TITLE III
COMMUNITY COLLEGES

CHAPTER 21
COMMUNITY COLLEGES

[Prior to 9/7/88, see Public Instruction Department[670] Ch 5]
[Former Ch 21 Rescinded, IAB 9/7/88]

DIVISION I
APPROVAL STANDARDS

[Rules 21.2(260C) to 21.12(260C) were filed as joint rules with the Board of Regents and the Board of Education.]

281—21.1(260C) Definitions. For purposes of this chapter, the indicated terms are defined as follows:

"*Department*" means the department of education.

"*Director*" means the director of the department of education.

281—21.2(260C) Administration.

21.2(1) *Policy manual.* A community college board of directors shall develop and maintain a policy manual which adequately describes the official policies of the institution.

21.2(2) *Administrative staff.* A community college shall develop an administrative staff appropriate to the size and the purpose of the institution and one which permits the institution to function effectively and efficiently. This administrative staff shall provide effective leadership for the major divisions of the institution including administrative services, adult and continuing education, career and technical education, college parallel education, and student services.

21.2(3) *Chief executive officer.* A community college shall have a chief executive officer who shall also be the executive officer of the board of directors. The executive officer shall be responsible for the operation of the community college with respect to its educational program, its faculty and student services programs, and the use of its facilities. The executive officer shall delegate to the staff all necessary administrative and supervisory responsibilities to ensure an efficient operation of the institution.

21.2(4) *Financial records and reports.* The community college shall maintain accurate financial records and make reports in the form and pursuant to the timeline prescribed by the state department of education and other state agencies.

21.2(5) *Enrollment.* A community college shall meet minimum enrollment requirements if it offers instruction as authorized in Iowa Code chapter 260C, and if, to the satisfaction of the state board of education, it is able to provide classes of reasonable economic size as needed by students, meets the needs of the students, and shows by its past and present enrollment and placement record that it meets individual and employment needs.

21.2(6) *Catalog.* The catalog shall be the official publication of the community college. It shall include accurate information on institutional policies, admissions requirements, procedures and fees, refund policies, residency requirements, program enrollment and degree requirements, due process procedures, affirmative action, and other information as recommended by the state department of education. Students' rights and responsibilities may be included in the catalog or in a separate document.

21.2(7) *Admission and program/course enrollment requirements.*

a. Postsecondary age students. The community college shall maintain an open-door admission policy for students of postsecondary age. This policy shall recognize that students should demonstrate a reasonable prospect for success. Applicants who cannot demonstrate a reasonable prospect for success should be assisted to enroll in courses where deficiencies may be remediated or into programs appropriate to the individual's preparation and objectives. The community college may set requirements for student enrollment in specified programs and courses.

b. High school age students. High school age students who can be better served by community colleges may be authorized to jointly enroll with the approval of the community college administration and the administration of the local school district.

c. Admissions and program enrollment requirements established by each community college shall be published in the community college catalog.

21.2(8) *Academic year.* The academic year of the community college shall consist of semester, trimester, or quarter terms and shall be a period of time beginning with the first day of the fall term and continuing through the day preceding the start of the next fall term as indicated in the official college calendar. A community college may offer instruction in units of length (days and weeks) consistent with the identified scope and depth of the instructional content.

21.2(9) *Award requirements.* The director shall approve all new credit certificate, diploma, and degree award programs in accordance with Iowa Code 260C.14. Awards from a community college shall be certified by the issuance of appropriate recognition, per award approval requirement guidelines issued by the department, indicating the type of program the student has completed.

a. Associate of Arts (AA). The degree is awarded upon completion of a college parallel "transfer" course of study that provides a strong general education component to satisfy the lower division general education liberal arts and sciences requirements for a baccalaureate degree. An associate of arts degree contains a minimum of 60 semester (90 quarter) credit hours and a maximum of 64 semester (96 quarter) credit hours.

b. Associate of Science (AS). The degree is awarded upon completion of a course of study that requires a strong background in mathematics or science. The degree is intended to prepare students to transfer and initiate upper-division work in baccalaureate programs or prepare them for employment. An associate of science degree may also be awarded upon completion of a state-approved associate of science – career option (AS-CO) program of study that includes core technical coursework needed to complete a concentration in a specific field of study. The associate of science – career option program may prepare students for entry-level careers or complete requirements for transfer to a baccalaureate degree. An associate of science degree contains a minimum of 60 semester (90 quarter) credit hours and a maximum of 64 semester (96 quarter) credit hours.

c. Associate of General Studies (AGS). The degree is awarded upon completion of a course of study that is primarily designed for acquiring a broad educational background rather than pursuing a specific college major or professional/technical program. It is intended as a flexible course of study and may include specific curriculum in lower division transfer, occupational education, and professional-technical education. An associate of general studies degree requires a minimum of 60 semester (90 quarter) credit hours and a maximum of 64 semester (96 quarter) credit hours.

d. Associate of Applied Science (AAS). This degree is awarded upon completion of a state-approved program of study that is intended to prepare students for entry-level career and technical occupations. An associate of applied science degree contains a minimum of 60 semester (90 quarter) credit hours and a maximum of 86 semester (129 quarter) credit hours. The general education component of the associate of applied science degree program shall constitute a minimum of 12 semester (18 quarter) credit hours of general education and shall include at least one course from each of the following areas: communications, social science and/or humanities, and mathematics and/or science. The technical specialty component of the associate of applied science degree shall constitute a minimum of 50 percent of the course credits.

e. Associate of Applied Arts (AAA). The degree is awarded upon completion of a state-approved program of study that is primarily intended for career training in providing students with professional skills for employment in a specific field of work such as arts, humanities, or graphic design areas. An associate of applied arts degree contains a minimum of 60 semester (90 quarter) credit hours and a maximum of 86 semester (129 quarter) credit hours. The general education component of the associate of applied arts degree program shall constitute a minimum of 12 semester (18 quarter) credit hours of general education and shall include at least one course from each of the following: communications, social science and/or humanities, and mathematics and/or

science. The technical specialty component of the associate of applied arts degree shall constitute a minimum of 50 percent of the course credits.

f. Diploma. The diploma is awarded upon completion of a state-approved program of study that is a coherent sequence of courses consisting of a minimum of 15 semester (22.5 quarter) credit hours and a maximum of 48 semester (72 quarter) credit hours including at least 3 semester (4.5 quarter) credit hours of general education. The general education component shall be from any of the following areas: communications, social science and/or humanities, and mathematics and/or science. A diploma may be a component of and apply toward subsequent completion of an associate of applied science or associate of applied arts degree.

g. Certificate. The certificate is awarded upon completion of a state-approved program of study that is designed for entry-level employment and has a maximum of 48 semester (72 quarter) credit hours. A certificate may be a component of and apply toward subsequent completion of a diploma and/or associate of applied science and/or associate of applied arts degree and may be developed in rapid response to business and industry. A certificate may consist of only career and technical courses and no general education course requirements.**21.2(10)** *Academic records.* The community college shall maintain in perpetuity for each student enrolled in credit courses the complete academic record including every course attempted and grade received. An official transcript must be created at the time of course enrollment. The credit hour(s) and grade must be recorded on the student's official transcripts upon completion of a community college course. These records shall be kept in disaster-resistant storage, unless other equivalent safeguards are used, such as maintaining duplicate files (electronic or otherwise) in separate facilities. The method of storage shall be consistent with current technology to ensure the ability to retrieve records. The community college shall implement a security plan that ensures the confidentiality of student records.

21.2(11) *Resident policy.* There shall be adopted for all community colleges a uniform policy for the determination of permanent residence for tuition purposes.

21.2(12) *Credit hours.* Credit hours shall be determined consistent with the following procedures.

a. Specifically stated criteria are minimal requirements only, which institutions may exceed at their discretion.

b. Conventional Instruction is subdivided into four instructional methods as herein defined.

(1) Classroom work — lecture and formalized classroom instruction under the supervision of an instructor.

(2) Laboratory work — experimentation and practice by students under the supervision of an instructor.

(3) Clinical practice — applied learning experience in a health agency or office under the supervision of an instructor.

