

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[Former Ch 21 Rescinded, IAB 9/7/88]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

**281—21.1(280A) Form and content of notice of intent.** Rescinded IAB 4/3/91, effective 5/8/91.

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

**281—21.2(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 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) Certification.** All administrative staff except for the superintendent shall hold certificates as required to authorize service in their respective areas of responsibility.

**21.2(5) Financial records and reports.** The community college shall maintain accurate financial records and make reports in the form prescribed by the state department of education and other state agencies.

**21.2(6) 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(7) Catalog.** The catalog shall be the official publication of the area school. It shall include accurate information on institutional policies and other information as recommended by the state department of education.

**21.2(8) Admission requirements.**

*a. Postsecondary age students.* The community college shall maintain an open-door admission policy for students of postsecondary age. This admission policy shall recognize that students should demonstrate a reasonable prospect for success in the program in which admitted. Applicants who cannot demonstrate a reasonable prospect for success in the program for which they apply should be assisted to enroll in courses where deficiencies may be remedied or into other programs appropriate to the individual's preparation and objectives.

*b. High school age students.* High school age students who can be better served by community college programs may be authorized to undertake such work with the cooperative approval of the community college administration and the administration of the local school district.

**21.2(9) School year.** The length of the school year of the community college shall provide for the effective use of the physical plant and include a minimum of 48 weeks of operation. The school year may consist of: two semester terms and one summer term, three trimester terms, or four quarter terms. A community college may use any one or more of the three school years identified above or may offer instruction in units of length keyed to the identified scope and depth of the instructional content.

**21.2(10) Graduation requirements.** Graduation from a community college shall be certified by the issuance of appropriate recognition indicating the type of program the student has completed.

*a. Associate in arts or an associate in science.* The degree issued to a person who has satisfied curricular requirements that consist of content equivalent to a two-year college parallel curriculum shall certify that its recipient is either an associate in arts or an associate in science.

*b. Associate in applied arts or an associate in applied science.* The degree issued to a person having satisfied curricular requirements and demonstrated competence for employment in the occupational field for which the program was designed shall certify that its recipient is either an associate in applied arts or an associate in applied science. Typically, these degrees apply to occupations requiring significant amounts of applied scientific and mathematical knowledge or occupations in which the individual will work in direct support of a professional.

*c. Associate in general studies.* The degree issued to a person who has satisfied the curricular requirements of a two-year program other than set forth in subrule 21.2(10) shall certify that its recipient is an associate in general studies.

*d. Diploma.* The recognition granted to a person who has been graduated from a curriculum other than set forth in 21.2(10) but of not less than 12 weeks in length shall be a diploma.

*e. Certificate.* A certificate of completion may be issued to certify that a student has satisfactorily completed a course of instruction other than the above.

**21.2(11) Academic records.** The community college shall maintain in perpetuity for each student the complete academic record including every course attempted and grade received. These records should be kept in fire-resistant storage, unless other equivalent safeguards are used, such as maintaining a duplicate file (microfilm or otherwise) in a separate building.

**21.2(12) Resident policy.** There shall be adopted for all community colleges a uniform policy for the determination of permanent residence for tuition purposes.

**21.2(13) Credit hour.** Credit hours shall be determined in line with the following procedures.

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

*b.* 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 — work 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.* Structured culminating activity(ies) for each course offering is above and beyond the minimal instructional requirements. Appropriate activities for structured culminating activity(ies) include but are not limited to:

(1) Written final examinations.

(2) Oral final examinations.

(3) Skill performance evaluations.

(4) Other structured activities deemed supplementary to the instructional process.

- d. No registration or orientation hours may be included when determining credit hours.
- e. 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.
- f. A fractional unit of credit may be awarded in a manner consistent with the specific minimal credit course requirements.
- g. Only minutes for students officially registered for courses or programs, including audit registration, may be included when determining credit hours.
- h. Credit hours shall be identified for self-paced courses or programs in accordance with the credit hours that would have been assigned if the program had been taught by conventional methods.
- i. 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.
- j. Classroom work.
  - (1) The minimal requirements for one semester hour of credit shall be 800 minutes of scheduled instruction plus (when applicable) a scheduled culminating activity.
  - (2) The minimal requirements for one quarter hour of credit shall be 533 minutes of scheduled instruction plus (when applicable) a scheduled culminating activity.
- k. Laboratory work.
  - (1) The minimal requirement for one semester hour of credit shall be 1,600 minutes of scheduled laboratory work plus (when applicable) a scheduled culminating activity.
  - (2) The minimal requirement for one quarter hour of credit shall be 1,066 minutes of scheduled laboratory work plus (when applicable) a scheduled culminating activity.
- l. Clinical practice.
  - (1) The minimal requirements for one semester hour of credit shall be 2,400 minutes of scheduled clinical practice plus (when applicable) a scheduled culminating activity.
  - (2) The minimal requirement for one quarter hour of credit shall be 1,599 minutes of scheduled clinical practice plus (when applicable) a scheduled culminating activity.
- m. Work experience.
  - (1) The minimal requirement for one semester hour of credit shall be 3,200 minutes of scheduled work experience plus (when applicable) a scheduled culminating activity.
  - (2) The minimal requirement for one quarter hour of credit shall be 2,132 minutes of scheduled work experience plus (when applicable) a scheduled culminating activity.

