



Council Governance and Administrative Policies

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COUNCIL PURPOSE AND DUTIES

The Idaho Council on Domestic Violence & Victim Assistance (“Council”) was created by the Legislature in 1982 to address the disruptive influence of domestic violence on society, provide protection and refuge for victims, and provide funding for victim service programs throughout the State. [I.C. § 39-5201](#). For budgetary purposes and for administrative support purposes, the Council is assigned by the governor to a department or office within the State per [I.C. § 39-5203\(2\)](#). Currently, the Council is assigned to the Department of Health & Welfare for those purposes but is otherwise an independent agency.

Pursuant to [I.C. § 39-5201](#), the Council shall be the advisory body to fund, promote and support programs and services affecting victims of domestic violence and other crimes in Idaho.

In accordance with [I.C. § 39-5208](#), the Council’s responsibilities and duties are as follows:

- (1) Establish standards for projects applying for grants from the council under this chapter;
- (2) Disseminate information on availability of funds and the application process;
- (3) Receive grant applications for the development and establishment of projects for victims of domestic violence and certain other crimes;
- (4) Distribute funds after approval of projects meeting council standards;
- (5) Assess, review, and monitor the services and programs being provided for victims of domestic violence and other crimes under this chapter;
- (6) Monitor programs and services for victims of domestic violence and other crimes to assure nonduplication of services and to encourage efficient and coordinated use of resources in the provision of services;
- (7) Compile data on the services and programs provided to victims of domestic violence and other crimes and the geographic incidence of domestic violence and other crimes in this state; and
- (8) Submit annual reports to the governor and the legislature.

The Council is also responsible for establishing minimum standards for offender intervention treatment programs and determining which providers are approved to offer such programs. [I.C. § 18-918\(7\)\(d\)](#) requires that “Counseling or treatment ordered pursuant to this section [domestic violence crimes] shall be conducted according to standards established or approved by the Idaho council on domestic violence and victim assistance.” [I.C. § 39-6306\(d\)](#), requires that the Council shall establish minimum standards for offender intervention treatment programs and determine which providers are approved to offer such programs.

The Council has rulemaking authority, pursuant to [I.C. § 39-5209](#), to promulgate, adopt and amend rules and criteria to implement the provisions of [Title 39, Chapter 52, Domestic Violence Project Grants](#), regarding applications and grants for domestic violence project funding and for funding under any other grant program administered by the council. The Council’s administrative rules are located in [IDAPA 16.05.04](#).

MEMBERSHIP

Section 1. Size of Council: The Council shall consist of seven (7) members, one from each region, as specified under [I.C. § 39-5204](#).

Section 2. Appointment to Council: Members shall be appointed by the Governor, as specified under [I.C. § 39-5204](#).

Section 3. Terms of Office: Members of the Council shall serve three (3) year terms, as specified under [I.C. § 39-5205](#), so long as they are fulfilling their member duties.

Section 4. Representation on Council: Members shall represent persons who are victims of domestic violence, care providers, law enforcement officials, medical and mental health personnel, counselors, and interested and concerned members of the general public pursuant to [I.C. § 39-5204](#).

Section 5. Vacancies:

- a) Vacancies may occur in the following circumstances per [I.C. § 39-5205](#):
 - i. Poor attendance. A Council members' unexcused absence of two or more required meetings shall constitute poor attendance. Unexcused absences include any absence without prior notice or explanation. Absence due to illness, death, or family emergency shall not be deemed unexcused.
 - ii. Lack of participation in the Council's work (e.g., lack of participation in meetings, projects, committees, etc.).
 - iii. Malfeasance in office (e.g., acting unlawfully while engaged in member duties).
 - iv. Resignation.
 - v. Non-reappointment.
 - vi. End of a term of service, when a member does not wish to continue or seek re-appointment.
- b) In cases of poor attendance, lack of participation, or malfeasance as determined by the Council, the Council shall vote to decide whether to make a recommendation for removal to the Governor. If the Council determines, by a majority of member votes, that removal of a member is appropriate, the Chairperson shall draft a recommendation with justification for such proposition and the Executive Director shall deliver the same to the Governor's office.
- c) Members who desire to resign from the Council shall submit such resignation to the Council Chairperson and the Executive Director, who shall deliver the same to the Governor.
- d) Members who do not wish to be reappointed at the end of their term of service should notify the Executive Director and the chair as soon as possible, ideally no later than six (6) months before their term expires, so that replacement members can be timely obtained.
- e) Vacancies shall be filled in accordance with [I.C. § 39-5205](#) and [I.C. § 39-5204](#).