(4) Work experience — employment-related experience planned and coordinated by an institutional representative and the employer, with control and supervision of the student on the job being the responsibility of the employer.

c. No registration or orientation hours may be included when determining credit hours.

d. Institutions shall take into account the soundness of the learning environment being created by the scheduling sequence and length of classroom, laboratory, clinical, and work experience sessions. However, the final decision on these matters is left to the institutional administration so long as minimal standards are met.

e. Only minutes for students officially registered for courses or programs, including audit registration, may be included when determining credit hours.

f. Each community college must establish a policy that defines its methods of equating alternative instruction to credit hours and the process for evaluating the effectiveness of the alternative instruction to meet or exceed the expected student outcomes as if the course were taught utilizing conventional methods in 21.2(12)b. Colleges will be held accountable for evaluating and maintaining high quality programs and their evaluations may be subject to department of education

review. Students will be expected to meet all approved course requirements and will be expected to demonstrate the acquisition of knowledge and competencies/outcomes at the same level as those obtained in traditional classroom settings, in the timeframes set by the institution. Alternative courses or programs of study must be approved by the college's review processes including faculty review and input. Courses shall be listed in the college catalog. Instructional formats for which alternative methods of determining credit hours are applicable include:

(1) *Accelerated courses (study, programs).* Courses or programs of study that allow students to complete courses or programs at a faster pace than if offered by conventional methods. Courses and programs will be tailored to involve more student participation and self-directed study. Instructors may teach in traditional classroom settings or by alternative methods specified in this section.

(2) *Distance education.* Courses or programs of study taught over the Internet, Iowa Communications Network (ICN), or other electronic means that allow students to receive instruction in the classroom or other sites, over personal computers, television, or other electronic means. Courses may or may not be interactive with direct communication between the teacher and students. Credit hours shall be awarded in accordance with the credit hours that would have been assigned if the course or program were taught by conventional methods.

(a). *Correspondence courses,* Courses offered outside of the classroom setting in which the instruction is delivered indirectly to the student. Instruction is provided through another medium, such as written material, computer, television, or electronic means. Course materials are sent to a student who follows a detailed syllabus to complete assignments. Students correspond with and transmit assignments to the instructor by telephone, computer, mail, or other electronic means. A third party may administer tests.

(b). *Television courses.* Courses or programs delivered primarily via broadcast television such as Iowa Public Television, digital video disc, or other media allowing students to receive instruction in a classroom or equipped remote location.

(c). *Video conference courses.* Courses or programs delivered via closed synchronous audio-video conferencing system such as the Iowa Communications Network or similar system which allows students to receive instruction in a classroom or any equipped remote location via an audio-video feed to a television, computer, or other electronic device.

(d). *Internet courses.* Courses or programs delivered via the Internet. Courses may be taken using computers in a classroom setting or using personal computers or other electronic devices from the student's home or other location using an online content management system or mixed-media methods. Students may be linked at times directly with the instructor or with other students electronically. Interaction may be direct (synchronous) or indirect (asynchronous) allowing students to participate during their own timeframes.

(e). *In-class hybrid courses*. Courses or programs that combine traditional classroom and computer-based instruction. In-class sessions are offered with online instructional activities to promote independent learning and reduce seat-time.

(3) *Self-paced instruction.* Courses or programs that permit students to enter at variable times or progress at his or her own rate of speed. Start and end dates may or may not correspond to the official college calendar. Contact or credit hours for self-paced programs or courses shall be computed by assigning to each registration the total number of credit or contact hours the student would have received if the student enrolled in a conventional program or course with stipulated beginning and ending dates.

(4) *Arranged study.* Instruction offered to students at times other than stated or scheduled class times to accommodate specific scheduling or program needs of students. Credit hours shall be awarded in accordance with the credit hours that would have been assigned if the course or program were taught by conventional methods.

(5) *Multi-format nontraditional instruction.* Instruction utilizing a variety of nontraditional methods that may incorporate self-paced learning, text, video, computer instructional delivery, accelerated training, independent study, internet delivery, or other methods that do not follow standard

classroom work guidelines. Credit hours shall be awarded in accordance with the credit hours that would have been assigned if the course or program were taught by conventional methods.

g. Individualized learning experiences for which an equivalent course is not offered shall have the program length computed from records of attendance using such procedures as a time clock or sign-in records. Individualized learning experiences means independent study courses in which an equivalent course is not offered by the college or listed in the college catalog. Independent study permits in-depth or focused learning on special topics of particular interest to the student.

h. Each course must have a minimum length of one credit hour. A fractional unit of credit may be awarded in a manner consistent with specific minimal credit course requirements.

i. Each credit hour is established at 16 contact hours, in which one contact hour equals 50 minutes.

j. Classroom work.

(1) The minimal requirements for one semester hour of credit shall be 800 minutes (16 contact hours) of scheduled instruction.

(2) The minimal requirements for one quarter hour of credit shall be 533 minutes (10.7 contact hours) of scheduled instruction.

k. Laboratory work.

(1) The minimal requirement for one semester hour of credit shall be 1,600 minutes (32 contact hours) of scheduled laboratory work.

(2) The minimal requirement for one quarter hour of credit shall be 1,066 minutes (21.3 contact hours) of scheduled laboratory work.

l. Clinical practice.

(1) The minimal requirements for one semester hour of credit shall be 2,400 minutes (48 contact hours) of scheduled clinical practice .

(2) The minimal requirement for one quarter hour of credit shall be 1,599 minutes (32 contact hours) of scheduled clinical practice .

m. Work experience.

(1) The minimal requirement for one semester hour of credit shall be 3,200 minutes (64 contact hours) of scheduled work experience.

(2) The minimal requirement for one quarter hour of credit shall be 2,132 minutes (42.6 contact hours) of scheduled work experience.

21.2(13) *Career and technical program length.*

a. Program length for the associate of applied sciences (AAS) degree in career and technical education and for the associate of applied arts (AAA) degree shall consist of an academic program not to exceed two academic years. All required course offerings are to be available within two academic years. All required offerings in AAS and AAA degree programs shall not exceed a maximum of 86 semester (129 quarter) credit hours unless the department of education has granted a waiver pursuant to 21.2(13)c. Programs shall not exceed an average of 19 credit hours per regular term.

b. All credit-bearing courses required for program admittance or graduation, or both, must be included in the 86 semester(129 quarter) credithour maximum, with the exception of developmental credit hours. Prerequisites that provide an option to students for either credit or noncredit shall be counted toward the program maximum of 86 semester (129 quarter) credit hours. Prerequisite options that are only offered for noncredit will not be counted toward the 86 semester (129 quarter) credit hour maximum.

*c.*Associate of applied science (AAS) and associate of applied arts (AAA) programs that receive accreditation from nationally-recognized accrediting bodies may appeal maximum credit hour length requirements to the department of education for consideration of a waiver. All AAS and AAA degree programs over the 86 semester (129 quarter) credithour maximum must have approved program-length waivers.

d. Program length for the state-approved associate of sciencedegree shall consist of an academic program that includes core technical coursework needed to complete a concentration in a specific field of study. The associate of science-career option program may prepare students for

entry-level careers or complete requirements for a transfer to a baccalaureate degree. The associate of science-career option program shall not exceed a maximum of 64 semester (96 quarter) credit hours unless the department of education has granted a waiver pursuant to 21.2(13)c.

e. All credit certificate and diploma programs as defined in subrule 21.2(9) shall not exceed 48 semester (72 quarter) credit hours.

f. Each course offered in the area of career and technical education shall be taught in the shortest practical period of time at a standard consistent with the quality and quantity of work needed to prepare the student for successful employment in the occupation for which instruction is being offered.

g. A full-time student in career and technical education shall be defined as a student enrolling in 12 or more semester credit hours or the equivalent in career and technical education.

h. Curricula in full-time career and technical education programs shall ordinarily be offered on the basis of student workload of 20 to 30 contact hours per week.

281—21.3(260C) Faculty.

21.2(14) *Faculty organization.* The faculty shall be organized in such a way as to promote communication among administration, faculty and students and to encourage faculty participation in the development of the curriculum, instructional procedures, general policies, and such other matters as are appropriate.

21.2(15) *Faculty salary allocation plan.* Pursuant to the appropriation of funds from the state general fund to the department for the purpose of supplementing community college faculty salaries, the department follows the formula herein when distributing such funds to community colleges.

a. For purposes of this subrule, the following definitions apply.

(1) “Full-time faculty” means those nonadministrative instructors, counselors, and librarians who are classified as full-time employees as defined in the college’s collective bargaining agreement or written policy.

(2) “Part-time faculty” means those nonadministrative instructors, counselors, and librarians who are employed less than full-time as defined in the college’s collective bargaining agreement and who are covered by the college’s collective bargaining agreement. For purposes of the definition of “eligible full-time equivalent instructor,” each part-time faculty person shall be counted as a fraction that accurately reflects the person’s percentage of employment by the college when compared to a full-time faculty person.

(3) “Temporary/seasonal faculty” means those nonadministrative instructors, counselors, and librarians who are employed, full-time or part-time, by the college for short periods of time for specific purposes.