This rule will be effective in the fall term of 1987–1988 school year.

This rule is intended to implement Iowa Code section [260C.33](#).

### **281—21.3(260C) Faculty.**

**21.3(1) Minimum standards.** Community college–employed instructors teaching full–time in career and technical education and arts and sciences shall meet minimum standards. In accordance with 2002 Iowa Acts, chapter 1047, section 8, standards shall at a minimum require that full–time community college 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. Full-time developmental education and adult education instructors 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 subrule 21.3(1), paragraph "a" or "b."

**21.3(2) Definitions.** For purposes of interpreting this rule, 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.

*"Instructors meeting minimum requirements."* A community college instructor meeting the minimum requirements of 2002 Iowa Acts, chapter 1047, section 8, is a full-time instructor teaching college credit courses. Credit courses should 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.

*"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.

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

**21.3(3) Accreditation status.** The results of the department of education's on-site visits required by Iowa Code subsections 260C.36(1)"h" and 260C.36(3) will be reported to each community college with information to be used in accreditation visits starting in year 2006.

Beginning July 1, 2006, the state accreditation process shall incorporate the standards developed pursuant to 2002 Iowa Acts, chapter 1047, section 9.

**21.3(4) 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 per school term 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 per school term.

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

**21.3(5) 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.

**21.3(6) Quality faculty plan.** By October 1, 2002, each community college must establish a quality faculty committee consisting of instructors and administrators to develop a plan for hiring and developing quality faculty. The committee must have equal representatives of arts and science and career and technical faculty with no more than a simple majority of members of the same gender. Faculty must be appointed by the certified employee organization representing faculty, if any, and administrators must be appointed by the college’s administration. If no faculty-certified employee organization representing faculty exists, the faculty will be appointed by administration pursuant to Iowa Code subsection 260C.48(4). The committee must submit the plan to the board of directors for consideration, approval and submittal to the department of education.

*a.* The plan shall include, at a minimum, each of the following components:

(1) An implementation schedule for the plan. The committee shall submit the plan to the board of directors, which shall consider the plan and, once approved, submit the plan to the department and implement the plan no later than July 1, 2003. It is recommended that an implementation schedule include a needs assessment and timelines for evaluation, revision, completion and approval dates.

(2) 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.

(3) 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 plan may be inclusive for all college staff, including adjunct and part-time faculty, and may include reciprocity features that facilitate movement from one college to another.

(4) 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.

(5) 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.

(6) 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](#), as amended by 2002 Iowa Acts, House File 2394. It is recommended that provisional status of individual faculty members not exceed five years.

(7) 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.

(8) 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.

*b.* Between July 1, 2003, and June 30, 2006, the department of education shall review the plan and conduct on-site visits to ensure each community college's compliance and progress in implementing a quality faculty plan. At a minimum, the department shall visit five community colleges each year until the department has conducted on-site visits at 15 community colleges. The colleges will be given at least a 30-day notice of an on-site visit with a written explanation of materials that will be requested prior to and during the visit. The colleges shall provide additional information deemed necessary by the department. The department shall review the following:

(1) Documents submitted by the college that demonstrate that the plan includes each component required by paragraph 21.3(6) "a."

(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 that the college is meeting the implementation schedule and time frames outlined in the plan; 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 2002 Iowa Acts, House File 2394; 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 2002 Iowa Acts, House File 2394, section 5.

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

Following the on-site visit to each community college, the department shall submit a report summarizing the department's findings to the community college. This report will indicate the

college's compliance and progress in implementing the faculty plan and include any suggested improvements and recommendations. All colleges will have received on-site visits and reports summarizing such visits by July 1, 2006.

**21.3(7) 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 or written policy.

(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.

*b.* The appropriation shall be distributed to the community colleges based on their proportional share of salary expenditures recorded in the instructional and instructional part-time categories and incurred in the liberal arts and sciences and vocational-technical functions. Salary expenditures for staff classified by the college as temporary/seasonal or as adjunct shall not be included in the eligible expenditures when calculating the distribution.

*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—21.4(260C) Curriculum and evaluation.**

##### **21.4(1) College parallel.**

*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. 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 remedial nature or prefreshman level shall not bear college transfer credit and shall be clearly identified in the college catalog and on transcripts.

**21.4(2) Vocational education.** Instruction shall be offered in vocational 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 education programs. Instruction shall be offered in vocational education programs, ensuring that they are competency based, contain all minimum competencies required by the department of education, articulate with local school districts vocational 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.

**21.4(3) Adult 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.

**21.4(4) Programs for the handicapped.** Surveys shall be conducted in each merged area to determine the educational needs of persons who, due to academic, socioeconomic, or other handicaps, are prevented from succeeding in regular educational programs. These surveys would then serve as a basis for appropriate modifications in facilities, materials, and instructional arrangements. The modifications would then make it possible for those whose abilities and interests warrant it to enroll in such programs.

