

# Iowa State Board of Education

## Executive Summary

January 28, 2021



**Agenda Item:** Rules: 281 IAC Chapter 48 – Work-Based Learning (Notice)

**State Board Priorities:** All

**State Board Role/Authority:** Iowa Code section 256.7(5) gives the State Board of Education the statutory authority to adopt rules under Chapter 17A.

**Presenter(s):** Thomas A. Mayes, General Counsel  
Jeremy Varner, Administrator  
Division of Community Colleges and Workforce Preparation

**Attachment(s):** One

**Recommendation:** It is recommended that the State Board give notice of intended action to amend Chapter 48.

**Background:** House File 2629 requires the Department to establish “a process by which the department shall approve state-recognized work-based learning programs,” a process established by these rules.

## EDUCATION DEPARTMENT[281]

### Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 48, “Work-Based Learning,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code § 256.7(5).

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, 2020 Iowa Acts, House File 2629.

#### *Purpose and Summary*

House File 2629 requires the Department to establish “a process by which the department shall approve state-recognized work-based learning programs,” a process established by these rules.

#### *Fiscal Impact*

Any fiscal impact this rule making has is capped by a General Fund appropriation (Fiscal Note, House File 2629, July 14, 2020).

#### *Jobs Impact*

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

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department of Education for a waiver of the discretionary provisions, if any, pursuant to Chapter 281—4.

#### *Public Comment*

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department of Education no later than 4:30 p.m. on March 16, 2021. Comments should be directed to: Thomas A. Mayes, General Counsel and Administrative Rules Coordinator, Grimes State Office Building, Second Floor; 400 E. 14th Street; Des Moines, IA 50319-0416. Phone: 515-281-8661. Fax: 515-242-5988.

*Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 16, 2021

10:00 to 10:30 a.m.

Grimes State Office Building, Room B100

400 E. 14th Street

Des Moines, IA 50319-0146

Also via video conference at the following link:

<https://idoe.zoom.us/j/98069592361?pwd=VHRHQXIUOXF6ZnV4YjJ4Q2dwSzBVZz09>

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Education and advise of specific needs by calling 515-281-5294.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action proposed:

Item 1: Amend the chapter title as follows

~~STATEWIDE WORK-BASED LEARNING INTERMEDIARY NETWORK~~

Item 2: Insert the following heading before rule 281—48.1(256)

Division I

STATEWIDE WORK-BASED LEARNING INTERMEDIARY NETWORK

Item 3. Adopt the following new division II, rule 281—48.5(256).

Division II

Future Ready Iowa State-recognized Work-based Learning Programs

**281—48.5(256) Program established.** The provisions of this chapter 48, division II implement the Future Ready Iowa State-recognized Work-based Learning Program as authorized under section 256.7 and section 261.131, as amended by 2020 Iowa Acts, chapter 1117.

**48.5(1) Definitions.** As used in this rule:

“*Apprenticeship program*” means an apprenticeship program authorized under federal statute or by the state board of education pursuant to this chapter.

“*Eligible program*” means a program eligible under the Future Ready Iowa skilled workforce last-dollar scholarship program.

**48.5(2)** *Alignment with last-dollar scholarship.* Except as provided in this chapter, the rules governing eligibility for students, programs, and institutions shall be the same as the eligibility criteria specified in 283 - Iowa Administrative Code chapter 15 for the Future Ready Iowa skilled workforce last-dollar scholarship program.

**48.5(3)** *Eligibility.* Per 283 - Iowa Administrative Code section 15.3, subsection (1), paragraph “j”, subparagraph (2), a student enrolled in an apprenticeship program aligned to an eligible program may be enrolled in an eligible program on a part-time basis.