(4) “Adjunct faculty” means those nonadministrative instructors, counselors, and librarians who are employed without a continuing contract, whose teaching load does not exceed one-half time for two full semesters or three full quarters per calendar year.

(5) “Eligible full-time equivalent instructor” means the total of full-time faculty and part-time faculty where each full-time faculty counts as one, and each part-time faculty counts as a fraction that accurately reflects the person’s percentage of employment by the college when compared to a full-time faculty person.

b. The appropriation shall be distributed to the community colleges based on their proportional share of eligible full-time equivalent instructors.

c. Moneys distributed to each community college hereunder shall be rolled into the funding allocation for all future years. The use of the funds shall remain as described herein for all future years. The appropriation will be distributed to the community colleges in equal monthly payments made on or about the fifteenth of each month.

d. Moneys appropriated and distributed to community colleges herein shall be used to supplement and not supplant any approved faculty salary increases or negotiated agreements, excluding the distribution of the funds herein. Eligible expenditures for the moneys appropriated are for salary expenditures and the required college contribution to FICA and IPERS or alternative

retirement benefits system. These moneys shall then be considered as part of the instructor's salary in future years.

e. Moneys distributed to a community college hereunder shall be allocated to all full-time faculty and shall include part-time faculty covered by a collective bargaining agreement. The moneys shall be allocated pursuant to any existing negotiated agreements according to Iowa Code chapter 20. If no language exists to specify the method of allocation, the moneys shall be allocated equally to all full-time faculty with part-time faculty who are covered by a collective bargaining agreement receiving a prorated share.

281—21.3(260C) Curriculum and evaluation.

21.3(1) *General education.* General education is intended to provide breadth of learning to the community college experience. General education imparts common knowledge, promotes intellectual inquiry, and stimulates the examination of different perspectives, thus enabling people to function effectively in a complex and changing world. General education tends to emphasize oral and written communication, critical analysis of information, knowledge and appreciation of diverse cultures, ways of knowing and human expression, knowledge of mathematical processes and natural sciences investigations, and ethics. General education courses are not intended to be developmental in nature. Each community college is responsible for clarifying, articulating, publicizing, and assessing its general education program.

21.3(2) *College parallel or transfer.*

a. This program shall offer courses that are the equivalent of the first two years of a baccalaureate program and may also include: such courses as may be necessary to develop skills that are prerequisite to other courses and objectives; and specialized courses required to provide career options within the college parallel program. College parallel or transfer programs are associate of arts and associate of science degree programs. General education courses in college parallel or transfer programs are required to be college transfer courses. A follow-up of students terminating shall be conducted to determine how well students have succeeded and which adjustments in the curriculum, if any, need to be made.

b. Courses of a developmental or remedial nature or pre-freshman level shall not bear college transfer credit and shall be clearly identified in the college catalog. Developmental courses on the transcript shall be identifiable through the adoption of the community college common course numbering system.

21.3(3) *Career and technical education.* Instruction shall be offered in career and technical education programs in no less than five different occupational fields as defined by the state department of education. College parallel courses may be offered as needed in career and technical education programs. Career and technical education programs including associate of science-career option programs must meet program approval requirements set by the board of education. The director shall approve new career and technical education programs. Instruction shall be offered in career and technical education programs, ensuring that they are competency-based, contain all minimum competencies required by the department of education, articulate with local school districts career and technical education programs, and comply with any applicable requirements in Iowa Code chapter 258. The occupational fields in which instruction is offered shall be determined by merged area and geographical area needs as identified by surveys in these areas. Occupational advisory committees may be used to assist in developing and maintaining instructional content, including leadership development.

21.3(4) *Adult and continuing education.* Adult education shall be offered and may include adult basic education, adult continuing and general education, college parallel, high school completion, supplementary and preparatory career education programs, and other programs and experiences as may be required to meet the needs of people in the merged area.

21.3(5) *Community services.* The community college shall provide a program of community services designed to meet the needs of persons residing in the merged area. The purpose of the community service program shall be to foster agricultural, business, cultural, industrial, recreational and social development in the area.

281—21.4(260C) Library or learning resource center.

21.4(1) *Facilities.* Community college libraries or learning resource centers shall provide the facilities and resources needed to support the total educational program of the institution and shall show evidence that the facilities and the resources are being used effectively and efficiently. Adequate consideration shall be given to the seating, comfort, setting, and technology of the facility used to house the collection and learning resources.

21.4(2) *Staffing.* The library or learning resource center shall be adequately staffed with qualified professionals and skilled nonprofessional personnel.

21.4(3) *Collection.* The library and learning resource center materials collection of a community college shall be accessible and adequate in size and scope to serve effectively the number and variety of programs offered and the number of students enrolled (including distance and satellite sites). The library or learning resource center materials collection shall show evidence of having been selected by faculty as well as professional library or learning resource staff and shall be kept up-to-date through a planned program of acquisition and deletion. The library or learning resource center materials collection shall contain a range and number of print and non-print materials, and appropriate electronic information resources.

21.4(4) *Expenditures.* The budget of the library or learning resource center shall be appropriate for the programs and services offered by the institution. New programs and new curricula shall be reflected in library or learning resource center expenditures.

281—21.5(260C) Student services. A program of student services shall be provided to meet the needs of students in the community college. The program of student services shall include, but is not limited to, the following functional areas:

a. Orientation to college and career opportunities and requirements.

b. Appraisal of individual potential.

c. Consultation with students about their plans, progress and problems.

d. Participation of students in activities that supplement classroom experiences.

e. Regulation to provide an optimal climate for social and academic development.

f. Services that facilitate community college attendance through a program of financial assistance, and facilitate transition to further education or employment.

g. Organization that provides for continuing articulation, evaluation and improvement of the student services program.

The functional areas shall also address campus safety and security as required by Iowa Code 260C and by the Clery Act, 20 U.S.C. §1092(f), with implementing regulations 34 CFR 668.46.

281—21.6(260C) Laboratories, equipment and supplies. Laboratories, equipment and supplies shall be comparable with that used in the occupations for which instruction is offered. Similarly, college parallel or transfer courses shall be supported in a manner comparable to those conditions which prevail in standard, regionally accredited colleges and universities in which students may wish to transfer college credits.

281—21.7(260C) Physical plant. The site, buildings and equipment of the community college shall be well maintained and in good condition. At a minimum, a five-year, ongoing, systematic maintenance and facilities plan approved by the local board shall be in evidence. The physical plant shall be adequate in size and properly equipped for the program offered. All remodeling of existing facilities shall comply with Iowa Code Chapter 104A and the Americans with Disabilities Act.

281—21.8(260C) Non-reimbursable facilities.

No facility intended primarily for events for which admission may be charged nor any facility specially designed for athletic or recreational activities other than physical education, shall be constructed with state-appropriated funds.

281—21.9 (260C) Standards for community colleges. Accreditation Standards. See Chapter 24.

281—21.10 to **21.19** Reserved.

The rules in this division are intended to implement Iowa Code chapter 260C and 2007 Iowa Acts, Senate File 601.

DIVISION II
COMMUNITY COLLEGE ENERGY APPROPRIATIONS

281—21.20 to **21.29** Reserved.

DIVISION III
INSTRUCTIONAL COURSE FOR DRINKING DRIVERS

281—21.30(321J) Purpose. The purpose of the instructional course for drinking drivers is to inform the offender about drinking and driving and encourage the offender to assess the offender's own drinking and driving behavior in order to select practical alternatives.

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. Enrollment in the course is not limited to persons ordered to enroll, attend, and successfully complete the course required under Iowa Code sections 321J.1 and 321J.17, subsection 2. However, any person under the age of 18 who is required to attend the courses for violation of Iowa Code section 321J.2 or 321J.17 must attend a course offered by a substance abuse treatment program licensed under Iowa Code chapter 125. Any instructional course shall be approved by the department of education in consultation with the community colleges, substance abuse treatment programs licensed under Iowa Code chapter 125, the Iowa department of public health, and the Iowa department of corrections. Each course of instruction shall establish the following:

1. An understanding that alcohol-related problems could happen to anyone and that a person's drinking choices matter. The course illustrates common views of society that prevent people from taking drinking choices seriously. Research is presented to challenge common views with an understanding that alcohol problems are related to lifestyle choices.
2. An understanding that specific low-risk choices will help reduce the risk of experiencing alcohol-related problems at any point in life. The course presents research-based, low-risk guidelines.
3. Methods of providing support for making low-risk choices.
4. An accurate description of the progression of drinking to the development of alcoholism to help people weigh the risk involved with high-risk drinking and to see how high-risk choices may jeopardize their lives and the lives of others.
5. Opportunities to develop a specific plan of action to follow through with low-risk choices. A list of community resources is provided for ongoing support and treatment as needed.