**21.4(5) Community services.** The community colleges 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.

**21.4(6) Vocational education.**

a. Each course offered in the area of vocational 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.

b. A full-time student in vocational education shall be defined as one who is taking 12 or more credit hours or the equivalent in vocational education.

c. Curricula in full-time vocational education programs shall ordinarily be offered on the basis of a workload of 20 to 30 contact hours per week.

#### **281—21.5(260C) Library or learning resource center.**

**21.5(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 should show evidence that the facilities and the resources are being used effectively and efficiently. Adequate consideration shall be given to the seating, comfort and setting of the facility used to house the collection.

**21.5(2) Staffing.** The library or learning resource center shall be adequately staffed with qualified and certified professionals and skilled nonprofessional personnel.

**21.5(3) Collection.** The collection of a community college shall be adequate in size and scope to serve effectively the number and variety of programs offered and the number of students enrolled. The 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 collection shall contain an appropriate range and number of print and nonprint materials, effectively organized and quartered in a manner which maximizes use.

**21.5(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—21.6(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 the following seven 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.

**281—21.7(260C) Laboratories, shops, equipment and supplies.** Laboratories, shops, equipment and supplies comparable with that used in the occupations for which instruction is offered shall be provided in accordance with the conditions of the most recent state plan for vocational education. Similarly, college parallel 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—21.8(260C) Physical plant.** The site, buildings and equipment of the community college shall be well maintained and in good repair. A consistent plan of systematic maintenance shall be in evidence. The physical plant shall be adequate in size and properly equipped for the program offered and shall conform to Iowa Code chapter 104A. All remodeling of existing facilities shall comply with the “American Standard Specifications for Making Building and Facilities Accessible to and Usable by the Physically Handicapped.”

**281—21.9(260C) Building and site approval.**

**21.9(1) Site size.** All sites for community colleges shall be approved by the director of education. The minimum size for a community college site shall be 80 acres for the first 100,000 in total population in the merged area plus an additional ten acres for each additional 25,000 in population or major portion thereof. Provided, however, that the director of education may waive said requirements for good cause shown.

**21.9(2) Building plans.** All building plans and specifications for construction shall be submitted to the director of education for review and approval of educational adequacy.

**21.9(3) Preliminary planning.** Each community college board shall present evidence of adequate planning along with the preliminary building plans and specifications. Preliminary planning includes tentative program approval, a master campus plan, written educational specifications, site plot showing location of proposed facilities, and existing facilities, elevations and floor plans, and specifications of materials.

**21.9(4) Other governmental approval.** After a tentative approval has been received from the director of education, evidence shall be submitted indicating the approval by the state fire marshal and by the state department of public health, when required, before final approval will be made by the director of education.

**21.9(5) Parking lots.** All weather and adequately lighted parking lots of adequate size to accommodate the enrollment shall be included as part of the planned construction and shall

include ramps on curbs to allow persons with mobility problems easy access to the building. Special parking spaces shall be provided for handicapped students.

**21.9(6) Flexibility and expansion.** Evidence shall be presented to show that flexibility and expansion of the proposed construction is possible.

**21.9(7) Physically handicapped.** The facilities planned shall be accessible to and functional for the physically handicapped and shall conform to Iowa Code chapter 104A.

**21.9(8) Adequate facilities.** All administrative facilities, classrooms, laboratories and related facilities shall be educationally adequate for the purpose for which they are designed.

**21.9(9) Air-conditioning.** All buildings may be air-conditioned, to accommodate year-round use of such facilities except for areas where air-conditioning is impractical.

**21.9(10) Library or learning resource center.** A library or learning resource center shall be planned as a part of the master campus plan and space made available for library or learning resource center services within the initial construction.

**21.9(11) Student center.** An area of the school plan shall be provided where students may gather informally and where food is available.

**21.9(12) Nonreimbursable 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—21.10(260C) Accreditation.**

**21.10(1) Purpose.** The purpose of accreditation of Iowa's community colleges is to confirm that each college is offering quality programs and services consistent with state standards.

**21.10(2) 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.

**21.10(3) Accreditation components.** In order to be accredited by the state board of education and maintain accreditation status, a community college must be accredited by the North Central Association of Colleges and Schools, and meet the additional requirements stated for each component, as follows:

*a. Mission and governance.*

(1) Have a mission statement which reflects community needs.

(2) Have an organizational structure which reflects the mission of the institution.

(3) Provide broad involvement and participation in the governance of the institution.

1. Provide a current board policy manual, as set forth in subrule 21.2(1).

2. Document that policies are in place, communicated and implemented, as set forth in subrule 21.2(1).

(4) Have policies and procedures which are accessible, revised periodically, are communicated on a regular basis, reflect the needs of the constituencies, and serve as a basis for college operations.

(5) Ensure efforts to make education and services available to all learners, as outlined in Iowa Code subsection 260C.48(3).

(6) Demonstrate awareness and understanding of diverse cultures.

