auto Insurance – Personal Vehicle	This is excess liability (over and above what is carried on the personally owned vehicle). This is used when an employee or authorized volunteer is driving his or her personal vehicle for County Agriculture Extension District business-related purposes. This does not cover physical damage coverage to the personal vehicle.
Auto Insurance- Rented Vehicle	When an employee is operating a rental vehicle for County Agriculture Extension District business-related purposes.
Umbrella Excess Liability #2	Excess over auto coverage for County Agriculture Extension District employees and authorized volunteers. Excess for Workers Compensation/Employer's Liability for employees only.
Employee Dishonesty Crime Bond	Extension Districts have placed a master group policy for Employee Dishonesty coverage for all council members (excluding treasurers), county employees and volunteers that are routinely responsible for handling checks and cash.
Employee Dishonesty Crime Bond (including treasurer)	Coverage automatically extends to treasurer, all employees, council members, and authorized volunteers. This is part of the group surety bond coverage.
Directors and Officers Liability	For County Agriculture Extension District council members. Coverage is for the individuals in their capacity as a council member offering advice on the operation of the organization. The policy provides defense and judgment coverage for claims arising out of their position on the council. In addition, volunteers are also covered while under the direction of the council or county office employees. This extends to cover business judgment, financial direction, and program-related decisions. In addition, this would include liability related to discrimination, harassment, and termination related claims from current and future employees. The insurance carrier will assist in securing qualified defense counsel in the event of a claim.
Professional Liability	Professional liability insurance provides coverage for assistance that an employee (including full-time and part-time employees) and independent contractors providing assistance on County Agriculture Extension District (CAED) behalf or an authorized volunteer acting within the scope of duties to the CAED to provide individuals or companies with education, training, information, advice, consulting, and programming in the areas of career counseling, bookkeeping services, family resource counseling, childcare referral services, family counseling nutrition and food preparation, and horticulture services. The coverage includes costs of defending against a negligence claim made by a client and damages awarded in such a civil lawsuit. This includes negligent performance, damage or loss, or acts of error or omissions while providing advice or services.
Yearly Accident/ Medical	An American Income Life policy provides excess coverage with no deductible and no network restrictions for officially enrolled Iowa 4-H youth members during adult supervised group activities, officially enrolled/approved adult volunteers in any Iowa State University Extension and Outreach program area, registered youth participants in educational programs organized by any Iowa Extension and Outreach program area. This includes youth under the age of 5 who are registered program participants

Terrorism	Coverage for certificate acts of terrorism-defined as an “act that is certified by the Secretary of the Treasury, in Concurrence with the Secretary of the State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act.
Unmanned Aircraft (Drones)	Liability coverage has been placed with Global Aerospace for Non-Owned unmanned aircraft systems that do not exceed 55lbs in weight.
Property Coverage – Building and Office Contents (Optional)	Extension Districts may purchase optional property coverage placed by LMC through Cincinnati Insurance at a group rate. The policy provides coverage for buildings owned by the office as well as business personal property (office contents).
Special events Coverage (Optional)	The General Liability coverage contemplates regular/core extension office programming. Special events coverage maybe recommended for activities/events that fall outside the scope of contemplated activities. If the event is open to the public, a fee is charged, and/or is not educational in nature we will want to discuss the possibility of obtaining additional coverage.
Worker’s Compensation Insurance	Workers comp insurance applies to bodily injury by accident or disease. Injury must be caused or aggravated by the conditions of employment.

ISU Extension and Outreach Civil Rights Plan

The performance of a civil rights evaluation and review is one of the major and unique requirements of federal civil rights legislation. It provides a systematic process for the assessment of compliance with federal regulations as it pertains to policies, procedures, programs, and practices as well as the development and implementation of modifications and remedial steps taken to correct any instances in which deficiencies are identified. Appendix 29 a, b, and c include the documents listed below needed to conduct a civil rights evaluation. The Civil Rights Plan contains the schedule for county reviews. The management team in your county will complete this review.

Download the [ISU Extension and Outreach Civil Rights Audit and Review Guide, Checklist for Determining Accessibility to County Extension Offices in Iowa, and the Civil Rights Plan](http://www.extension.iastate.edu/diversity/civil-rights-compliance-review-process-county-extension-offices) at: www.extension.iastate.edu/diversity/civil-rights-compliance-review-process-county-extension-offices.