281—21.32(321J) Tuition fee established.

1. Each person enrolled in an instructional course for drinking drivers shall pay to the community college, a substance abuse treatment program licensed under Iowa Code chapter 125, or a state correctional facility a tuition fee of $85 for the approved 12-hour course, plus a reasonable book fee or $185 for the court-ordered approved 28-hour weekend course, plus a reasonable book

fee. For the court-ordered approved 28-hour weekend course, the community college or the substance abuse treatment program licensed under Iowa Code chapter 125 shall set a reasonable fee for lodging, meals, and security.

2. A person shall not be denied enrollment in a course by reason of a person's indigency. For court-ordered placement, the court shall determine a person's indigence. In all other instances, the community college, substance abuse treatment program licensed under Iowa Code chapter 125, or state correctional facility shall determine indigence upon application.

281—21.33(321J) Administrative fee established.

21.33(1) *Students enrolled in Iowa.* Beginning January 1, 2003, each person enrolled in Iowa in an instructional course for drinking drivers under this chapter shall be charged an administrative fee of $10. This fee is in addition to tuition and shall be collected by the provider of the instructional course in conjunction with the tuition fee established under 281—21.32(321J). The administrative fee shall be forwarded to the department of education on a quarterly basis as prescribed by the department. If a student has been declared by the court as indigent, no administrative fee will be charged to that student.

21.33(2) *Students enrolled in another state.* Beginning January 1, 2004, each person enrolled outside the state of Iowa in an instructional course for drinking drivers under this chapter shall be charged an administrative fee of $25. This fee is in addition to tuition and shall be paid directly to the department of education by the student. Upon payment of the fee, the department of education shall review the educational component of the course taken by the student and shall inform the department of transportation whether the educational component is approved by the department of education.

281—21.34 Reserved.

The rules in this division are intended to implement Iowa Code section 321J.22 as amended by 2008 Iowa Acts, House File 2651, section 16.

DIVISION IV
JOBS NOW CAPITALS ACCOUNT

281—21.35 to **21.44** Reserved.

DIVISION V
STATE COMMUNITY COLLEGE FUNDING PLAN

281—21.45(260C) Purpose. A distribution plan for general state financial aid to Iowa's community colleges is established for the fiscal year commencing July 1, 2005, and succeeding fiscal years. Funds appropriated by the general assembly to the department of education for general financial aid to community colleges shall be allocated to each community college in the manner defined in this chapter.

21.45(1) Definitions. For the purpose of this rule, the following definitions shall apply for this section unless the context otherwise requires:

"*Academic success*," for the purposes of determining whether a noncredit course meets eligibility requirements, means courses designed for the specific purpose of advancing a person's knowledge in traditional educational studies, such as mathematics, science, literature, and history, for the purpose of preparing individuals for college or a career.

"Base funding allocation" means the amount of general state financial aid all community colleges received in the base year.

"Base year" means the fiscal year immediately preceding the budget year.

"Below-average support per FTEE" for a community college means the state-average combined support per FTEE minus the combined support per FTEE for the community college if the community college's combined support per FTEE is less than the state-average combined support per FTEE.

"Budget year" means the fiscal year for which moneys are appropriated by the general assembly.

"Combined support" for a community college means the total amount of moneys the community college received in general state financial aid in the base year plus the community college's general fund property tax revenue, including utility replacement, for the base year.

"Combined support per FTEE" for a community college means community college's combined support divided by its three-year rolling average full-time equivalent enrollment for the three years prior to the base year.

"*Community or public policy*," for the purposes of determining whether a noncredit course meets eligibility requirements, means courses designed to focus on the systematic analysis of public policy issues and decision processes including instruction in the role of economic and political factors in public decision-making and policy formation, microeconomic analysis of policy issues, and other related topics.

"Contact hour" for a noncredit course equals 50 minutes of contact between an instructor and students in a scheduled course offering for which students are registered.

"Credit hour," for purposes of community college funding distribution, shall be as defined in subrule 21.2(12).

"Eligible credit courses" means all credit courses that are eligible for inclusion in the FTEE calculation for distribution of general state financial aid and which are a part of a department-approved program of study. Developmental education courses that award credit hours are eligible for inclusion in the FTEE calculation. The department of education shall review and provide a determination should a question of eligibility occur.

"Eligible growth support" for a community college is the community college's below-average support per FTEE multiplied by its three-year rolling average FTEE.

"Eligible noncredit courses" means all noncredit courses eligible for inclusion in the FTEE calculation that is a component of the state aid distribution formula. In order for a noncredit course to be considered eligible, the course curriculum must be consistent with learning associated with professional, academic, or employment pursuits. To be included in the FTEE calculation, courses may not be ineligible noncredit courses. The Department shall review and provide a determination should a question of eligibility of a course occur.

a. The intent and content of the courses must meet one of the following requirements:
(1) The program is state or federally-mandated, state-reognized, or court ordered/referred.
(2) The program's intended audience is 16 years old or older.
(3) The program enhances employability or academic success.
(4) The program teaches skills to enable participants to influence community or public policy.
(5) The program teaches life skills that enhance family development or family health.

b. To be eligible for inclusion in the FTEE calculation, noncredit student enrollment in any of the following categories may not exceed 240 contact hours per student per year.
(1) Adult basic education.
(2) English literacy.
(3) English literacy citizenship.
(4) General education development.
(5) Community rehabilitation programs.

c. To be elible for inclusion in the FTEE calculation, noncredit student enrollment in any of the following categories may not exceed 300 contact hours per student per year.
(1) Adult high school diploma course.
(2) High school diploma course.
(3) Alternative high school.

"Eligible student" means a student enrolled in eligible credit or eligible noncredit courses. Ineligible students include students enrolled in courses that deal with recreation, hobbies, casual culture, or self-enjoyment subjects; programs or contracts funded from 260E sources; students in high school completion programs registered with a community college on or before October 1, which

are claimed for funding by a K-12 school district; students registered as a part of the department of corrections contracts through the state penal institutions; students served for the sole purpose of testing; or students who have no reasonable ability to benefit. The department of education shall review and provide a determination should a question of eligibility occur.

"*Enhances employability*," for the purposes of determining whether a noncredit course meets eligibility requirements, means courses designed for the specific purpose of upgrading the skills of persons employed and retraining persons for new employment.

"Enrollment," for the purposes of calculating the distribution of the proportional share of state general aid, means full-time equivalent enrollment (FTEE).

"*Family/individual development and health*," for the purposes of determining whether a noncredit course meets eligibility requirements, means courses designed for the specific purpose of upgrading the skills of persons related to how individuals function in family, work, and community settings and how they relate to their physical, social, emotional, and intellectual environments. The Department shall provide guidance with examples of eligibile and ineligible noncredit individual development and health courses.

"Fiscal year" means the period of 12 months beginning July 1 of a given calendar year and ending June 30 of the next calendar year.

"Full-time equivalent enrollment (FTEE)" means that one FTEE equals 24 credit hours for credit courses or 600 contact hours for noncredit courses generated by all eligible students enrolled in eligible courses.

"General state financial aid" means the amount of general state financial aid the community college received from the general fund.

"*Ineligible noncredit courses*," means noncredit courses ineligible

"Inflation adjustment amount" means the inflation rate minus two percentage points multiplied by the base funding allocation. The inflation adjustment amount shall not be less than zero.

"Inflation rate" means the average of the preceding 12-month percentage change, which shall be computed on a monthly basis, in the consumer price index for all urban consumers, seasonally adjusted, published by the United States Department of Labor, Bureau of Labor Statistics, calculated for the calendar year ending six months after the beginning of the base year.

"State average combined support per FTEE" means the average of the combined support per FTEE for all community colleges in the state in the base year.

"Three year rolling average full-time equivalent enrollment" means the average of the audited full-time equivalent enrollment for a community college over the three fiscal years prior to the base year as determined by the department.

"Total growth support amount" means the sum of the eligible growth support for all of the community colleges.

21.45(2) Distribution formula. Moneys appropriated by the general assembly from the general fund to the department for community college purposes for general state financial aid for a budget year shall be allocated to each community college by the department as follows:

a. If the inflation rate is equal to two percent or less:

(1) *Base funding allocation*. The moneys shall first be allocated in the amount of general state financial aid each community college received in the base year. If the appropriation is less than the total of the amount of general state financial aid each community college received in the base year, the moneys shall be allocated in the same proportion as the allocation of general state financial aid each community college received in the base year.