*b. Instruction and curriculum.*

(1) Utilize criteria for awarding certificates, diplomas, and degrees which include a general education component in degree and diploma programs, as set forth in subrule 21.2(10).

(2) Meet, 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 preprofessional education.

2. Vocational 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 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 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 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, as set forth in Iowa Code section [260C.1](#).

(3) Provide learning resource services which support the instructional and informational needs of the students, staff, college, and community, as set forth in rule [21.5\(260C\)](#).

(4) Provide educational services which are responsive to the needs of individuals, business, industry, labor, and community.

(5) Have an articulation process with secondary and postsecondary educational institutions.

*c. Student support systems and services.*

(1) Provide a catalog which shall be the official publication of the community college, as set forth in subrule [21.2\(7\)](#).

(2) Follow a defined process for developing and maintaining educational programs, including assessing student academic achievement.

(3) Maintain accurate, confidential, and accessible student records, as set forth in subrule [21.2\(11\)](#).

(4) Provide services which address recruitment, admissions, assessment/placement, advisement, orientation, financial assistance, counseling, records retention, and student activities which are responsive to the needs and expectations of students.

(5) Provide a student-centered environment.

(6) Provide curricular support services through counseling, academic advisement, and placement transition assistance based on identified student needs.

*d. Administration and human resources.*

(1) Demonstrate ethical practices in both internal and external relationships.

(2) Utilize a comprehensive, ongoing strategic planning process in which staff analyze and evaluate data and information for continued institutional effectiveness.

(3) Demonstrate effective internal and external communications.

(4) Employ qualified and appropriately licensed personnel, as set forth in rule [21.3\(260C\)](#).

(5) Identify needs and provide opportunities for staff development.

*e. Finances and facilities.*

(1) Organize financial resources to support its offerings and services.

(2) Provide physical resources and appropriate technologies to support its offerings and services, as set forth in rule [21.6\(260C\)](#).

### **281—21.11(260C) Community college accreditation process.**

**21.11(1) Components.** The community college accreditation process shall include two components as follows:

*a.* Each community college shall submit required data to be monitored on an annual basis by the department of education for compliance with program evaluation requirements adopted by the state board of education.

b. The department of education shall conduct an on-site comprehensive evaluation of each community college during the same year as the evaluation by the North Central Association of Colleges and Schools. The department of education shall conduct an interim evaluation midway between comprehensive evaluations. The comprehensive evaluation will be conducted no less than once each ten-year period, and the interim evaluation will be conducted five years following each comprehensive evaluation.

**21.11(2) Accreditation team.** The size and composition of the accreditation team shall be determined by the director, 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.

**21.11(3) Accreditation team action.** After a visit to a community college, the accreditation team shall determine whether the accreditation standards have been met and shall make a report to the director and the state board of education, together with a recommendation as to whether the community college should remain accredited. The accreditation team shall report strengths and weaknesses, if any, for each standard and shall advise the community college of available resources and technical assistance to further enhance strengths and improve areas of weakness. A community college may respond to the accreditation team's report.

**21.11(4) State board of education consideration of accreditation.** All community colleges shall be deemed accredited on October 1, 1997. The state board of education shall determine whether a community college shall remain accredited. Approval of a community college by the state board of education shall be based on the recommendation of the director of the department of education after study of the factual and evaluative evidence on record pursuant to the standards 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.

a. *Accreditation granted.* Continuation of accreditation, if granted, shall be for a term of ten years; however, approval for a lesser term may be granted by the state board of education if it determines 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 shall establish a deadline for correction of the deficiencies. The deadline for correction of deficiencies under a plan shall be no later than June 30 of the year following the on-site visit of the accreditation team. The plan is subject to approval of the state board of education. Plans 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 the standards.

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 and shall determine whether the deficiencies in the standards 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. The notice shall be given 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 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 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 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 a community college's accreditation may be appealed to the state board of education as provided in Iowa Code subsection [260C.47\(7\)](#).

**281—21.12(260C) Standards for community colleges.** All community colleges are subject to the same standards. However, vocational technical institutions are not expected to offer a program equivalent to the first two years of baccalaureate college work including preprofessional education nor provide the instructors, facilities and equipment for such college work.

**281—21.13 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 designed 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](#). 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 and substance abuse treatment programs licensed under Iowa Code chapter [125](#). 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 or to a substance abuse treatment program licensed under Iowa Code chapter 125 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 indigency. In all other instances, the community college or the substance abuse treatment program licensed under Iowa Code chapter 125 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 2003 Iowa Acts, chapter 180, section 60.

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, 1999, 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:

“*Academic year*” means a period of time which begins with the first day of the fall term for each community college and continues through the day preceding the start of the next fall term as indicated in the official college calendar.

“*Base funding*” means the amount of general state financial aid each community college received as an allocation from appropriations made from the state general fund in the base year.

“*Base year*” means the fiscal year ending during the calendar year in which a budget is certified.

“*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(13).

“*Eligible credit courses*” means all credit courses that are eligible for general state financial aid and which must be part of an 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 noncredit courses*” means all noncredit courses eligible for general state financial aid that must fit one of the following ten eligible categories for noncredit courses:

1. Community resource development: courses that provide participants with information which may result in improved and enhanced community resources or community development programs.

