EDUCATION DEPARTMENT [281]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 25, "Pathways for Academic Career and Employment Program; Gap Tuition Assistance Program," Iowa Administrative Code.

Revised Chapter 25 incorporates changes to the Pathways for Academic Career and Employment Program and Gap Tuition Assistance Program included in House File 604, passed by the 2013 General Assembly of the State of Iowa. Changes associated with House File 604 include the addition of pathway navigators and regional industry sector partnerships; increasing the federal poverty level benchmark from 200 percent to 250 percent under target populations and applicants for tuition assistance; and the addition of staff support services under eligible costs. Changes not directly associated with House File 604 include the renumbering and reformatting of subrules.

An agency-wide waiver provision is provided in 281 – Iowa Administrative Code Chapter 4.

Interested individuals may make written comments on the proposed rules on or before December 30, 2014, at 4:30 p.m. Comments on the proposed rules should be directed to Nicole Proesch, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515) 281-8661; email nicole.proesch@iowa.gov; or fax (515) 242-5988.

A public hearing will be held on December 30, 2014, from 9:00 a.m. to 10:00 a.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any person who intends to attend the public hearing and has special requirements, such as those related to hearing or mobility impairments, should contact and advise the Department of Education of specific needs by calling (515) 281-5295.

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

These rules are intended to implement Iowa Code chapter 260H and Iowa Code chapter 260I.

The following amendments are proposed:

Adopt the following amendments to 281 – Chapter 25.

CHAPTER 25

PATHWAYS FOR ACADEMIC CAREER AND EMPLOYMENT PROGRAM;
GAP TUITION ASSISTANCE PROGRAM

DIVISION II

PATHWAYS FOR ACADEMIC CAREER AND EMPLOYMENT (PACE) PROGRAM

Item 1. Amend rule 281-25.11(260H) as follows:

281 – 25.11 (260H) Purpose. The pathways for academic career and employment program (hereafter referred to as PACE) is established to provide funding to community colleges for the development of projects that will lead to gainful, quality, in-state employment for members of target populations by providing them with both effective academic and employment training to ensure gainful employment and customized support services.

Item 2. Amend rule 281 – 25.12 (260H) as follows:

281 – 25.12 (260H) Target populations. Individuals included in target populations are those individuals who meet one or more of the following:

a. Are deemed by definition to be low skilled.

b. Earn incomes at or below ~~200~~ 250 percent of the federal poverty level.

c. Are unemployed.

d. Are underemployed.

e. Are dislocated workers.

Item 3. Amend rule 281 – 25.13 (260H) as follows:

281 – 25.13 (260H) Eligibility criteria for projects. Projects eligible for funding for PACE shall be projects that further the ability of members of target populations to secure gainful, quality employment; that further partnerships linking community colleges to industry and nonprofit organizations; and that further the following program outcomes:

~~**25.13(1).**~~ *a.* Enabling members of the target populations to:

1. Acquire and demonstrate competency in basic skills.

2. Acquire and demonstrate competency in a specified technical field.

3. Complete a specified level of postsecondary education.

4. Earn a national career readiness certificate.

5. Obtain employer-validated credentials.

6. Secure gainful employment in high-quality, local jobs.

~~**25.13(2).**~~ *b.* Meeting economic and employment goals included but not limited to:

1. Economic and workforce development requirements in each region served by the community colleges as defined by regional advisory boards established pursuant to Iowa Code section 84A.4.

2. Needs of industry partners in areas including but not limited to the fields of information technology, health care, advanced manufacturing, transportation and logistics, and any other industry designated as in-demand by a regional advisory board established pursuant to Iowa Code section 84A.4

Item 4. Amend rule 281 – 25.14 (260H) as follows:

281 – 25.14 (260H) Program component requirements. Program components for a PACE project implemented at a community college shall:

~~25.14(1)~~ *a.* Include measureable and effective recruitment, assessment, and referral activities designed for the target populations.

~~25.14(2)~~ *b.* Integrate basic skills and work-readiness training with occupational skills training.

~~25.14(3)~~ *c.* Combine customized supportive and case management services with training services to help participants overcome barriers to employment.