(2) *Marginal cost adjustment*. After the base funding has been allocated, each community college shall be allocated up to an additional two percent of its base funding allocation. The community college's allocation shall be in the same proportion as the allocation of general state financial aid each community college received in the base year.

(3) *Three-year rolling average of full-time equivalent enrollment*. If the increase in the total state general aid exceeds two percent over the base funding allocation, an amount up to an additional one percent of the base funding allocation shall be distributed based upon each community college's proportional share of

the three-year rolling average full-time equivalent enrollments for all community colleges.

(4) *Extraordinary growth adjustment.* If the increase in total state general aid exceeds three percent over the base funding allocation, an amount up to an additional one percent of the base funding allocation shall be distributed as follows:

(a) Forty percent of the moneys shall be allocated based upon each community college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

(b) Sixty percent of the moneys shall be allocated to community colleges that have eligible growth support. The allocation shall be based upon the proportional share that each community college's eligible growth support bears to the total growth support amount. Once the moneys allocated under this subparagraph subdivision equal the total growth support amount, the remaining moneys allocated under this subparagraph shall be allocated as provided in subparagraph subdivision (4)(a).

(5) *Additional three-year rolling average FTEE allocation.* If the increase in total state general aid exceeds four percent over the base funding allocation, all remaining moneys shall be distributed based upon each college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

b. If the inflation rate is greater than two percent but less than four percent:

(1) Base funding allocation. The moneys shall first be allocated in the amount of general state financial aid each community college received in the base year. If the appropriation is less than the total of the amount of general state financial aid each community college received in the base year, the moneys shall be allocated in the same proportion as the allocation of general state financial aid each community college received in the base year.

(2) *Marginal cost adjustment*. After the base funding has been allocated, each community college shall be allocated up to an additional two percent of its base funding allocation. The community college's allocation shall be in the same proportion as the allocation of general state financial aid each community college received in the base year.

(3) *Three-year rolling average of full-time equivalent enrollment*. If the increase in the total state general aid exceeds two percent over the base funding allocation, an amount up to an additional one percent of the base funding allocation shall be distributed based upon each community college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

(4) Extraordinary growth adjustment. If the increase in total state general aid exceeds three percent over the base funding allocation, an amount up to an additional one percent of the base funding allocation shall be based as follows:

(a) Forty percent of the moneys shall be allocated based upon each community college’s proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

(b) Sixty percent of the moneys shall be allocated to community colleges that have eligible growth support. The allocation shall be based upon the proportional share that each community college’s eligible growth support bears to the total growth support amount. Once the moneys allocated under this subparagraph subdivision equal the total growth support amount, the remaining moneys allocated under this subparagraph shall be allocated as provided in subparagraph, subdivision (4)”1” a.

(5) *Inflation adjustment*. If the increase in total state general aid exceeds four percent over the base funding allocation, an amount up to the inflation adjustment amount shall be distributed to each community college in the same proportion as the allocation of general state financial aid each community college received in the base year.

(6) *Additional three-year rolling average FTEE allocation*. If there are remaining moneys to be distributed under this paragraph after distributing moneys under subparagraph (5), all remaining moneys shall be distributed based upon each community college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

c. If the inflation rate equals or exceeds four percent:

(1) Base funding allocation. The moneys shall first be allocated in the amount of general state

financial aid each community college received in the base year. If the appropriation is less than the total of the amount of general state financial aid each community college received in the base year, the moneys shall be allocated in the same proportion as the allocation of general state financial aid each community college received in the base year.

(2) Marginal cost adjustment. After the base funding has been allocated, each community college shall be allocated up to an additional two percent of its base funding allocation. The community college's allocation shall be in the same proportion as the allocation of general state financial aid each community college received in the base year.

(3) Three-year rolling average of full-time equivalent enrollment. If the increase in the total state general aid exceeds two percent over the base funding allocation, an amount up to an additional one percent of the base funding allocation shall be distributed based upon each community college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

(4) Inflation adjustment. If the increase in total state general aid exceeds three percent over the base funding allocation, an amount up to the inflation adjustment amount shall be distributed to each community college in the same proportion as the allocation of general state financial aid each community college received in the base year.

(5) Extraordinary growth adjustment. If there are remaining moneys to be distributed under this paragraph after distributing moneys under subparagraph (4) "1", an amount up to an additional one percent of the base funding allocation shall be based as follows:

(a) Forty percent of the moneys shall be allocated based upon each community college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

(b) Sixty percent of the moneys shall be allocated to community colleges that have eligible growth support. The allocation shall be based upon the proportional share that each community college's eligible growth support bears to the total growth support amount. Once the moneys allocated under this subparagraph subdivision equal the total growth support amount, the remaining moneys allocated under this subparagraph shall be allocated as provided in subparagraph subdivision (a).

(6) Additional three-year rolling average FTEE allocation. If there are remaining moneys to be distributed under this paragraph after distributing moneys under subparagraph (5), all remaining moneys shall be distributed based upon each community college's proportional share of the three-year rolling average full-time equivalent enrollments for all community colleges.

21.45(3) Each community college shall provide student and financial information in the manner and form as determined by the department and before the deadline announced by the department. If the community college fails to provide the student or financial information as requested, the department shall estimate the FTEE of that college that will be used in the state general aid distribution formula.

21.45(4) Each community college shall be required to hire an auditing firm to complete and submit the schedule of credit and contact hour enrollment and a letter certifying department of education-specified procedures were followed. These schedules will be used in calculating the college's full time equivalent enrollment utilized in the community college state general aid distribution formula. This rule is intended to implement Iowa Code section 260C.18C.

DIVISION VI
INTERCOLLEGIATE ATHLETIC COMPETITION

281—21.46 to **21.56** Reserved.

DIVISION IX
APPRENTICESHIP PROGRAM

281—21.72(260C) Purpose. The purpose of the apprenticeship program is to provide individuals, at least 16 years of age, except where a higher minimum age standard is otherwise fixed by law, employment to learn a skilled trade or an occupation; and to authorize each community college to

establish or contract for the establishment of apprenticeship programs for apprenticeable occupations.

281—21.73(260C) Definitions.

"Apprentice" shall mean a worker at least 16 years of age, except where a higher minimum age standard is otherwise fixed by law, who is employed to learn a skilled trade or occupation under the standards of apprenticeship.

"Apprenticeable occupation" is a skilled trade which possesses all of the following characteristics:

1. It is customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training.
2. It is clearly identified and commonly recognized throughout an industry.
3. It involves manual, mechanical or technical skills and knowledge which require a minimum of 2,000 hours of on-the-job work experience.
4. It requires related instruction to supplement on-the-job training.

"Apprenticeship agreement" shall mean a written agreement between an apprentice and the apprentice's employer, or an apprenticeship committee acting as the agent for the employer(s). The agreement contains the terms and conditions of the employment and training of the apprentice.

"Apprenticeship committee" shall mean those persons designated by the sponsor to act for it in the administration of the program. A committee may be "joint," i.e., composed of an equal number of representatives of the employer(s) and of the employees represented by a bona fide collective bargaining agent(s), and is established to conduct, operate, or administer an apprenticeship program and enter into apprenticeship agreements with apprentices. A committee may be "unilateral" or "non-joint" and shall mean a program sponsor in which a bona fide collective bargaining agent is not a participant.

"Apprenticeship instructor" shall mean an instructor delivering related and technical instruction in apprenticeship programs and must meet the department's requirements for career and technical instructors in or be recognized as a subject matter expert, for example, a journeyworker for specific instruction in an occupation or a mathematics instructor to instruct the mathematics portion of the related instruction. It is recommended that all apprenticeship instructors have training in teaching techniques and adult learning styles.

"Apprenticeship program" shall mean a plan containing all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices, including such matters as the required under 29 CFR parts 29 and 30, including the requirement for a written apprenticeship agreement.

"Cancellation" shall mean the termination of the registration or approval status of a program at the request of the sponsor or termination of an apprenticeship agreement at the request of the apprentice.

"Certification or certificate" shall mean documentary evidence that:

(1) The Office of Apprenticeship has approved a set of National Guidelines for Apprenticeship Standards developed by a national committee or organization, joint or unilateral, or policy or guideline used by local affiliates, as conforming to the standards of apprenticeship set forth in 29.5;
(2) A Registration Agency has established that an individual is eligible for probationary employment as an apprentice under a registered apprenticeship program.
(3) A Registration Agency has registered an apprenticeship program as evidenced by a Certificate of Registration or other written indicia;
(4) A Registration Agency has determined that an apprenticeship has successfully met the requirements to receive an interim credential; or
(5) A Registration Agency has determined that an individual has successfully completed an apprenticeship.