2. State-mandated or state-approved: organized educational instruction designed to meet legislated or licensing requirements as defined in the Code of Iowa. The educational curriculum for such instruction is approved by the department of education, licensing boards, or state departments.

3. Legal and consumer rights: a group of instructional courses that provide the opportunity to become a better-informed and more thoughtful consumer and identify the consumer’s rights and obligations under a contract.

4. Health: courses designed to enhance understanding, attitudes, and practices relating to individual, family, and community health. Instruction is based on scientific facts that serve as a foundation for decision making and action to achieve health potentials.

5. Employment and business: learning activities that are designed to develop skills needed to obtain and enhance employment. The activities will provide an understanding of business principles and practices having applications in business and industry locally, regionally, nationally, and internationally.

6. Programs for individuals with restricted incomes: a group of instructional courses designed for individuals living on a restricted income. These individuals include the elderly, widows and widowers, unemployed or those receiving financial aid from federal and state welfare agencies and organizations. Each course offered in this classification must clearly indicate that it is offered for restricted-income individuals, and enrollment efforts must be directed to these individuals.

7. Environmental education: instructional courses designed to assist individuals to understand the effect upon one’s health and well-being of environmental factors such as water supply, pollution control, food contamination, air pollution, radiation exposure, and hazardous materials.

8. Consumer and homemaking adult education: instructional courses designed to include instruction on child development, care and guidance; clothing and textiles; consumer education; family/individual health; family living and parenthood; food and nutrition; home management (including resource management); and housing, home furnishing and equipment.

9. Adult vocational training/retraining education: individual vocational courses, each complete in itself and designed for the specific purposes of training persons for upgrading the skills of persons presently employed, and retraining persons for new employment.

10. ABE/adult high school completion/ESL: includes adult basic education, adult high school completion and English as a second language.

The department of education shall review and provide a determination should a question of eligibility occur.

*“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 the third Friday in September, 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 reside in nursing homes. The department of education shall review and provide a determination should a question of eligibility occur.

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

*“Fiscal year”* means a year 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.

*“Inflation rate”* shall be calculated by determining the percent change in the consumer price index for all urban consumers (CPI-U) as a percent change from the value for the quarter ending June 30 twelve months prior to the beginning of the base year to the value for the quarter ending June 30 prior to the base year.

**21.45(2)** Moneys appropriated by the general assembly from the general fund to the department of education for community college purposes for general state financial aid for a fiscal year shall be allocated to each community college by the department of education based on each community college’s base funding, the inflation rate, and the college’s proportional share of the total FTEE. The appropriations shall be allocated in the following manner and sequence:

*a.* Base funding. The amount of general state financial aid each community college received as an allocation from appropriations made from the state general fund in the base year.

*b.* Inflation rate. After the base funding has been determined, a 2 percent inflation increase shall be multiplied by each college’s state aid allocation from the base year.

*c.* If the increase in the total state general aid exceeds 2 percent, an amount up to 1 percent shall be distributed based upon each college’s most recently determined proportional share of FTEE.

*d.* Additional inflation rate. If the inflation rate exceeds 2 percent and the increase in total state aid permits, each community college’s allocation shall be increased until the inflation rate is satisfied.

*e.* Additional proportional share of total FTEE. If the increase in the total state general aid exceeds the funds needed to meet the allocation requirements in paragraphs “a” through “d” above, the remaining amount shall be distributed based on each college’s most recent proportional share of total FTEE.

If the total increase in total state general aid is equal to or less than 2 percent, the increase shall be distributed as inflation.

**21.45(3)** Program length for the associate of applied sciences (AAS) degree in vocational-technical subjects and for the associate of applied arts (AAA) degrees shall consist of an academic program being the equivalent of a maximum of four semesters and two summer sessions of instruction. AAS and AAA degree programs shall not exceed a maximum of 86 credit hours unless the department of education has granted a waiver pursuant to 21.45(5).

**21.45(4)** All credit-bearing courses required for program admittance or graduation, or both, must be included in the 86-credit-hour maximum, with the exception of developmental credit hours. Prerequisites that provide an option to students for credit or noncredit shall be counted

toward the program maximum of 86 credit hours. Noncredit prerequisites will not be counted toward the 86-credit-hour maximum.

**21.45(5)** AAS and 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-hour maximum must have approved program-length waivers.

**21.45(6)** All credit certificate and diploma programs as defined in subrule 21.2(10) shall not exceed 48 credit hours.

**21.45(7)** Each community college shall provide information in the manner and form as determined by the department of education to implement this chapter. If the community college fails to provide the information as requested, the department shall estimate the FTEE of that college.

**21.45(8)** Each community college is required to complete and submit an annual student enrollment audit to the department of education. Adjustments to community college state general aid allocations shall be made based on student enrollment audit outcomes.

This rule is intended to implement Iowa Code sections 260C.14(21) and 260C.49.