~~25.14(4)~~ *d.* Provide training services at times, locations, and through multiple, flexible modalities that are easily understood and readily accessible to the target populations. Such modalities shall support open entry, individualized learning, and flexible scheduling, and may include online remediation, learning lab and cohort learning communities, tutoring, and modularization.

Item 5. Amend rule 281 – 25.15 (260H) as follows:

281 – 25.15 (260H) Pipeline program. Each community college receiving funding for PACE shall develop a pipeline program in order to better serve the academic, training, and employment needs of the target populations. A pipeline program shall have the following goals:

~~**25.15(1)**~~ *a.* To strengthen partnerships with community-based organizations and industry representatives.

~~**25.15(2)**~~ *b.* To improve and simplify the identification, recruitment, and assessment of qualified participants.

~~**25.15(3)**~~ *c.* To conducted and manage an outreach, recruitment, and intake process, along with accompanying support services, reflecting sensitivity to the time and financial constraints and remediation needs of the target populations.

~~**25.15(4)**~~ *d.* To conduct orientations for qualified participants to describe regional labor market opportunities, employer partners, and program requirements and expectations.

~~**25.15(5)**~~ *e.* To describe the concepts of the project implemented with funds from PACE and the embedded educational support resources available through such project.

~~**25.15(6)**~~ *f.* To outline the basic skills participants will learn and describe the credentials participants will earn.

~~**25.15(7)**~~ *g.* To describe success milestones and ways in which temporal and instructional barriers have been minimized or eliminated.

~~**25.15(8)**~~ *h.* To review how individualized and customized service strategies for participants will be developed and provided.

Item 6. Amend rule 281 – 25.16 (260H) as follows:

281 – 25.16 (260H) Career pathways and bridge curriculum development program. Each community college receiving funding for PACE shall develop a career pathway and bridge curriculum development program in order to better serve the academic, training, and employment needs of the target populations. A career pathways and bridge curriculum development program shall have the following goals:

~~25.16(1)~~ *a.* The articulation of courses and modules, the mapping of programs within career pathways, and the establishment of bridges between credit and noncredit programs.

~~25.16(2)~~ *b.* The integration and contextualization of basic skills education and skills training. This process shall provide for seamless progressions between adult basic education and general

education development programs and continuing education and credit certificate, diploma, and degree programs.

~~15.16(3)~~ *c.* The development of career pathways that support the attainment of industry-recognized credentials, diplomas, and degrees.

Item 7. Amend 281 - chapter 25 by adopting the **new** rule as follows:

281 – 25.17 (260H) Pathway navigators. A community college may use moneys for the PACE program to employ pathway navigators to assist students applying for or enrolled in eligible pathways for academic career and employment projects.

Pathway navigators shall provide services and support to aid students in selecting PACE projects that will result in gainful, quality, in-state employment and to ensuring students are successful once enrolled in PACE projects. Services the pathway navigators may provide include but are not limited to the following:

a. Interviewing and selecting students for enrollment in PACE projects.

b. Assessing students' skills, interests, and previous academic and work experience for purposes of placement in PACE projects.

c. Working with students to develop academic and career plans and to adjust such plans as needed.

d. Assisting students in applying for and receiving resources for financial aid and other forms of tuition assistance.

e. Assisting students with the admissions process, remedial education, academic credit transfer, meeting assessment requirements, course registration, and other procedures necessary for successful completion of PACE projects.

f. Assisting in identifying and resolving obstacles to students' successful completion of PACE projects.

g. Connecting students with useful college resources or outside support services such as access to child care, transportation, and tutorial assistance, as needed.

h. Maintaining ongoing contact with students enrolled in PACE projects and ensuring students are making satisfactory progress toward the successful completion of projects.

i. Providing support to students transitioning from remedial education, short-term training, and classroom experience to employment.

j. Coordinating activities with community-based organizations that serve as key recruiters for PACE projects and assisting students throughout the recruitment process.

k. Coordinating adult basic education services.

Item 8. Amend 281 - chapter 25 by adopting the **new** rule as follows:

281 – 25.18 (260H) Regional industry sector partnerships. A community college may use moneys for the PACE program to provide staff and support for the development and implementation of regional industry sector partnerships within the region served by the community college.

