

Red Tape Review Rule Report (Due: September 1, 2023)

Department Name:	Education	Date:	8/2/2023	Total Rule Count:	8
IAC #:	281	Chapter/ SubChapter/ Rule(s):	27	Iowa Code Section Authorizing Rule:	260C.18A
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What is the intended benefit of the rule?

This rule is intended to benefit Iowa employees and employers by increasing by providing education to address the workforce needs of the state.

Is the benefit being achieved? Please provide evidence.

Yes. During the most recent reporting year, 56,098 Iowans completed programs supported by this rule, involving 3,551 businesses.

What are the costs incurred by the public to comply with the rule?

There are data reporting, assessment, and recordkeeping costs associated with this rule; however, funds are used to attain compliance. In the most recent year, \$15,000,000 was appropriated for this program, and \$100,000 appropriated to the Department to administer it.

What are the costs to the agency or any other agency to implement/enforce the rule?

The Department defrayed the costs of administering this rule with its state appropriation.

Do the costs justify the benefits achieved? Please explain.

Yes. This rule implements state requirements and has supported numerous Iowa students, educators, and employers.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

Iowa Code requires rules. The Department of Education proposes removing language that duplicates state statutes, that is obsolete, and that is unnecessarily restrictive.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

Yes. This language has been removed throughout the chapter.

RULES PROPOSED FOR REPEAL (list rule number[s]):

Rule 27.1 (unnecessary)
Rule 27.7 (consolidated with another rule)
Rule 27.8 (consolidated with another rule)

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

See below.

METRICS

Total number of rules repealed:

3

Proposed word count reduction after repeal and/or re-promulgation	615
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	22

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Proposed rule 48.4 is still under the jurisdiction of the State Board of Education.

Proposed new Chapter 281—27

CHAPTER 27
WORKFORCE TRAINING AND ECONOMIC DEVELOPMENT FUNDS

281—27.1(260C) Definitions.

“Community college” or “college” means a community college established under Iowa Code chapter 260C.

“Department” means the Iowa department of education.

“Fund” or “funds” means the workforce training and economic development funds created by Iowa Code section 260C.18A and allocated to each community college.

“Project” means a training or educational activity funded under this chapter.

“State board” or “board” means the Iowa state board of education.

“Targeted areas” means the areas of advanced manufacturing; information technology and insurance; alternative and renewable energy including the alternative and renewable energy sectors listed in Iowa Code section 476.42(1) “a”; and life sciences, which include the areas of biotechnology, health care technology, and nursing care technology.

281—27.2(260C) Funds allocation. A fund is created and the department will allocate moneys as specified in Iowa Code section 260C.18A, subsection 2.

281—27.3(260C) Community college workforce and economic development fund plans and progress reports. Each community college, to receive its allocation for the forthcoming fiscal year, shall prepare and submit to the department for state board consideration the following items for the fiscal year.

27.3(1) Workforce training and economic development fund plan. Each college will adopt a workforce training and economic development fund plan for the upcoming year that outlines the community college’s proposed use of moneys appropriated to its fund. Plans are to be based on fiscal years and submitted to the department, in a manner prescribed by the department, by September 30 for the current fiscal year allocation. Plans are to describe how the college proposes to allocate funds to support individual allowable uses pursuant to 281—27.4(260C) and the planned amount to be used to support targeted areas.

27.3(2) Progress reports. Each college that receives an allocation of moneys pursuant to 281—27.2(260C) will prepare an annual progress report detailing the plan’s implementation. The report is to be submitted to the department by September 30 of each year in a manner and form as prescribed by the department. The report will provide information regarding projects supported by the college’s fund including the number of participants enrolled in each program, the number of participants who complete each program, the dollars spent on each allowable use pursuant to 281—27.4(260C), the dollars spent in targeted areas, and other data necessary to report on state program performance metrics.

281—27.4(260C) Use of funds. Moneys deposited into each community college fund is to be expended as specified in Iowa Code section 260C.18A. Any individual project using over \$1 million of moneys from a workforce training and economic development fund requires prior approval from the state board.

281—27.5(260C) Annual plan and progress report approval.

27.5(1) The state board will review and consider approval of reports and plans submitted pursuant to 281—27.3(260C).

27.5(2) The state board may reject a plan or progress report for any of the following reasons, including:

- a. Incomplete information or data;
- b. Failure to comply with rule 281—27.4(260C);
- c. Project not operated in compliance with state or federal law.

27.5(3) If the state board does not accept a college’s annual progress report, the college is subject to the following actions as prescribed by the board based upon the severity of the noncompliance or default, including:

- 1. The withholding of a portion of new fiscal year moneys based upon amounts awarded deemed to be ineligible;

2. Tighter oversight and control of the college's fund by the department;
3. Loss of funds for one year;
4. Other action deemed appropriate by the board.

These rules are intended to implement Iowa Code section 260C.18A.