MEETINGS

Section 1. **Required Meetings:** The Council shall hold at least four (4) meetings annually, with at least one (1) occurring in each quarter of the year.

- a) The Council shall hold special meetings as needed, including one annual strategic planning meeting.
- b) One regional roundtable meeting shall be held in each region each year, either in-person or virtually, to be attended by the member from that region. Representatives of funded programs within that region shall be invited to attend the roundtable meeting. Members are encouraged to visit and become familiar with victim service and offender intervention programs in their regions in addition to attending the annual regional roundtable meeting, but, at a minimum, attendance at the roundtable is a member requirement to provide a forum for members to hear directly from funded programs in their region.

Section 2. **Open Meetings:** Meetings shall be held in accordance with [Idaho's Open Meetings Laws, I.C. §§ 74-201 through 74-208](#).

Section 3. **Parliamentary Procedure:** [Robert's Rules of Order](#) shall guide the conduct of business at all meetings of the Council, subject to provisions of Idaho Code. However, non-compliance with Robert's Rules of Order shall not provide a basis to invalidate Council actions.

Section 4. **Required Briefings:** At each quarterly meeting, the Executive Director or Council staff shall report to the Council on critical issues relating to federal grant compliance and efficient operations of the Council, including but not limited to:

- a) progress and status on the monitoring of subrecipient programs by Council staff at least once every two years as required by federal grants;
- b) the average time it takes staff to process reimbursements from subrecipients once they are submitted for payment, to ensure that subrecipients are able to timely receive funds from their grant awards and avoid interruptions in victim services; and
- c) progress and status of open subawards (including subrecipients which have spent less or more of their award than anticipated and any reported reasons for the same, subrecipients not meeting match requirements, subrecipients not completing required data reports on time, and/or similar grant performance or compliance issues)

Section 5. **Notice of Meetings:** The Chairperson, the Vice Chairperson, or the Executive Director (in that order, based on availability) shall determine if a meeting will be held virtually or in person. Notice of the time and place of the meetings shall be given to members of the Council at least thirty (30) days prior to the meeting date. An annual list of meeting dates, times, and locations shall meet the 30-day notice requirement. The Executive Director will ensure that notice of meetings and agendas are posted as required by Idaho's Open Meeting Laws.

Section 6. Request for Meeting: At least two (2) members may request a meeting of the Council and the Chairperson (or Vice-Chairperson if the Chairperson is unavailable) shall, thereon, call such meeting.

Section 7. Calling Special Meetings: Special meetings of the Council may be called by the Chairperson, the Vice Chairperson, or the Executive Director (in that order, based on availability) with the consent of three (3) members, without the required thirty (30) days written notice.

Section 8. General Quorum Requirement: A quorum for the transaction of business, other than revision of Council policies shall be four (4) members of the Council membership. The act of the majority of those members present and voting shall be the act of the Council.

Section 9. Quorum Requirement for Revising Council Policies: A quorum for a vote on revising Council policies shall be five (5) members.

Section 10. Voting: The Chairperson shall determine whether votes will be conducted vocally or by a show of hands. The Chairperson shall verbally announce the result of the voting immediately after the vote takes place. The results of all votes need to be published in the meeting minutes, and if a member requests it, the results of each member's vote by name.