"Competency" shall mean the attainment of manual or technical skill and knowledge, as specified by an occupational standard.

"Employer" shall mean any person or organization employing an apprentice whether or not such person or organization is a party to an apprenticeship agreement with the apprentice.

"Journeyworker" shall mean a worker who has attained a level of skill and competency recognized within an industry as having mastered the skills and competencies required for the occupation.

"Office of Apprenticeship" shall mean the office designated by the Employment and Training Administration to administer the National Apprenticeship System or its successor organization.

"Registration agency" shall mean the Office of Apprenticeship that has responsibility for registering apprenticeship programs and apprentices; providing technical assistance; conducting reviews for compliance with 29 CFR parts 29 and 30; and quality assurance assessments.

"Registration of an apprenticeship agreement" shall mean the acceptance and recording of an apprenticeship agreement by the Office of Apprenticeship as evidence of the apprentice's participation in a particular registered apprenticeship program.

"Related instruction or related technical instruction" shall mean an organized and systematic form of instruction designed to provide the apprentice with the core knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given in a classroom through occupational or industrial courses, or by correspondence courses of equivalent value, or electronic media, or other forms of self-study approved by the Registration Agency.

"Supplemental instruction" shall mean instruction in non-core related requirements, for example, job site management, leadership, communications, first aid/CPR, field trips, and new technologies.

"Sponsor" shall mean any person, association, committee or organization operating an apprenticeship program and in whose name the program is (or is to be) registered or approved.

281—21.74(260C) Apprenticeship programs. For an apprenticeship program to be offered by a community college or a local educational agency, the program must be approved by the U.S. Department of Labor, Office of Apprenticeship, and meet all requirements outlined in Title 29, Parts 29 and 30, of the National Apprenticeship Act.

The rules in this division are intended to implement Iowa Code section 260C.44 and Title 29, Parts 29 and 30, of the National Apprenticeship Act.

DIVISION X
MISCELLANEOUS PROVISIONS

281—21.75(260C,82GA,SF358) Used motor vehicle dealer education program. An applicant for a license from the department of transportation as a used motor vehicle dealer shall complete a minimum of eight hours of prelicensing education program courses pursuant to 2007 Iowa Acts, Senate File 358, prior to submitting the application. The education program courses are provided by community colleges or by the Iowa Independent Automobile Dealers Association in conjunction with a community college. The fee for both the prelicensing education program courses and continuing education courses shall not exceed $50 per contact hour of instruction, which shall include course materials and administrative costs.

This rule is intended to implement Iowa Code chapter 260C and 2007 Iowa Acts, Senate File 358.

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CHAPTER 22
SENIOR YEAR PLUS PROGRAM

** Proposed rules are currently going through the rulemaking process. **

CHAPTER 23
ADULT EDUCATION

[Prior to 9/7/88, see Public Instruction Department[670] Ch 34]

281—23.1(260C) Planning process.

23.1(1) *Basis.* A state plan for adult education shall be developed as required by federal legislation. The plan shall be in such detail as the state director of education shall prescribe. Current federal rules and regulations shall be followed in developing the state plan.

23.1(2) *Participatory planning committee.* The department of education shall involve a participatory planning committee in the development of the plan. The participatory planning committee shall include representatives of various agencies, groups, and organizations. The state plan shall provide for the selection of representatives and the manner in which the representatives will be involved in the development of the state plan. If the participatory planning committee is not able to agree upon a final plan, the department of education shall make the final decision. The state plan shall include notation of recommendations rejected and the reason for the rejection.

281—23.2(260C) Final plan. The final plan shall be approved by the state board for implementation.

These rules are intended to implement Iowa Code section 260C.1.

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CHAPTER 24
COMMUNITY COLLEGE ACCREDITATION

281—24.1(260C) Purpose. As set forth in Iowa Code section 260C.1, the purpose of accreditation of Iowa's community colleges is to confirm that each college is offering, to the greatest extent possible, educational opportunities and services, when applicable, but not be limited to:

1. The first two years of college work including pre-professional education.
2. Vocational (career) and technical training.
3. Programs for in-service training and retraining of workers.
4. Programs for high school completion for students of post-high school age.
5. Programs for all students of high school age, who may best serve themselves by enrolling for vocational (career) and technical training, while also enrolled in a local high school, public or private.
6. Programs for students of high school age to provide advanced college placement courses not taught at a student's high school while the student is also enrolled in the high school.
7. Student personnel services.
8. Community services.
9. Vocational (career and technical) education for persons who have academic, socioeconomic, or other disabilities which prevent succeeding in regular vocational education programs.
10. Training, retraining, and all necessary preparation for productive employment of all citizens.
11. Vocational (career) and technical training for persons who are not enrolled in a high school and who have not completed high school.
12. Developmental education for persons who are academically or personally underprepared to succeed in their program of study.

281—24.2(260C) Scope. Each community college is subject to accreditation by the state board of education, as provided in Iowa Code section 260C.47. The state board of education shall grant accreditation if a community college meets the standards established in this chapter.

281—24.3(260C) Definitions. For purposes of interpreting rule 281—24.5(260C), the following definitions shall apply:

"Field of instruction." The determination of what constitutes each field of instruction should be based on accepted practices of regionally accredited two- and four-year institutions of higher education.

"Full-time instructor." An instructor is considered to be full-time if the community college board of directors designates the instructor as full-time. Consideration of determining full-time status shall be based on local board-approved contracts.

"Higher Learning Commission." The Higher Learning Commission is the accrediting authority within the North Central Association of Colleges and Schools. Iowa Code sections 260C.47 and 260C.48 require that the state accreditation process be integrated with that of the North Central Association of Colleges and Schools.

"Instructors meeting minimum requirements." A community college instructor meeting the minimum requirements of Iowa Code Supplement section 260C.48(1) as amended by 2008 Iowa Acts, House File 2679, is an instructor under contract for at least half-time or more teaching college credit courses. Beginning July 1, 2011, a community college instructor meeting the minimum requirements is an instructor teaching college credit courses. Credit courses shall meet requirements as specified in rule 281—21.2(260C), and meet program requirements for college parallel, career and technical education, and career-option programs as specified in rule 281—21.4(260C) and Iowa Code chapter 260C.

"Joint enrollment." Any community college credit course offered to students enrolled in a school district. Courses offered for joint enrollment include courses delivered through contractual agreements between school districts and community colleges, courses delivered through the

Postsecondary Enrollment Options program, and college credit courses taken independently by tuition-paying secondary school students.

"Minimum of 12 graduate hours." Full-time arts and sciences instructors must possess a master's degree and complete a minimum of 12 graduate hours in their field of instruction. The 12 graduate hours may be within the master's degree requirements or independent of the master's degree, but all hours must be in the instructor's field of instruction.

"Recent and relevant work experience." An hour of recent and relevant work experience is equal to 60 minutes. The community college shall determine what constitutes recent and relevant work experience that relates to the instructor's occupational and teaching area. The college shall maintain documentation of the instructor's educational and work experience.

281—24.4(260C) Accreditation components and criteria—Higher Learning Commission. In order to be accredited by the state board of education and maintain accreditation status, a community college must meet the accreditation criteria of the Higher Learning Commission and additional state standards. Accreditation shall be maintained either by the Program to Evaluate Academic Quality (PEAQ) or the alternative Academic Quality Improvement Program (AQIP) process. The Higher Learning Commission criteria for accreditation are as follows:

24.4(1) *Criterion one: Mission and integrity.* The organization operates with integrity to ensure the fulfillment of its mission through structures and processes that involve the board, administration, faculty, staff, and students.

a. The organization's mission documents are clear and articulate publicly the organization's commitments.

b. In its mission documents, the organization recognizes the diversity of its learners, other constituencies, and the greater society it serves.

c. Understanding of and support for the mission pervade the organization.

d. The organization's governance and administrative structures promote effective leadership and support collaborative processes that enable the organization to fulfill its mission.

e. The organization upholds and protects its integrity.

24.4(2) *Criterion two: Preparing for the future.* The organization's allocation of resources and its processes for evaluation and planning demonstrate its capacity to fulfill its mission, improve the quality of its education, and respond to future challenges and opportunities.

a. The organization realistically prepares for a future shaped by multiple societal and economic trends.

b. The organization's resource base supports its educational programs and its plans for maintaining and strengthening the program's quality in the future.

c. The organization's ongoing evaluation and assessment processes provide reliable evidence of institutional effectiveness that clearly informs strategies for continuous improvement.

d. All levels of planning align with the organization's mission, thereby enhancing the organization's capacity to fulfill that mission.