Regional, industry sector partnerships may include but are not limited to the following activities:

a. Bringing together representatives from industry sectors, government, education, local workforce boards, community-based organizations, labor, economic development organizations, and other stakeholders within the regional labor market to determine how PACE projects should address workforce skills gaps, occupational shortages, and wage gaps.

b. Integrating PACE projects and other existing supply-side strategies with workforce needs within the region served by the community college.

c. Developing PACE projects that focus on the workforce skills, from entry level to advanced, required by industry sectors within the region served by the community college.

d. Structuring pathways so that instruction and learning of workforce skills are aligned with industry-recognized standards where such standards exist.

281 – 25.19 (260H) Reserved.

Division III

GAP TUITION ASSISTANCE PROGRAM

Item 9. Rescind 281-25.21(260I) and adopt the following **new** rule in lieu thereof:

281 – 25.21 (260I) Applicants for tuition assistance.

25.21(1) *Eligibility criteria.* Eligibility for tuition assistance shall be based on financial need. Applicants may be found eligible for partial or total tuition assistance. Tuition assistance shall

not be approved when the community college receiving the application determines that funding for an applicant's participation in an eligible certificate program is available from any other public or private funding source.

a. Criteria to determine financial need shall include but not be limited to:

1. The applicant's family income for the 12 months prior to the date of application.

2. The applicant's family size.

3. The applicant's county of residence.

b. An applicant for tuition assistance under this chapter must have a demonstrated capacity to achieve the following outcomes:

1. The ability to complete an eligible certificate program.

2. The ability to enter a postsecondary certificate, diploma, or degree program for credit.

3. The ability to gain full-time employment.

4. The ability to maintain full-time employment over a period of time.

c. The community college receiving the application shall only approve an applicant for tuition assistance under this chapter if the community college determines that applicant is likely to succeed in achieving the outcomes described in 281 - 25.16(b) after considering factors including but not limited to:

1. Barriers that may prevent an applicant from completing the certificate program.

2. Barriers that may prevent an applicant from gaining employment in an in-demand occupation.

25.21(2) *Additional provisions.*

a. An applicant for tuition assistance under this chapter shall provide to the gap tuition assistance coordinator at the community college receiving the application documentation of all sources of income.

b. Only an applicant eligible to work in the United States shall be approved for tuition assistance under this chapter.

c. An application shall be valid for six months from the date of signature on the application.

d. An applicant shall not be approved for tuition assistance under this chapter for more than one eligible certificate program.

e. Eligibility for tuition assistance under this chapter shall not be construed to guarantee enrollment in any community college certificate program.

f. Eligibility for tuition assistance under this chapter shall be limited to person earning incomes at or below 250 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

Item 10. Rescind 281 – 25.22(260I) and adopt the following **new** rule in lieu thereof:

281 – 25.22 (260I) Eligible costs. Costs of a certificate program eligible for coverage by gap tuition assistance shall include but are not limited to the following:

1. Tuition.

2. Direct training costs.

3. Required books and equipment.

4. Fees, including but not limited to fees for industry testing services and background check testing services.

5. Costs of providing direct staff support services including but not limited to marketing, outreach, application, interview, and assessment processes. Eligible costs for this purpose shall be limited to twenty percent of any allocation of moneys to the two smallest community colleges, ten percent of any allocation of moneys to the two largest community colleges, and fifteen percent of any allocation of moneys to the remaining eleven community colleges. Community college size shall be determined based on the most recent three-year rolling average full-time equivalent enrollment.

Item 11. Rescind rule 281 – 25.23 (260H) and adopt the following **new** rule in lieu thereof:

281 – 25.23 (260I) Eligible certificate programs. For the purposes of this chapter, "eligible certificate program" means a program meeting all of the following criteria:

a. The program is not offered for credit, but is aligned with a certificate, diploma, or degree for credit, and does at least one of the following:

~~*a.*~~ *1.* Offers a national-, state-, or local-recognized certificate.

~~*b.*~~ *2.* Offers preparation for a professional examination or licensure.