Section 11. Meeting Refreshments:

- a) Meals and refreshments are not an allowable expense for meetings, events and training sessions lasting less than three hours.
- b) When a meeting, event or training session lasts more than three (3) hours but less than six (6) hours, refreshments (not to exceed a total amount of \$12.25 per person/per day pursuant to DHW Policy) are allowed if all of the following conditions are met:
 - i. The meeting has a published agenda where attendance is mandatory;
 - ii. The meeting has an intended duration of at least three (3) hours as shown on agenda;
 - iii. There are five (5) or more attendees; and
 - iv. There is an identified business purpose.
- c) When a meeting, event or training session lasts more than six (6) hours, meals and refreshments are allowed (not to exceed a total amount of \$12.25 per person/per day for refreshments and \$17.15 additional lunch allowance per person pursuant to DHW Policy) if all of the following conditions are met:
 - i. The duration of the meeting is at least six (6) hours;
 - ii. Attendance is mandatory;
 - iii. There is an identified business purpose;
 - iv. There is a published agenda;
 - v. There are five (5) or more attendees;
 - vi. The meeting is non-routine; and
 - vii. There is a mandatory scheduled presentation or activity during the meal period, which is identified on the agenda (this requirement does not

- apply to refreshment breaks).
- d) Allowable purchases
 - i. Beverages, including coffee, tea, soft drinks, juice, and bottled water
 - ii. Hot or cold food items, including those associated with ‘meals’ (e.g., snacks, fruit, pastries, sandwiches, salads, desserts, condiments, etc.)
 - iii. Disposable serving dishes, utensils, and napkins
 - iv. Tips
 - v. Delivery Service
- e) Purchases not permitted
 - i. Alcohol may **not** be purchased using Council funds.

Section 12. Compensation and Expenses:

- a) Eligibility: Members of the Council shall be entitled to receive actual and necessary expenses plus compensation when engaged in Council service (e.g., participating in meetings, carrying out separate Council projects, serving on a standing committee.) per [I.C. § 39-5206](#).
- b) Rate of Compensation: The amount of the compensation is thirty-five dollars (\$35.00) per day as established by [I.C. § 59-509\(g\)](#).
 - i. Council members must submit a signed Honorarium form to Council staff within one (1) week of service in order to claim compensation for their service. Members may waive compensation by notifying the Executive Director of their waiver, or by not timely completing an Honorarium form.
 - ii. Members attending a meeting for less than one (1) hour are not eligible for an Honorarium for service for that day
- c) Expense Reimbursement: Actual and necessary expenses are determined in accordance with [I.C. § 67-2008](#). Council members may receive a per diem allowance for their food, lodging and mileage to attend in-person meetings.
 - i. Rates: The meal per diem and mileage reimbursement rates are determined annually by the State of Idaho Controller’s Office Board of Examiners. Since the Council is attached to the Department of Health and Welfare (DHW) for administrative purposes, the DHW Travel Policy determines allowable reimbursement.
 - ii. Per Diem: Receipts are not required for per diem reimbursement. Per diem expenses are not allowed for any meals provided during meetings. The amount a Council member will otherwise qualify for in their meal per diem depends on when the member is traveling, as set forth in DHW Travel Policy described below:
 - 1. If, on the day of departure, the Council member leaves
 - a) Before 7 a.m., they shall receive a full day allowance for breakfast, lunch, and dinner
 - b) Between 7:01 a.m. and 11 a.m., they shall receive ninety percent (90%) of full day rate for lunch and dinner (lunch is

- 35% and dinner is 55% of the full day rate)
 - c) Between 11:01 a.m. and 5:00 p.m., they shall receive fifty-five percent (55%) of the full day rate for dinner
 - d) After 5:01 p.m., they shall not receive any per diem allowance
 - 2. If, on the day of return, the Council member leaves
 - a) Before 8 a.m., they shall not receive any per diem allowance
 - b) Between 8 a.m. and 1:59 p.m., they shall receive twenty-five percent (25%) of the full day rate for breakfast
 - c) Between 2 p.m. and 6:59 p.m., they shall receive sixty percent (60%) of the full day rate for breakfast and lunch (breakfast is 25% and lunch is 35% of the full day rate)
 - d) After 7 p.m., they shall receive the full day rate of allowance
- iii. Travel: Mileage is reimbursed at the rate determined by the State Travel Policy effective on the date of travel.
 - 3. To determine the amount a member will qualify for in their mileage reimbursement for use of a personal vehicle, Google Maps, Apple Maps, or a similar source should be used to figure out the mileage of a trip.
 - 4. If flying is more cost-effective, members may purchase an Economy Class ticket. Members should confirm with the Executive Director that a flight cost is reimbursement eligible before incurring the same.
- iv. Lodging: Council staff shall arrange for direct payment of lodging for members for meetings held in Boise. If meetings are held elsewhere in the state, accommodations with a state government rate, as determined by Council staff, must be used.
- v. Claim Form: Members must sign a DHW Single Purpose Travel Expense Voucher verifying expenses to be claimed within two (2) weeks of service involving travel in order to claim reimbursement for expenses. Per diem meals or other expenses may be waived; failure to timely submit a signed form constitutes a waiver.
- d) No Benefits: Council members are non-benefitted employees and do not qualify for health insurance, PERSI, or other benefits.