DIVISION VI  
INTERCOLLEGIATE ATHLETIC COMPETITION

**281—21.46** to **21.56** Reserved.

DIVISION VII  
QUALITY INSTRUCTIONAL CENTER INITIATIVE

**281—21.57(260C) Purpose.** The purpose of quality instructional centers is to stimulate the pursuit of excellence in community college instruction by promoting the creation or enhancement of high quality, unique, high cost, capital intensive, or highly specialized vocational-technical and occupational programs, which cannot be practically or economically offered at more than a few colleges.

**281—21.58(260C) Definitions.**

“*Center*” refers to a program or programs of instruction (not to a facility) and to any related instructional activities that have been approved to receive quality instructional center funds.

“*Excellence 2000*” refers to the account from which funds will be allocated for quality instructional centers.

“*Occupational education*” includes career option degree programs at community colleges.

“*Program*” refers to a state board approved program of instruction at a community college.

“*Unique*” refers to a center that meets the specific needs of a community, and may be unduplicated within a specified geographic area or the state; may be interdisciplinary; or may include a cluster of related programs.

“*Vocational-technical education*” refers to a vocational-technical diploma or degree program at a community college.

**281—21.59(260C) Eligibility requirements.** A proposed quality instructional center that has as its central component a new or existing approved full-time vocational-technical or occupational, diploma or degree program shall be considered for approval. In addition, the program must be unique, and the proposal shall demonstrate improvement of quality that exceeds previous or normally expected student and instructional outcomes. A new program, or an existing program that requires significant modification to meet quality instructional center evaluation criteria, shall be approved prior to the first term of operation.

**281—21.60(260C) Timelines.** The department shall solicit and receive proposals by November 1 of the calendar year prior to the fiscal year for which funds are to be appropriated. Successful

applications shall be approved and tentative allocations of funds shall be made by the department by February 1. Final allocations shall be determined by June 15. Applications for continuation of approval of a center beyond the first year shall be subject to these timelines. During the calendar year prior to the first fiscal year of operation, timelines shall be adjusted as necessary. Center implementation is subject to the appropriation of funds.

**281—21.61(260C) Evaluation and selection criteria.** Each institution applying for approval of a quality instructional center shall prepare a proposal identifying the rationale for program selection and the enhancements that would be made if the proposal were approved, including specific program objectives for enhancing program quality.

Applications for the continuation of approved quality instructional centers shall be subject to the same submission and evaluation process as applications for new centers. Proposals shall be organized according to the following criteria:

**21.61(1) Background.** For existing programs, a brief history shall be provided. For new programs, a three-year plan shall be outlined and described. This section shall include current and projected enrollment and placement data, and advisory committee participation.

**21.61(2) Description of the program.** The proposal shall include a brief description of the purpose of the program, current and projected faculty, curriculum, equipment, facilities, articulation, business/industry linkages, and current and projected student participation figures. A center may be proposed as unique to a geographic area or the state. In this case, the central program must be either an existing program or a proposed new program that does not exist in the state or specified geographic area.

**21.61(3) Opportunity for enhancement.** This section of the proposal shall:

a. Provide a brief rationale for the center as a quality instructional center (if a center is proposed for a geographic region or the state, rationale shall be provided and the geographic area shall be clearly defined);

b. Identify how Excellence 2000 funds will raise the practice of the program to an exemplary level;

c. Delineate changes that will occur with Excellence 2000 funding;

d. Explain how these changes will enhance student access, student outcomes and institutional effectiveness;

e. Specify center objectives for enhancing program quality and measuring program effectiveness including how the center will meet the needs of members of special populations;

f. Address how advisory committee members will be involved in program enhancement; and

g. For continuation applications, explain how the institution is reducing its reliance on Excellence 2000 funds for the continuation of the program.

**21.61(4) Budget and budget narrative.** For an existing program, the current base budget shall be identified, and the areas to be enhanced shall be identified and explained, including specific expenditures and overall budget activity. For a new program, the proposal shall include a detailed listing and explanation of planned expenditures. Excellence 2000 funds shall be used to supplement, not to supplant, existing institutional resources.

**21.61(5) Evaluation.** An evaluation plan shall be included in the proposal. This plan shall include strategies for evaluating:

a. The center's effectiveness in enhancing quality by meeting the stated goals and objectives;

b. The impact of Excellence 2000 funds on the center; and

c. Recommendations for continuing instructional program improvements.

**281—21.62(260C) Funding.** Quality instructional centers shall be funded out of the Community College Excellence 2000 account as specified in Iowa Code section [260D.14A](#).

**281—21.63(260C) Annual report.** A community college with an approved quality instructional center shall submit by October 1 a report indicating how funds received during the preceding

fiscal year were spent and the projections of the next year's funding needs. In addition, the annual report shall include an assessment of the center based on the evaluation plan submitted with the application.

The rules in this division are intended to implement Iowa Code section 260C.45.

DIVISION VIII  
PROGRAM AND ADMINISTRATIVE SHARING INITIATIVE

Rules 281—21.64(280A) to 21.71(280A), effective 12/20/91 were rescinded IAB 2/5/92, effective 1/7/92; these rules were readopted IAB 4/1/92, effective 5/6/92.

