

Iowa State Board of Education

Executive Summary

December 5, 2024



Agenda Item: Rules – Chapter 46, “Career and Technical Education” (Notice of Intended Action)

State Board Priority: Goal 4

State Board Role/Authority: The State Board has the authority to provide notice of intended rulemaking under Iowa Code section 256.129(2).

Presenter(s): Thomas A. Mayes
General Counsel

Attachment(s): One

Recommendation: It is recommended that the State Board give notice of its intent to amend Chapter 46.

Background: This proposed rulemaking modernizes language, removes unnecessary or duplicative language, and updates provisions related to work-based learning pursuant to 2024 Iowa Acts, Senate File 2411.

The Department held a public hearing on the regulatory analysis of this proposed rulemaking on November 19, 2024. No one attended the public hearing and the Department received no public comment.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 46, “Career and Technical Education,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 256.129(2).

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 256, subchapter VII, part 2.

Purpose and Summary

This proposed rulemaking modernizes language, removes unnecessary or duplicative language, and updates provisions related to work-based learning pursuant to 2024 Iowa Acts, Senate File 2411.

The Department held a public hearing on the regulatory analysis of this proposed rulemaking on November 19, 2024. No one attended the public hearing and the Department received no public comment.

Fiscal Impact

This rulemaking has no fiscal impact to the state of Iowa.

Jobs Impact

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

Waivers

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

Public Comment

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the State Board no later than 4:30 p.m. on January 28, 2025. Comments should be directed to:

Thomas A. Mayes, General Counsel
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

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

January 28, 2025
8 to 9:00 a.m.

Room B100
Grimes State Office Building
Des Moines, Iowa

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

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the State Board and advise of specific needs.

Review by Administrative Rules Review Committee

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

The following rulemaking action is proposed:

ITEM 1. Rescind subrule 46.6(4) and adopt the following **new** subrule in lieu thereof:

46.6(4) *Postsecondary program review.*

a. General. The postsecondary program review process is to ensure career and technical education programs meet standards adopted by the board. The program review will include an assessment of the extent to which:

- (1) The knowledge, skills, and abilities aligned with industry expectations are being mastered by the students enrolled;
- (2) The program yields a positive return on investment for students;
- (3) The general education curriculum in the program is aligned with the program outcomes;
- (4) The program provides opportunities for students to pursue other educational opportunities, other co-curricular opportunities, or both at the community college;
- (5) The program removes barriers for all students, including special populations defined by the Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §2301 et seq., to access educational and employment opportunities;
- (6) The curriculum is current and relevant;
- (7) There is continued professional development of instructors;
- (8) The equipment and facilities are adequate;

(9) Student outcomes, including, at a minimum, program enrollment rates, retention rates, completion rates, and employment rates and wages, are disaggregated at a minimum by gender, race and ethnicity, and other special populations defined by the Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §2301 et seq., and addressed by the program; and

(10) The program articulates to additional postsecondary opportunities that further the students' education and training.

b. Process. Each community college will establish a process that ensures at least 20 percent of career and technical education programs are reviewed on an annual basis. The department will ensure compliance with this paragraph through the community college accreditation process established in 281—Chapter 21.

c. Additional components. The following minimum components will also be addressed through the program review process outlined in paragraph 46.6(4)“a.”

(1) Industry or professional standards. Community colleges will utilize program standards established and recognized by industry or professional organizations when available and appropriate. In lieu of these standards, community colleges will develop program standards through a structured group interview process, which involves committees of incumbent workers within an occupational cluster analyzing standards that include new and emerging technologies, and job-seeking, leadership, entrepreneurial, and occupational competencies. This analysis includes identifying standards that ensure program participants have access to instruction that leads to employment and further training. All standards will be analyzed for the reinforcement of academic skills.

(2) Advisory council. The community college will document how the program engages with the business community to recruit members for the advisory council under rule 281—46.8(258). Program review documentation will include a current member list with titles and employer; advisory committee meeting logistics including, but not limited to, meeting frequency, agendas, and minutes; advice the advisory council has suggested for the program; and any actions or results taken by the program that stem from this advice.

(3) Pathways with secondary institutions. Teachers and administrators from both secondary and postsecondary instructional levels (when applicable) meet to identify competencies required at each level and to jointly develop pathways between secondary and postsecondary levels for specific occupational areas. Such collaborative efforts will facilitate the secondary-postsecondary transition and help reduce duplication between the two levels.

ITEM 2. Amend subrule 46.10(3) as follows:

46.10(3) *Membership.* The membership of each partnership will consist of stakeholders in a position to contribute to the development and successful implementation of high-quality career and technical education programs. Each district that falls within the boundaries of the partnership will be represented on the partnership. Once established pursuant to subrule 46.10(1), the partnership is responsible for identifying and maintaining appropriate membership. Membership of the partnership will include the following:

a. to *c.* No change.

~~*d.* —Representatives of a regional work-based learning intermediary network.~~

e. *d.* Representatives of regional economic and workforce entities including regional advisory boards established under Iowa Code section 84A.4.

~~f. e.~~ e. Representatives of business and industry, including representatives of regional industry sector partnerships.

~~g. f.~~ f. Career and technical education secondary teachers and postsecondary faculty.

ITEM 3. Amend paragraph **46.11(1)“b”** as follows:

b. Establish a program of study that meets all of the following criteria:

(1) No change.

(2) Integrates academic coursework; includes foundational and transitory career and technical education coursework; includes either work-based learning or the potential to earn an industry-recognized credential or a community college credential as defined in 281—subrule 21.2(9); and utilizes the individual career and academic planning process established under 281—Chapter 49.

(3) No change.

(4) Allows students enrolled in the academy an opportunity to continue on to an associate degree and, if applicable, a postsecondary baccalaureate degree program.

Only institutions that comply with the provisions of this rule may use the term “career academy.”

ITEM 4. Amend **281—Chapter 46**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapter ~~258~~ 256, subchapter VII, part 2.