ORGANIZATION

Section 1. Officers:

- a) Number: The officers of the Council shall be the Chairperson and the Vice Chairperson.
- b) Election and Term of Office: The Chairperson and Vice Chairperson shall be elected by

the members of the Council from among its membership. Each officer of the Council shall hold office for two (2) years or until the successor shall have been duly elected, or until their death, their resignation, or their removal.

- c) Removal: The Council may vote to remove the Chairperson or Vice-Chairperson whenever in its judgement the best interests of the Council would be served by said removal, providing at least four (4) members so vote at any duly called meeting.
- d) Vacancies: A vacancy in the office of the Chairperson or in the office of Vice Chairperson because of death, resignation, removal, or otherwise, shall be filled by a member chosen by the Council for the unexpired portion of the term.
- e) Chairperson: The Chairperson shall, in general, supervise and control all of the business and affairs of the Council. The Chairperson shall preside at all meetings of the Council and shall perform all duties incident to the Office of Chairperson, including serving ex-officio on committees and task forces, and such other duties as may be prescribed by the Council from time to time.
 - ii. The Chairperson shall carry on the business of the Council, as described herein, whenever the full Council is not in meeting, including acting in emergency situations. The Chairperson shall: (1) approve the agenda for each regularly scheduled Council meeting, (2) take such actions as are necessary and permissible without a full Council vote on behalf of the Council and timely report such actions to the Council, (3) make recommendations to the Council for actions, (4) coordinate the activities of any committees or task forces or designate a coordinator to do so, and (5) perform other functions and duties as assigned or delegated by the Council.
- f) Vice-Chairperson: In the absence of the Chairperson, or in the event of the Chairperson's inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when so acting shall have all the powers of, and be subject to all the restrictions imposed upon, the Chairperson.

Section 2. Executive Director:

- a) The Council shall employ and fix the compensation of an administrator, who shall be designated as the Executive Director of the Council as specified by [I.C. § 39-5207 \(3\)](#).
- b) The Council shall approve a position description and qualifications for the Executive Director and shall act as the selection committee in order to employ an Executive Director.
- c) The Executive Director shall be the administrator of the Council and its affairs and be the manager of any staff employed by the Council. The Executive Director shall:
 - i. be responsible for conducting the affairs of the Council and acting as its representative;
 - ii. be responsible for hiring and training Council staff and recommending staff salaries and annual changes in employee compensation;
 - iii. be the executive secretary to the Council and shall ensure minutes of meetings are taken (designee of the Executive Director can be assigned this task);
 - iv. be the designated custodian of Council public records as defined by [I.C. § 74-](#)

[101\(c\)](#);

- v. maintain an ongoing study of operating and other policies to ensure compliance with federal grant requirements and recommend operating and other policies to the Council;
 - vi. keep the Council informed regarding Council business, including available funding;
 - vii. be held accountable to the Council;
 - viii. serve as the State Administrator for the Family Violence Prevention and Services Act (FVPSA) state formula grant and shall ensure compliance with FVPSA requirements and guidelines;
 - ix. serve as the State Administrator for the Victims of Crime Act (VOCA) state formula grant and ensure compliance with VOCA requirements and guidelines;
 - x. pursue additional funding opportunities for victim services;
 - xi. handle all media inquiries and consult with the Chairperson, if needed, regarding the same;
 - xii. handle all legislative inquiries
- f) The Council may recommend and request termination of the Executive Director.
- e) The Council shall make annual Executive Director salary and change in employee compensation recommendations to the Governor.