24.4(3) *Criterion three: Student learning and effective teaching.* The organization provides evidence of student learning and teaching effectiveness that demonstrates it is fulfilling its educational mission.

a. The organization's goals for student learning outcomes are clearly stated for each educational program and make effective assessment possible.

b. The organization values and supports effective teaching.

c. The organization creates effective learning environments.

d. The organization's learning resources support student learning and effective teaching.

24.4(4) *Criterion four: Acquisition, discovery, and application of knowledge.* The organization promotes a life of learning for its faculty, administration, staff, and students by fostering and supporting inquirty, creativity, practice, and social responsibility in ways consistent with its mission.

a. The organization demonstrates, through the actions of its board, administrators, students, faculty, and staff, that it values a life of learning.

b. The organization demonstrates that acquisition of a breadth of knowledge and skills and the exercise of intellectual inquiry are integral to its educational programs.

c. The organization assesses the usefulness of its curricula to students who will live and work in a global, diverse, and technological society.

d. The organization provides support to ensure that faculty, students, and staff acquire, discover, and apply knowledge responsibly.

24.4(5) *Criterion five: Engagement and service.* As called for by its mission, the organization identifies its constituencies and serves them in ways both value.

a. The organization learns from the constituencies it serves and analyzes its capacity to serve their needs and expectations.

b. The organization has the capacity and the commitment to engage with its identified constituencies and communities.

c. The organization demonstrates its responsiveness to those constituencies that depend for service.

d. Internal and external constituencies value the services the organization provides.

24.4(6) *Documentation.* Documents and materials provided in accordance with the accreditation requirements of the Higher Learning Commission shall also be provided for the state accreditation process.

281—24.5(260C) Accreditation components and criteria—additional state standards. To be granted accreditation by the state board of education, an Iowa community college shall also meet additional standards pertaining to minimum or quality assurance standards for faculty (Iowa Code 260C.48(1)); faculty load (Iowa Code 260C.48(2)); special needs (Iowa Code 260C.48(3)); career and technical education program evaluation (Iowa Code 258C.4(7)); strategic planning (Iowa Code 256.31(4)a; physical plant and facilities; quality faculty plan (Iowa Code 260C.36); senior year plus programs (Iowa Code 261E), and other appropriate sections of Iowa Code.

24.5(1) *Faculty.* Community college-employed instructors who are under contract for at least half-time or more, and by July 1, 2011, all instructors who teach in career and technical education or arts and sciences shall meet minimum standards. In accordance with Iowa Code Supplement section 260C.48(1) as amended by 2008 Iowa Acts, House File 2679, standards shall at a minimum require that community college instructors who are under contract for at least half-time or more, and by July 1, 2011, all instructors meet the following requirements:

a. Instructors in the subject area of career and technical education shall be registered, certified, or licensed in the occupational area in which the state requires registration, certification, or licensure, and shall hold the appropriate registration, certificate, or license for the occupational area in which the instructor is teaching, and shall meet either of the following qualifications:

(1) A baccalaureate or graduate degree in the area or a related area of study or occupational area in which the instructor is teaching classes.

(2) Special training and at least 6,000 hours of recent and relevant work experience in the occupational area or related occupational area in which the instructor teaches classes if the instructor possesses less than a baccalaureate degree.

b. Instructors in the subject area of arts and sciences shall meet either of the following qualifications:

(1) Possess a master's degree from a regionally accredited graduate school, and have successfully completed a minimum of 12 credit hours of graduate level courses in each field of instruction in which the instructor is teaching classes.

(2) Have two or more years of successful experience in a professional field or area in which the instructor is teaching classes and in which postbaccalaureate recognition or professional licensure is necessary for practice, including but not limited to the fields or areas of accounting, engineering, law, law enforcement, and medicine.

c. Developmental education and adult education instructors employed half-time or more may or may not meet minimum requirements depending on their teaching assignments and the relevancy of standards to the courses they are teaching and the transferability of such courses. If instructors

are teaching credit courses reported in arts and sciences or career and technical education, it is recommended that these instructors meet minimum standards set forth in 281—subrule 21.3(1), paragraph *"a"* or *"b."* By July 1, 2011, all instructors teaching credit courses shall meet minimum standards.

24.5(2) *Faculty load.*

a. College parallel. The full-time teaching load of an instructor in college parallel programs shall not exceed a maximum of 16 credit hours within a traditional semester or the equivalent. An instructor may also have a teaching assignment outside of the normal school hours, provided the instructor consents to this additional assignment and the total workload does not exceed the equivalent of 18 credit hours within a traditional semester or the equivalent.

b. Career and technical education. The full-time teaching load of an instructor in career and technical education programs shall not exceed 6 hours per day, and an aggregate of 30 hours per week or the equivalent. An instructor may also teach the equivalent of an additional 3 credit hours, provided the instructor consents to this additional assignment. When the teaching assignment includes classroom subjects (non-laboratory), consideration shall be given to establishing the teaching load more in conformity with that of paragraph 24.5(2)*"a."*

24.5(3) *Special needs.* Community colleges shall provide equal access in recruitment, enrollment, and placement activities for students with disabilities. Students with disabilities shall be given access to the full range of course offerings at a college through reasonable accommodations.

24.5(4) *Career and technical education evaluation.* The director of the department shall annually review at least 20 percent of the approved career and technical programs as a basis for continuing approval. The community college career and technical program review and evaluation system must ensure that the programs:

a. Are compatible with educational reform efforts.

b. Are capable of responding to technological change and innovation.

c. Meet educational needs of the students and employment community, including students with disabilities, both male and female students, and students from diverse racial and ethnic groups.

d. Enable students enrolled to perform the minimum competencies independently.

e. Are articulated/integrated with the total school curriculum.

f. Enable students with a secondary career and technical background to pursue other educational interests in a postsecondary setting, if desired.

g. Provide students with support services and eliminate access barriers to education and employment for both traditional and nontraditional students, men and women, persons from diverse racial and ethnic groups, and persons with disabilities.

24.5(5) Facilities, parking lots and roads.

(1) Facilities master planning. Each community college shall present evidence of adequate planning, including a board-approved facilities plan. Planning includes tentative program approval, a master campus plan, written educational specifications, site plot showing location of proposed and existing facilities, elevations and floor plans.

(2) *Accessibility and safety.* All new or remodeled facilities (buildings and programs offered in such facilities) and services in such facilities shall be made functional and usable for persons with special needs and shall comply with the Iowa Code Chapter 104A and the Americans with Disabilities Act and address issues of campus safety and security as required by Iowa Code 260C and by the federal Clery Act, 20 U.S.C. §1092(f). All parking areas and roads shall comply with all state and federal rules and regulations dealing with roads, parking ramps, and accessibility requirements.

(3) *Adequate facilities.* All administrative facilities, classrooms, laboratories, and related facilities shall be educationally adequate for the purpose for which they are designed.

(4) *Library or learning resource center.* A library or learning resource center shall be planned as part of the master campus plan and space made for library or learning resource center services within the initial construction.

(5) *Student center.* An area of the college shall be provided where students may gather informally and where food is available.

24.5(6) *Strategic planning.* The community college shall prepare a five-year strategic plan to guide the college and its decision-making. Consideration shall be given to the five-year statewide strategic plan (Iowa Code 256.31(4)a) in the development of the college's strategic plan.

24.5(7) *Quality faculty plan.* The community college shall establish a quality faculty committee consisting of instructors and administrators to develop and maintain a plan for hiring and developing quality faculty. The committee shall have equal representatives of arts and sciences and career and technical faculty with no more than a simple majority of members of the same gender. Faculty shall be appointed by the certified employee organization representing faculty, if any, and administrators shall be appointed by the college's administration. If no faculty-certified employee organization representing faculty exists, the faculty shall be appointed by administration pursuant to Iowa Code section 260C.48(4). The committee shall submit the plan to the board of directors for consideration, approval and submittal to the department of education.

a. For purposes of this subrule, the following definitions shall apply.

(1) "Counselor" means those who are classified as counselors as defined in the college's collective bargaining agreement or written policy.

(2) "Media specialist" means those who are classified as media specialists as defined in the college's collective bargaining agreement or written policy.

b. The institutional quality faculty plan is applicable to all community college-employed faculty teaching college credit courses, counselors, and media specialists. The plan requirements may be differentiated for each type of employee. The plan shall include, at a minimum, each of the following components:

(1) Plan maintenance. The quality faculty committee shall submit proposed plan modifications to the board of directors for consideration and approval. It is recommended that the plan be updated at least annually.