**281—21.64(260C) Purpose.** The purpose of the program and administrative sharing initiative is to establish agreements to be entered into by two or more community colleges or by a community college and a higher education institution under the control of the board of regents. The initiative is designed to increase student access, enhance educational offerings throughout the state, and enhance interinstitutional cooperation.

**281—21.65(260C) Definitions.**

“*Administrative*” refers to management and supervisory activities which support services necessary for direction and control of an institution.

“*Excellence 2000*” refers to the account from which funds will be allocated for the sharing initiative.

“*Program*” refers to a state board–approved program of instruction offering a certificate, diploma or degree at a community college.

“*Sharing agreement*” refers to a 28E Joint Exercise of Governmental Powers entered into by two or more eligible institutions to provide instructional or administrative services jointly, to the mutual advantage of the constituents of each institution.

**281—21.66(260C) Eligibility requirements.** The sharing agreement may be for a program provided by one or both sharing institutions or a new program designed by the sharing institutions. Shared administrative activities shall include existing positions and functions. The proposed sharing agreement shall be designed to increase student access to programs and services, enhance educational offerings throughout the state, enhance interinstitutional cooperation, and reduce unnecessary duplication. In addition, the sharing agreement must be between two or more community colleges, or between one or more community colleges and a higher education institution under the control of the board of regents.

**281—21.67(260C) Timelines.** The department shall solicit and receive proposals by February 1 of the calendar year prior to the fiscal year for which funds are to be appropriated. Successful applications shall be approved and tentative allocations of funds shall be made by April 1. Final allocations shall be determined by June 15. Applications for continuation of approval of a sharing agreement beyond the first year shall be subject to these timelines. Sharing agreement implementation is subject to the appropriation of funds.

**281—21.68(260C) Evaluation and selection criteria.** Proposed sharing agreements submitted for approval shall identify the rationale for using a sharing agreement to increase student access; increase cost–effectiveness for sharing institutions; use educational resources effectively; and reduce unnecessary duplication. Proposals shall include the following criteria:

**21.68(1) Background.**

*a.* Program sharing. A brief history of the program(s) to be shared. This section shall include current and projected enrollment, placement data, and involvement of faculty and advisory committee in planning.

*b.* Administrative sharing. A brief history of the administrative position or function to be shared.

**21.68(2)** *Description of existing program(s) or function(s).*

*a.* Program sharing. A brief description of the purpose of the program(s), current faculty, curriculum, equipment, facilities, articulation and business/industry linkages.

*b.* Administrative sharing. A brief description of the administrative position or function, and purpose.

**21.68(3)** *Proposed sharing arrangement.* A brief rationale for the sharing arrangement; description of the sharing arrangement; and identification of how the Excellence 2000 funds will enhance student access, be cost-effective, enhance educational resources, enhance interinstitutional cooperation, and reduce unnecessary duplication.

**21.68(4)** *Budget and budget narrative.* The current base budget for the existing program(s) or administrative activity and the proposed shared program or administrative activity shall be identified, including specific expenditures and overall budget activities. Excellence 2000 funds shall be used to supplement, not supplant, existing institutional resources.

**21.68(5)** *Evaluation.* An evaluation plan which includes strategies for evaluating: effectiveness of the sharing agreement in enhancing student access; cost-effectiveness; enhancement of interinstitutional cooperation; reduction of duplication of programs and services; and the impact of Excellence 2000 funds on the institutions involved in the sharing agreement.

**281—21.69(260C) Funding.** Sharing agreements shall be funded from the Community College Excellence 2000 account as specified in Iowa Code section [260D.14A](#).

**281—21.70(260C) Annual report.** Institutions involved in a sharing agreement shall submit by October 1 a report indicating how funds received during the preceding fiscal year were spent. In addition, the annual report shall include an assessment of the agreement based on the evaluation plan submitted with the application and recommendations for improvement in the sharing agreement.

**281—21.71(260C) Combining merged areas—election.** An administrative sharing agreement could ultimately result in combining merged areas, as specified in Iowa Code section [260C.39](#).

The rules in this division are intended to implement Iowa Code section [260C.46](#).

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 “nonjoint” and shall mean a program sponsor in which a bona fide collective bargaining agent is not a participant.

“*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 requirement for a written apprenticeship agreement.

“*Bureau*” shall mean the Bureau of Apprenticeship and Training, Employment and Training Administration, U.S. Department of Labor.

“*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*” shall mean written approval by the Bureau of: (1) a set of apprenticeship standards developed by a national committee or organization, joint or unilateral, for policy or guidelines used by local affiliates, as substantially conforming to the standards of apprenticeship; or (2) an individual as eligible for probationary employment as an apprentice under a registered apprenticeship program.

“*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.

“*Registration agency*” shall mean the Bureau.

“*Registration of an apprenticeship agreement*” shall mean the acceptance and recording thereof by the Bureau as evidence of the participation of the apprentice in a particular registered apprenticeship program.

“*Related instruction*” shall mean an organized and systematic form of instruction designed to provide the apprentice with knowledge of the theoretical and technical subjects related to the trade or occupation.

