

Iowa State Board of Education

Executive Summary

November 15, 2023



Agenda Item: Rules: Rescind and reserve Chapter 281—48, “Work-Based Learning,” and rescind and replace Chapter 281—49, “Individual Career and Academic Plan,” (Notice of Intended Action)

State Board Priority: Preparing Learners for Tomorrow’s Workforce

State Board Role/Authority: This rule making is proposed under the authority provided in Iowa Code section 256.7(34).

Presenter(s): Thomas A. Mayes, General Counsel

Attachment(s): One

Recommendation: It is recommended that the State Board give notice of its intent to rescind Chapter 48 and amend Chapter 49.

Background: The recent government alignment bill resulted in the majority of Chapter 48 being transferred to Iowa Workforce Development. The remaining rule is transferred to Chapter 49 and Chapter 48 is repealed and reserved.

The current Chapter 49 contains many instances of overly restrictive language and language that duplicates statutory text verbatim. This proposed rulemaking eliminates that language.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to rescind and reserve Chapter 48, “Work-Based Learning,” and rescind and replace Chapter 49, “Individual Career and Academic Plan,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 256.7(34) and 279.61.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 256.7(34) and 279.61.

Purpose and Summary

The recent government alignment bill resulted in the majority of chapter 48 being transferred to Iowa Workforce Development. The remaining rule is transferred to chapter 49 and chapter 48 is repealed and reserved.

The current Chapter 49 contains many instances of overly restrictive language and language that duplicates statutory text verbatim. This proposed rulemaking eliminates that language.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the 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 rule making must be received by the Department no later than 4:30 p.m. on January 4, 2024. Comments should be directed to:

Thomas A. Mayes
Iowa Department of Education
Grimes State Office Building
400 E. 14th Street
Des Moines, IA 50319
thomas.mayes@iowa.gov
515-281-8661

Public Hearing

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

Hearing 1: January 3, 2024, from 2:00 to 2:30, State Board Room, Grimes State Office Building, Des Moines, IA 50319

Hearing 2: January 4, 2024, from 10:00 to 10:30, State Board Room, Grimes State Office Building, Des Moines, IA 50319

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

The following rulemaking action proposed:

ITEM 1. Rescind and reserve **281—Chapter 48**.

ITEM 2. Rescind **281—Chapter 49** and adopt the following new chapter in lieu thereof:

281—49.1(279) Definitions. For purposes of this chapter, the following definitions apply:

“Approved system” means a vendor-provided career information and decision-making system that meets the standards of rule 281—49.5(279).

“Board” means the board of directors of a public school district.

“Career cluster” means a nationally recognized framework for organizing and classifying career and technical education programs.

“Department” means the Iowa department of education.

“Director” means the director of the Iowa department of education.

“District plan” means the career and academic plan developed by each school district that details the delivery of career guidance and development in compliance with this chapter.

“Educational program” means the educational program as defined in 281—Chapter 12.

“Plan” means the individualized career and academic plan established under this chapter that is created by each student of the school district in eighth grade and which, at a minimum, meets the standards of rule 281—49.2(279).

“*Postsecondary readiness*” means college and career readiness in Iowa as defined by the state board of education.

“*School counseling program*” means the school counseling program established by Iowa Code section 256.11(9A).

“*Student*” means an enrolled student as defined in 281—Chapter 12.

“*Work-based learning*” means planned and supervised connections of classroom, laboratory and industry that prepare students for current and future careers.

281—49.2(279) Individualized career and academic plan. The plan established under this rule is to, at a minimum, comply with the provisions of Iowa Code section 279.61.

281—49.3(279) Essential components. The district is to engage each student in activities that support the following essential components of the individualized career and academic plan:

49.3(1) *Self-understanding.* Students are to engage in developmentally appropriate inventories and assessments that promote self-understanding and the connection to work and engage in meaningful reflective activities about the results.

49.3(2) *Career information.* Students are to research careers based on self-understanding results and engage in meaningful reflection about the findings.

49.3(3) *Career exploration.* Students are to engage in activities that reveal connections among school-based instruction, career clusters, and the world of work and engage in meaningful reflection.

49.3(4) *Postsecondary exploration.* Students are to engage in activities to explore relevant postsecondary education and training options related to career interests and engage in meaningful reflection on the exploration experience.

49.3(5) Career and postsecondary decision. Students are to complete relevant activities to meet their postsecondary goals consistent with the plan and stated postsecondary intention.

281—49.4(279) District plan.

49.4(1) Components of district plan. The school district shall develop a written career plan. The district plan is to include the following components:

a. The district is to, at a minimum, describe the following aspects of the district plan.

(1) The activities to be undertaken in each grade level to achieve the provisions of rule 281—49.2(279).

(2) Integration of the career plan within connected district initiatives and other facets of the school district’s comprehensive school counseling program.

(3) At the district’s discretion, any additional outcomes to be integrated into the career and academic planning system.

b. Designation of team. The superintendent of each school district is to designate a team of education practitioners to carry out the duties assigned to the school district under this rule. The district plan is to include a list, by job position, of the designated district team.

(1) Team composition. The team will include a school administrator; a school counselor; teachers, including career and technical education teachers; and individuals responsible for coordinating work-based learning activities.