(2) A determination of the faculty and staff to be included in the plan including, but not limited to, all instructors teaching college credit courses, counselors, and media specialists.

(3) Orientation for new faculty. It is recommended that new faculty orientation be initiated within six months from the hiring date. It is recommended that the orientation of new faculty be flexible to meet current and future needs and provide options other than structured college courses for faculty to improve teaching strategies, curriculum development and evaluation strategies. It is recommended that the college consider developing a faculty mentoring program.

(4) Continuing professional development for faculty. It is recommended that the plan clearly specify required components including time frame for continuing professional development for faculty. It is recommended that the plan include the number of hours, courses, workshops, professional and academic conferences or other experiences such as industry internships, cooperatives and exchange programs that faculty may use for continuing professional development. It is recommended that the plan include prescribed and elective topics such as discipline-specific content and educational trends and research. Examples of topics that may be considered include dealing with the complexities of learners, skills in teaching adults, curriculum development, assessment, evaluation, enhancing students' retention and success, reaching nontraditional and minority students, improving skills in implementing technology and applied learning, leadership development, and issues unique to a particular college. The institutional quality faculty plan shall include professional development components for all instructional staff, counselors, and media specialists and may include reciprocity features that facilitate movement from one college to another.

(5) Procedures for accurate record keeping and documentation for plan monitoring. It is recommended that the plan identify the college officials or administrators responsible for the administration, record keeping and ongoing evaluation and monitoring of the plan. It is recommended the plan monitoring, evidence collected, and records maintained showing implementation of the plan be comprehensive in scope. It is recommended that the plan provide for the documentation that each faculty member appropriately possesses, attains or progresses toward attaining minimum competencies.

(6) Consortium arrangements where appropriate, cost-effective and mutually beneficial. It is recommended that the plan provide an outline of existing and potential consortium arrangements

including a description of the benefits, cost-effectiveness, and method of evaluating consortium services.

(7) Specific activities that ensure that faculty attain and demonstrate instructional competencies and knowledge in their subject or technical areas. It is recommended that the plan identify faculty minimum competencies and explain the method or methods of determining and assessing competencies. It is recommended that the plan contain procedures for reporting faculty progress. It is recommended that faculty be notified at least once a year of their progress in attaining competencies. It is recommended that the plan include policies and provisions for length of provisional status for faculty who do not meet the minimum standards in Iowa Code section 260C.48. It is recommended that provisional status of individual faculty members not exceed five years.

(8) Procedures for collection and maintenance of records demonstrating that each faculty member has attained or documented progress toward attaining minimum competencies. It is recommended that the plan specify data collection procedures that demonstrate how each full-time faculty member has attained or has documented progress toward attaining minimum competencies. It is recommended that the plan incorporate the current department of education management information system data submission requirements by which each college submits complete human resources data files electronically as a part of the college's year-end reporting.

(9) Compliance with the faculty accreditation standards of the North Central Association of Colleges and Schools and with faculty standards required under specific programs offered by the community college that are accredited by other accrediting agencies. It is recommended that the plan provide for the uniform reports with substantiating data currently required for North Central Association of Colleges and Schools accreditation.

c. The department of education shall notify the community college when the department requires that a modified quality faculty plan be submitted. The department shall review the plan during the state accreditation on-site visits to ensure each community college's compliance and progress in implementing a quality faculty plan as approved by the local board of directors. The department shall review the following:

(1) Documents submitted by the college that demonstrate that the plan includes each component required by paragraph *"b"* of this subrule.

(2) Documentation submitted by the college that the board of directors approved the plan.

(3) Documentation submitted by the college that the college is implementing the approved plan, including, but not limited to, evidence of plan monitoring, evaluation and updating; evidence that the faculty has attained, or is progressing toward attaining, minimum competencies and standards contained in Iowa Code section 260C.48 as amended by 2008 Iowa Acts, House File 2679, and 2007 Iowa Acts, Senate File 588; evidence that faculty members have been notified of their progress toward attaining minimum competencies and standards; and evidence that the college meets the minimum accreditation requirements for faculty required by the North Central Association of Colleges and Schools.

(4) Documentation that the college administration encourages the continued development of faculty potential as defined in Iowa Code Supplement section 260C.36 as amended by 2008 Iowa Acts, House File 2679.

(5) Documentation of the human resources report submitted by the college through the department's community college management information system.

24.5(8) *Senior year plus.* The community college shall provide access to joint enrollment opportunities for high school age students. Each college shall comply with the appropriate standards defined in Iowa Code section 261E.

281—24.6(260C) Accreditation process.

24.6(1) *Components.* The community college accreditation process shall include the following components:

a. Each community college shall submit information on an annual basis to the department of education to comply with program evaluation requirements adopted by the state board of education.

b. The department of education shall conduct an on-site accreditation evaluation of each community college during the same academic year as the evaluation by the Higher Learning Commission of the North Central Association of Colleges and Schools. An interim evaluation midway between comprehensive evaluations shall also be conducted. The department shall have the authority to conduct focus evaluation visits as needed.

24.6(2) *Accreditation team.* The size and composition of the accreditation team shall be determined by the director of the department, but the team shall include members of the department of education staff and staff members from community colleges other than the community college being evaluated for accreditation, and any other technical experts as needed.

24.6(3) *Accreditation team action.* After a visit to a community college, the accreditation team shall evaluate whether the accreditation standards have been met and shall make a report to the director of the department and the state board of education, together with a recommendation as to whether the community college shall remain accredited. The accreditation team shall report strengths and opportunities for improvement, if any, for each standard and criterion and shall advise the community college of available resources and technical assistance to further enhance strengths and address areas for improvement. A community college may respond to the accreditation team's report.

24.6(4) *State board of education consideration of accreditation.* The state board of education shall determine whether a community college shall remain accredited. Approval of accreditation for a community college by the state board of education shall be based upon the recommendation of the director of the department after study of the factual and evaluative evidence on record pursuant to the standards and criteria described in this chapter, and based upon the timely submission of information required by the department of education in a format provided by the department of education. With the approval of the director of the department, a focus visit may be conducted if the situation at a particular college warrants such a visit.

a. Accreditation granted. Continuation of accreditation, if granted, shall be for a term consistent with the term of accreditation by the Higher Learning Commission of the North Central Association of Colleges and Schools; however, approval for a lesser term may be granted by the state board of education if the board determines that conditions so warrant.

b. Accreditation denied or conditional accreditation. If the state board of education denies accreditation or grants conditional accreditation, the director of the department of education, in cooperation with the board of directors of the community college, shall establish a plan prescribing the procedures that must be taken to correct deficiencies in meeting the standards and criteria and shall establish a deadline for correction of the deficiencies. The plan shall be submitted to the director within 45 days following the notice of accreditation denial or conditional accreditation. The plan shall include components which address correcting deficiencies, sharing or merger options, discontinuance of specific programs or courses of study, and any other options proposed by the state board of education or the accreditation team to allow the college to meet accreditation standards and criteria.

c. Implementation of plan. During the time specified in the plan for its implementation, the community college remains accredited. The accreditation team shall revisit the community college to evaluate whether the deficiencies in the standards or criteria have been corrected and shall make a report and recommendation to the director and the state board of education. The state board of education shall review the report and recommendation, may request additional information, and shall determine whether the deficiencies have been corrected.

d. Removal of accreditation. The director shall give a community college which fails to meet accreditation standards at least one year's notice prior to removal of accreditation after such decision by the state board of education. The notice shall be sent by certified mail or restricted certified mail addressed to the chief executive officer of the community college and shall specify the reasons for removal of accreditation. The notice shall also be sent to each member of the board of directors of the community college. If, during the year, the community college remedies the reasons for removal of accreditation and satisfies the director that the community college will comply with the accreditation standards and criteria in the future, the director shall continue the accreditation and

shall transmit notice of the action to the community college by certified mail or restricted certified mail.

e. Failure to correct deficiencies. If the deficiencies have not been corrected in a program of a community college, the community college board of directors shall take one of the following actions within 60 days from removal of accreditation:

(1) Merge the deficient program or programs with a program or programs from another accredited community college.

(2) Contract with another accredited postsecondary educational institution for purposes of program delivery at the community college.

(3) Discontinue the program or programs which have been identified as deficient.

f. Appeal process provided. The action of the director to remove the state accreditation of a community college may be appealed to the state board of education as provided in Iowa Code section 260C.47, subsection 7.

These rules are intended to implement Iowa Code chapter 260C.

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