Section 3. Standing Committees:

- a) All standing committees established by the Council:
- iii. The Council shall establish such standing committees as may be necessary to carry out its duties and functions.
 - iv. Standing Committee Chairpersons: The Chairperson of the Council shall appoint, and the Council must vote to approve, a member of the Council as chairperson for each of the Council's standing committees. The standing committee chairperson shall select and suggest potential committee members to the Council for a vote. If the Council approves of the recommendation, the potential committee member shall be appointed to the committee. Membership on standing committees shall not be limited to the Council membership.
 - v. Meetings: Standing committee meetings shall be called and held as frequently as deemed necessary by the standing committee chairperson. All decisions made by the standing committee must be approved by the Council via vote.
 - vi. Minutes: Written minutes of all standing committee meetings shall be kept and made available to the public on the Council's website.
- b) The Offender Intervention Program (OIP) Oversight Standing Committee (formerly the Committee for Oversight of Domestic Violence Offender Intervention Programs and Standards (CODVOIPS)):
- i. The Council Chairperson shall appoint, and the Council must vote to approve, a member as chairperson for the OIP Committee.
 - ii. Meetings of the OIP Committee shall take place quarterly and shall be held

in compliance with Idaho Open Meetings Laws. Special meetings may be called as needed by the Chairperson. Meetings may be held virtually or in person at the Chairperson's discretion.

1. At each quarterly meeting, Council staff shall report to the committee on
 - a) the progress and status on the monitoring of approved providers; and
 - b) the status of data collection from approved providers (including data results and any programs reporting late).
- iii. Members of the OIP Committee shall be nominated by the OIP Committee Chairperson to the Council, which shall vote to approve or reject the same. Membership shall not be limited to the Council membership. The OIP Committee shall consist of six (6) members in addition to the Chairperson, one (1) of which is from the Coalition Against Sexual and Domestic Violence. Members should be individuals familiar with offender intervention programs (e.g. Domestic Violence (DV) evaluators, DV court coordinators and/or administrators, attorneys, prosecutors, probation officers, victim service providers, former OIP providers or others who work with offenders, etc.). Consideration shall be given to regional and cultural diversity in committee member selection. Current OIP providers shall not be eligible for membership on the committee. No more than three (3) Council members shall serve on the OIP Committee, including the Chair.
- iv. Each member of the OIP Committee shall be appointed for a term of three (3) years, with staggered terms. Members may serve more than one term. If a vacancy occurs, a new member shall be appointed in accordance with the provisions of the original appointment for the unexpired portion of the vacated term. Members may be replaced because of resignation, poor attendance, lack of participation in the committee's work, or malfeasance in office.
- v. Selection of new committee members. The Executive Director of the Council, the Council staff, and/or the Chairperson shall solicit resumes and letters of interest from interested parties in the event of a vacancy, and may advertise the same on the Council's website. Existing members may nominate new potential members for consideration.
- vi. Committee members are not eligible for compensation, except that Council members may claim an honorarium. Travel expenses of all committee members shall be covered by the Council to attend in-person meetings, but shall not include a per diem amount, only mileage or common carrier charges.

Section 4. Non-standing Committees:

- a) The Council may establish such non-standing committees as may be necessary to carry out its functions.

- b) Purpose: Non-standing committees will be established only for specific purposes and shall only exist for specific durations.
- c) Membership: Non-standing committee chairpersons shall be appointed by the Council Chairperson. The Executive Director of the Council can be the chairperson of a non-standing committee. Non-standing committee chairpersons shall select committee members and present them to the Council Chairperson for official appointment. Committee membership shall not be limited to Council membership.
- d) Minutes: Written minutes of all non-standing committees shall be kept and made available to the public.

CONFLICTS OF INTEREST

Section 1. General Policy. In accordance with the provisions of [I.C. § 74-403](#), Council members shall not participate in any Council action, decision, or recommendation that would create a private pecuniary benefit to themselves or anyone in their household or to any business with which they or any household member are associated. Council members have an affirmative duty to advise the Executive Director and the Chairperson, in writing, of any change in status that would lead to such benefit (e.g., new employment) and of any conflict of interest that arises between their private interests and their role as a Council member.