(2) Duties. The team is responsible for the following:

1. Implementation of the district plan.

2. Annually reviewing and, as necessary, proposing to the school district revisions to the district plan.

3. Coordination of activities which integrate essential components into classroom instruction and other facets of the school district's educational program.

4. Regularly consulting with representatives of employers, state and local workforce systems and centers, higher education institutions, and postsecondary training programs.

49.4(2) *Maintenance of district plan.* The district plan will be regularly reviewed and revised by the team and the board.

281—49.5(279) Career information and decision-making systems. Each district shall use a career information and decision-making system that meets the standards established in subrule 49.5(3).

49.5(1) *Review process.* The department will establish a process for the review of vendor-provided career information and decision-making systems to determine which career information and decision-making systems meet the minimum specifications established in subrule 49.5(3).

49.5(2) *State-designated system.* The department will establish a process for the review and approval of a single state-designated career information and decision-making system from among the systems approved through the process established in subrule 49.5(1), which districts may use in compliance with this chapter.

49.5(3) *Minimum functions of approved systems.* An approved system is to, at a minimum, support implementation of rule 281—49.2(279) and meet the following specifications:

a. Allow for the creation of student accounts, which allow a student to store and access the results and information gathered from the inventories, searches, and associated activities outlined in paragraphs 49.5(3) “b” through “d.”

b. Include developmentally appropriate inventories and assessments that promote self-understanding and the connection to work. Inventories and assessments are to include an interest inventory; a work values assessment; and an abilities, strengths, or skills assessment.

c. Include a search platform for career information. The platform is to allow a student to access and review career information related to the results of the inventories listed in paragraph 49.5(3) “b.” Career information will include current and accurate state and national wage, earning, and employment outlook data for a given occupation; job descriptions, including such information as essential duties and aptitudes; and training and education requirements. The career information search platform is to, at a minimum, allow a student to sort information by wage and earning, career cluster, and training and education requirements.

d. Include a search platform for postsecondary information. Postsecondary information is to include, but not be limited to, a current, accurate, and comprehensive database of accredited professional colleges, technical and community colleges, and public and private baccalaureate colleges and universities; and include or provide links to apprenticeship and military opportunities. The postsecondary information search platform will, at a minimum, allow a student to sort information by program and degree type, institution type, location, size of enrollment, and affiliation and appropriate institutional characteristics, such as designation as a historically black college and

university or Hispanic-serving institution, and religious affiliation.

- e.* Track basic utilization for the functions outlined in paragraphs 49.5(3) “*a*” through “*d*.” Districts are to have the ability to generate and export a report on the utilization statistics.
- f.* Ensure compliance with applicable federal and state civil rights laws.
- g.* Disclose the source and age of, as well as frequency of updates to, all information and data.
- h.* Provide auxiliary services, including:
 - (1) A process for districts to submit comments, feedback, and modification requests to the vendor.
 - (2) Technical assistance during regular school district operating hours.
 - (3) Appropriate training for users.

49.5(4) *Supplemental systems.* The department will maintain a list of supplemental systems that districts may use to satisfy the components of rule 281—49.2(279).

a. The department is to establish a process for the review of supplemental systems. The review will, at a minimum, identify the components of rule 281—49.2(279) and paragraphs 49.5(3) “*b*” through “*d*,” which are satisfied through the supplemental system. All supplemental systems are to comply with paragraphs 49.5(3) “*f*” and “*g*.”

b. A district that chooses to use a supplemental system is to specify which components of rule 281—49.2(279) are satisfied through the use of the supplemental system in the district plan established in rule 281—49.4(279). A district that chooses to

utilize a supplemental tool must continue to utilize and make available to students an approved system.

281—49.6(279) Compliance. The director will monitor school districts for compliance with the provisions of this chapter through the accreditation process established for school districts under 281—Chapter 12.

49.6(1) Maintenance of student records. Each school district is to maintain evidence of student completion of the individualized career and academic plan established in rule 281—49.3(279), pursuant to rule 281—12.3(256).

49.6(2) Reporting. The board of directors of each school will complete the reports set forth in Iowa Code section 279.61(5). The board is to report to the department at least annually, and in a manner and frequency established by the department, regarding student participation in work-based learning programs established by the board, including registered apprenticeships, quality pre-apprenticeships, internships, on-the-job training, and projects through the Iowa clearinghouse for work-based learning.

49.6(3) Department responsibilities. Iowa Code section 279.61(6) is incorporated by this reference.

These rules are intended to implement Iowa Code section 279.61.

281—49.5(256) Program established. The provisions of this rule implement the future ready Iowa state-recognized work-based learning program as authorized under Iowa Code sections 256.7 and 261.131.

49.5(1) Definitions. As used in this rule:

“Apprenticeship program” means an apprenticeship program authorized under federal statute or by the Iowa office of apprenticeship.

“Eligible program” means a program eligible under the future ready Iowa skilled workforce last-dollar scholarship program.

49.5(2) *Alignment with last-dollar scholarship.* The rules governing eligibility for students, programs, and institutions are the same as the eligibility criteria specified in 283—Chapter 15 for the future ready Iowa skilled workforce last-dollar scholarship program.

49.5(3) *Eligibility.* Pursuant to 283—subparagraph 15.3(1)“j”(2), a student enrolled in an apprenticeship program aligned to an eligible program may be enrolled in an eligible program on a part-time basis.