

## EDUCATION DEPARTMENT [281]

### Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 21, "Community Colleges," Iowa Administrative Code.

Sections 15 through 18 of Senate File 470, 2011 Iowa Acts, provide the Department with authority to approve a provider of a course for drinking drivers offered outside this state.

After analysis and review of this rule making, no impact on jobs has been found.

An agency-wide waiver provision is provided in 281—chapter 4.

Interested individuals may make written comments on the proposed amendments on or before September 13, 2011, at 4:30 p.m. Comments on the proposed amendments should be directed to Carol Greta, Office of the Director, Iowa Department of Education, Second floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-8661; E-mail [carol.greta@iowa.gov](mailto:carol.greta@iowa.gov); or fax (515)281-4122.

A public hearing will be held on September 13, 2011, from 2 to 3 p.m., in the State Board Room on the second floor of the Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any person who intends to attend the public hearing and has special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of specific needs by calling (515)281-5295.

This amendment is intended to implement 2011 Iowa Acts, Senate File 470, sections 15 through 18.

The following amendment is proposed.

Amend rule ~~281—21.31(321J)~~, introductory paragraph, as follows:

**281—21.31(321J) Course.** A course provided according to this chapter shall be offered on a regular basis at each community college or by a substance abuse treatment program licensed under Iowa Code chapter 125, ~~and may be offered at a state correctional facility listed in Iowa Code section 904.102.~~ However, a community college shall not be required to offer the course if a substance abuse treatment program licensed under Iowa Code chapter 125 offers the course within the merged area served by the community college. A course provided according to this chapter may be offered at a state correctional facility listed in Iowa Code section 904.102. A course may be offered by a provider in another state when the course and its provider are approved by the department of education pursuant to this rule.