“*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, Bureau of Apprenticeship and Training, and meet all requirements outlined in Title 29, Part 29, of the National Apprenticeship Act.

The rules in this division are intended to implement Iowa Code section [260C.44](#) and Title 29, Part 29, 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 preclicensing 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 preclicensing 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

### POSTSECONDARY ENROLLMENT OPTIONS

#### **281—22.1(261C) Definitions.**

“*Act*” means the postsecondary enrollment options Act, Iowa Code chapter 261C.

“*Part-time enrollment*” at an eligible institution shall be defined according to the policies of the eligible institution.

**281—22.2(261C) Enrollment procedures.** A student who first enrolls under the Act at the beginning of grade 11 may enroll in postsecondary courses for secondary credit for a period of time not to exceed four semesters, or six quarters, or the equivalent of two academic years. A student who first enrolls under the Act at the beginning of grade 12 may enroll in postsecondary courses for secondary credit for a period of time not to exceed two semesters, or three quarters, or the equivalent of one academic year. An eleventh or twelfth grade student enrolling for the first

time under this Act in a postsecondary course for secondary credit during the school year shall have participation eligibility reduced proportionally. A ninth or tenth grade student who is identified as a gifted and talented student according to the school district's criteria and procedures is eligible to enroll under this Act.

Students are eligible for summer enrollment of up to seven earned semester hours of credit if they have completed the eleventh grade but have not yet completed the requirements for graduation, and if the student pays the cost of attendance of those summer credit hours.

**281—22.3(261C) Student eligibility.** Persons who have graduated from high school are not eligible under Iowa Code chapter 261C.

Eligible students shall be residents of Iowa.

Nonpublic school students meeting all other eligibility requirements may apply to take courses under the Act in the public school district where the nonpublic school student attends, provided that neither the nonpublic school nor the public school district of attendance offers a comparable course.

Postsecondary institutions may require students to meet appropriate standards or requirements for entrance into a course. Such requirements may include prerequisite courses, scores on national academic aptitude and achievement tests, or other evaluation procedures to determine competency. Acceptance of a student into a course by a postsecondary institution is not a guarantee that a student will be enrolled in all requested courses.

Priority may be given to postsecondary students before enrolling eleventh and twelfth grade students in courses. However, once an eleventh or twelfth grade student has enrolled in a postsecondary course, the student cannot be displaced by another student for the duration of the course.

Students shall not "audit" postsecondary courses. The student must take the course for credit and must meet all of the requirements of the course which are required of postsecondary students.

In order to assist students and their parents or guardians to make knowledgeable decisions regarding participation and to assist school districts to plan for the following school year, school districts shall inform their students of the availability of the opportunity provided by the Act.

A student anticipating enrollment under this Act shall inform the school district and the authorities in charge of an accredited nonpublic school of the intent to participate, apply at the postsecondary institution, and sign a statement indicating that the student and parent or guardian have received information about the Act.

The school district or accredited nonpublic school shall certify the eligibility of its students for participation under this Act. A student shall not be eligible for participation until the school district or accredited nonpublic school completes the certification of eligibility.

**281—22.4(261C) Eligible postsecondary courses.** These rules are intended to implement the policy of the state to promote rigorous academic pursuits. Therefore, postsecondary courses eligible for students to enroll in under Iowa Code chapter 261C shall be limited to:

Nonsectarian courses;

Courses that are not comparable to courses offered by the school district where the student attends which are defined in rules adopted by the board of directors of the public school district;

Credit-bearing courses that lead to an educational degree;

Courses in the discipline areas of mathematics, science, social sciences, humanities, vocational-technical education, and also the courses in career option programs offered by area schools established under the authorization provided in Iowa Code chapter 260C.

A school district or accredited nonpublic school district shall grant academic or vocational-technical credit to an eligible pupil enrolled in an eligible postsecondary course.

**281—22.5(261C) Request for payment time frames.** By May 1 of each calendar year, postsecondary institutions shall send to local school districts a request for payment for participation in the postsecondary enrollment options Act. The request shall identify the students, courses, credits, and charges.

A pupil attending an accredited nonpublic school shall be counted as a shared-time student in the school district in which the nonpublic school of attendance is located.

**281—22.6(261C) Tuition reimbursements and adjustments.** The failure of a pupil to complete or otherwise to receive credit for an enrolled course requires the pupil, if 18 years of age or older, to reimburse the school district for the cost of the enrolled course. If the pupil is under 18 years of age, the pupil's parent, guardian, or custodian shall sign the student registration form indicating that they assume all responsibility for the costs directly related to the incomplete or failed coursework. A waiver verification form shall be available from the area education agency for use by the pupil or pupil's parent, guardian or legal custodian to cite legitimate reasons for the pupil's inability to complete or pass the coursework.

An eligible postsecondary institution shall make pro rata adjustments to tuition reimbursement amounts based upon federal guidelines established pursuant to 20 U.S.C. §1091b.

These rules are intended to implement **Iowa Code Supplement chapter 261C.**

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