Members cannot use their positions on the Council to influence decisions or actions that will financially benefit themselves or an organization with which they have a pecuniary interest or policy making affiliation. Members have an individual responsibility to be alert to actions that could be interpreted as benefiting themselves, their family, their employer or any other person or organization with which they have a financial relationship during or immediately following their relationship with the Council.

This policy does not preclude members from actively supporting the interests of communities or programs which they may represent on the Council. Council members are encouraged to support actions that benefit victim service providers and offender intervention programs in their regions if they believe the action will benefit the State as a whole. This policy should not be interpreted as an excuse to ignore conflicts of interest at any time.

Section 2. Disclosure Requirement. When a conflict of interest exists or potentially exists, the affected member must disclose the nature of the conflict to the Council Chairperson and Executive Director, in writing, at the earliest opportunity, and prior to acting upon the conflict or potential conflict. The member with the conflict must also exclude themselves from involvement in decisions or other forms of action, and leave the room at regular and committee meetings concerning the conflict. In cases of an appearance of impropriety or a perceived conflict of interest, the member must disclose the issue and the nature of his or her involvement to the Chairperson and the Executive Director, in writing. The Chairperson, in consultation with the Council's assigned attorney, will make a determination regarding the appropriate action to be taken in each case.

Section 3. **Council Grants.** Members are prohibited from scoring grant applications from the regions in which they serve, and from acting or commenting on the grant applications from any entity in which they have a pecuniary interest. Failure to timely complete grant scoring, absent being excused from the same by the Council Chairperson, shall be an indication of non-participation in key duties of the Council and may be a basis to consider a member's removal.

Section 4. **Ethical Standards.** Council members will not:

- a) Accept any pecuniary benefit as consideration for the Council member's decision, opinion, recommendation, vote or other exercise of discretion related to Council business. See [I.C. § 18-1352](#).
- b) Accept gifts from individuals or organizations that receive or may receive benefits from the Council or vendors or potential vendors of services or goods to the Council, except for benefits not exceeding a value of fifty dollars (\$50.00) and involving no substantial risk of undermining the member's impartiality. See [I.C. § 18-1356](#).
- c) Use or disclose confidential information gained in the course of or by reason of the Council member's position or activities. See [I.C. § 18-1359](#).
- d) Appoint or vote for the appointment of a person related to the Council member to a paid position with the Council. See [I.C. § 18-1359](#).
- e) Have an interest in a contract made by the Council.

MISCELLANEOUS

Section 1. **Record Retention**

- a) All records created after 2019 shall be saved digitally. Council staff shall save all records relating to their work (including significant email correspondence) on the Council's main server, accessible to all staff, with the exception of personnel files.
- b) Permanent records, including, but not limited to, official Council and OIP committee meeting minutes, voting records and strategic plans shall be kept indefinitely and current versions shall be made publicly available on the Council's website.
- c) All grant administration records (e.g. subawards, draw requests, award letters, etc.) shall be kept for at least five (5) years from the date of submission of the relevant federal annual financial report relating to the federal grant(s) funding the subawards. See [2 C.F.R. § 200.333](#). Under Federal guidelines, the Council cannot impose record retention requirements for over three (3) years on any other non-Federal entities.

Section 2. **Media Inquiries:** No member of the Council should make any statement to the media without informing the Chairperson and the Executive Director of the request and obtaining approval prior to making any comment; members may not speak on behalf of the Council without such approval.

Section 3. Purchases By the Council: The Council is a state entity and must follow all contracting and procurement statutes and rules as directed by Idaho Code and the Procurement Act. The Council will use Department of Health and Welfare, Contracts and Procurement Services Unit (CAPSU) processes and infrastructure for purchasing to ensure the Council meets procurement requirements. Contracting and Procurement and Disposition of Equipment policies are found in the [Council's Grant Administration Policies and Procedures](#).

Section 4. Council Policies:

- a) The Council shall keep an up-to-date version of its [Grant Administration Policies and Procedures](#) on its website that contains adopted Council policies relating to sub-recipients and/or grant administration. These policies shall be kept together in one location and shall always be available to the public.
- b) The Council follows State Human Resource policies, which are located on the [State HR website](#).
- c) The Council follows the Department of Health and Welfare Travel Policy