~~*c.*~~ *3.* Provides endorsement for an existing credential or license.

~~*d.*~~ *4.* Represents recognized skill standards defined by an industrial sector.

~~*e.*~~ *5.* Offers a similar PACE credential or training.

b. The program offers training or a credential in an in-demand occupation. For the purposes of this chapter, "in-demand occupation" includes occupations in information technology, health care, advanced manufacturing, transportation and logistics, and any other industry designated as in-demand by a regional advisory board established pursuant to Iowa Code section 84A.4.

Item 12. Rescind rule 281 – 25.24 (260H) and adopt the following **new** rule in lieu thereof:

281 – 25.24 (260I) Initial assessment. An eligible applicant for tuition assistance under this chapter shall complete an initial assessment administered by the community college receiving the application to determine the applicant's readiness to complete an eligible certificate program. The assessment shall include assessments for completion of a national career readiness certificate, including the areas of reading for information, applied mathematics, and locating information. An applicant must achieve at least a national bronze-level certificate defined as a minimum level 3 for reading, mathematics, and locating information in order to be approved for tuition assistance. An applicant shall complete any additional assessments and occupation research required by the Gap tuition assistance program or an eligible certificate program, or both.

Item 13. Rescind rule 281-25.25 (260I) and adopt the following **new** rule in lieu thereof:

281 – 25.25 (260I) Program interview. An eligible applicant for tuition assistance under this chapter shall meet with the gap tuition assistance coordinator for an eligible certificate program offered by the community college receiving the application. The gap tuition assistance coordinator shall discuss the relevant industry, any applicable occupation research, and any applicable training relating to the eligible certificate program. The discussion shall include an evaluation of the applicant's capabilities, needs, family situation, work history, education background, attitude and motivation, employment dates, support needs, and other requirements for an eligible certificate program.

Item 14. Rescind rule 281-25.26 (260I) and adopt the following **new** rule in lieu thereof:

281 – 25.26 (260I) Participation requirements.

25.26(1). A participant in an eligible certificate program who receives tuition assistance pursuant to this chapter shall do all of the following:

a. Maintain regular contact with staff members for the certificate program to document the applicant's progress in the program.

b. Sign a release form to provide relevant information to community college faculty or case managers.

c. Discuss with staff members for the certificate program any issues that may impact the participant's ability to complete the certificate program, obtain employment, and maintain employment over a period of time.

d. Attend all required courses regularly.

e. Meet with staff members for the certificate program to develop a job search plan.

25.26(2). A community college may terminate tuition assistance for a participant who fails to meet the requirements of this rule. The participant may utilize the community college's local appeal process to contest termination from the program. The process to appeal a termination will be provided to a participant through the gap tuition assistance coordinator.

Item 15. Rescind rule 281-25.27 (260I) and adopt the following **new** rule in lieu thereof:

281 – 25.27 (260I) Oversight. Statewide oversight, evaluation, and reporting efforts for the gap tuition assistance program is coordinated by the department.

25.27(1). A steering committee, consisting of the Iowa department of education, the Iowa workforce development department, and community college continuing education deans and directors, is established to determine if the performance measures of the gap tuition assistance program are being met and to correct any deficiencies. The steering committee shall meet at least quarterly to evaluate and monitor the performance of the gap tuition assistance program.

25.27(2). A common intake tracking system is established to be implemented consistently by each participating community college. The community colleges will work cooperatively in establishing the system and the Iowa department of education will assist in gathering required reporting data elements.

25.27(3). The steering committee will develop the required program criteria for PACE- and gap tuition assistance-certified programs to be eligible for tuition assistance and program funding. These criteria will be developed based on best practices in the development and delivery of career pathway programs that provide a clear sequence of education coursework and credentials aligned with regional workforce skill needs; clearly articulate from one level of

instruction to the next; combine occupational skills and remedial adult education; lead to the attainment of a credential or degree; assist with job placement; and provide wrap-around social and socioeconomic support services with the goal of increasing the individual's skills attainment and employment potential.

Item 16. Rescind 281-25.28 (260I) in its entirety.

These rules are intended to implement 2014 Iowa Code chapters 260H and 260I.