4-H National Headquarters:

Access, Equity and Opportunity in 4-H = Diversity and Inclusion

“Our policy at USDA is zero tolerance for any form of discrimination, and we must ensure ... demonstrate respect for, and adherence to... civil rights...and provide equal access to all opportunities, program and services available through “The People’s Department”Let us continue to improve civil rights in a transparent and ethical manner, and, by doing so, we will turn the challenges of the past into opportunities for the future.”

Thomas J. Vilsack, Secretary June 8, 2016 (Civil Rights Policy Statement)

As a federal positive youth development program, implemented by Cooperative Extension, 4-H is open to all. 4-H has a core value of Access, Equity and Opportunity for all. In 2016, the Extension Committee on Organization and Policy (ECOP), which is the national representative leadership and governing body of Cooperative Extension, adopted 4-H Grows: A Promise to America’s Kids Vision. This vision states that in 10 years, *“4-H will reflect the population demographics, diverse needs and social conditions of the country. This vision has the elements of inclusion, caring adults, involves at least 1 in 5 youth, and the volunteers and staff reflect the population.”*

USDA NIFA is committed to ensuring the development and implementation of a positive youth development program that offers access, equity and opportunity. 4-H is built on the principles of positive youth development and must create environments where belonging is more than tolerance or acceptance; belonging means we are all connected, important, valued, and part of the group.

The 4-H National Headquarters Commitment to Access, Equity, and Opportunity for All

1. 4-H adheres to all federal and state civil rights laws.
2. 4-H is a diverse group of youth and adults with a wide range of perspectives that must come together to ensure diversity and inclusion.
3. 4-H engages in civil dialogue and works together to advance positive speech and behavior.
4. 4-H commits to addressing barriers until all youth and adults feel welcome in the program.

4-H National Headquarters enlists the support of our partners, Cooperative Extension and National Council, with a two-pronged approach: program outreach and engagement to achieve the vision and lead the dialogue of change and action to address current issues.

Nondiscrimination Statement

Justice statement

The University's non-discrimination statement must be included on all printed materials, describing or inviting participation in programs offered by Iowa State University Extension and Outreach. The inclusion of the non-discrimination statement is required by federal regulation and is designed to make clear to prospective applicants or participants the University's commitment to equal opportunity employment and equal access to its programs and activities. Some departments have inquired as to whether the text of the non-discrimination statement must be placed on departmental homepages; there is no such requirement.

Use the full justice statement in at least 6-point type on ISU Extension and Outreach printed documents. The shortened justice statement may be used when space is limited.

Full justice statement

Iowa State University Extension and Outreach does not discriminate on the basis of age, disability, ethnicity, gender identity, genetic information, marital status, national origin, pregnancy, race, color, religion, sex, sexual orientation, socioeconomic status, or status as a U.S. veteran, or other protected classes. (Not all prohibited bases apply to all programs.) Inquiries regarding non-discrimination policies may be directed to the Diversity Advisor, 2150 Beardshear Hall, 515 Morrill Road, Ames, Iowa 50011, 515-294-1482, extdiversity@iastate.edu. All other inquiries may be directed to 800-262-3804.

Shortened justice statement

Iowa State University Extension and Outreach does not discriminate on the basis of age, disability, ethnicity, gender identity, genetic information, marital status, national origin, pregnancy, race, color, religion, sex, sexual orientation, socioeconomic status, or status as a U.S. veteran, or other protected classes. Direct inquiries to the Diversity Advisor, 515-294-1482, extdiversity@iastate.edu.

Employment Opportunities Statement

For use on materials related to hiring

Iowa State University is an Equal Opportunity/Affirmative Action employer. All qualified applicants will receive consideration for employment without regard to race, color, age, religion, sex, sexual orientation, gender identity, genetic information, national origin, marital status, disability or protected veteran status and will not be discriminated against. Inquiries can be directed to the Office of Equal Opportunity, 3410 Beardshear Hall, 515 Morrill Road, Ames, Iowa, 50011, (515) 294-7612, email eooffice@iastate.edu.