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COMMUNITY COLLEGES

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I. Introduction

The purpose of this Legislative Guide is to provide an overview of the community college system in Iowa, including its history, mission, governance structure, and scope. Unless otherwise stated, citations to Iowa law in this Legislative Guide are to the 2017 Iowa Code.

II. Overview

Chances are good that nearly every family living in Iowa has at least one family member who has attended one of Iowa's 15 community colleges. By accepting "nearly everyone who applies," Iowa's community college system is the most egalitarian of Iowa's postsecondary educational programs.¹ In 2008, Iowa residents made up 93.2 percent of the students enrolling in Iowa community colleges and 90 percent of students taking courses online.² However, by 2015, the percentage of Iowa resident students was reduced to 89.6 percent, and the percent of Iowa resident students taking courses online had fallen to 84.8 percent.³ Iowa's combined community college enrollment for Fall 2015, 93,074 students, exceeded the combined Fall 2015 enrollment at Iowa's three regents' universities (80,132) and at Iowa's private, nonprofit colleges (53,084) and private, for-profit colleges (82,305).⁴

The system provides adult education, career and technical education, and associate of arts and sciences programs for Iowa's traditional and nontraditional students alike. Community colleges collaborate with Iowa's high schools to provide advanced educational opportunities for Iowa's high school students; reach articulation agreements with postsecondary institutions within and outside of Iowa to provide better access for students; and enter into agreements with local businesses to provide employee training and professional development opportunities.

The national junior college movement had its experimental beginnings in Illinois in 1901. Iowa's first junior college was established in 1918 by the Mason City School District. In 1949, the state began providing supplemental state aid to Iowa's junior colleges or, as they later became known, community colleges. In 1965, the General Assembly established the diverse yet familiar system that today covers all of the state's 99 counties and is divided

¹ Iowa Department of Education, Division of Community Colleges, *The Annual Condition of Iowa's Community Colleges 2015*, p. 1, <https://www.educateiowa.gov/sites/files/ed/documents/The%20Annual%20Condition%20of%20Iowa%27s%20Community%20Colleges%202015.pdf> (last visited October 15, 2016).

² Iowa Department of Education, Division of Community Colleges and Workforce Preparation, *The Annual Condition of Iowa's Community Colleges 2008*, pp. 42, 53, <https://www.educateiowa.gov/sites/files/ed/documents/Condition%20of%20Iowa%20Community%20Colleges%202008.pdf> (last visited October 15, 2016).

³ Iowa Department of Education, Division of Community Colleges, *The Annual Condition of Iowa's Community Colleges 2015*, pp. 18, 21, <https://www.educateiowa.gov/sites/files/ed/documents/The%20Annual%20Condition%20of%20Iowa%27s%20Community%20Colleges%202015.pdf> (last visited October 15, 2016).

⁴ *Id.* at 7; *Iowa College and University Enrollment Report*, Fall 2015, Prepared for the Iowa Coordinating Council on Post-High School Education, <http://www.iowaregents.edu/media/cms/icchpse2015enrollmentreport-pdfEF69B103.pdf> (last visited October 14, 2016).



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into 15 regions (see listing and map in the appendices).⁵ In that first year of the modern community college system, legal ties to school districts were severed, though community college instructors were still required to maintain teaching licenses and their elected boards of directors were given the same powers as school boards.

Though each of Iowa's community colleges has established its own mission statement, the universal mission for the system can be found in the policy statement in Iowa Code section 260C.1, which directs community colleges to offer, to the greatest extent possible, educational opportunities and services for the first two years of college work, career and technical training, programs for in-service training and retraining of workers, programs for high school completion for students of post-high school age, career and technical training for those still enrolled in high school as well as those who have not completed high school, advanced college placement courses if such courses are not taught at a high school student's high school, student personnel services, community services, career education for persons who have disabilities which prevent them from succeeding in regular career education programs, training and retraining for productive employment of all citizens, and developmental education for persons who are academically or personally underprepared to succeed in their program of study.

Given this mission, community colleges provide a stable core of opportunities, yet must be responsive to the changing nature of local, technological, and global communities. It would be easier to list what community colleges are not involved in than to list the educational and economic development services and programs they offer. A number of community colleges have articulation agreements with other colleges and universities within and outside the state; have contracts and agreements with small and large businesses for assessments and educational services; and are working with schools, colleges, and universities in an effort to provide the state with a seamless prekindergarten through grade 16 (P-16) educational system.

⁵ 1965 Iowa Acts, ch. 247. The 1965 legislation created 20 regions. The number was reduced to 17 by 1967 Iowa Acts, ch. 244. The number was reduced to the current 15 by 1990 Iowa Acts, ch. 1253, §26.



FY 2014-2015 Highlights:⁶

- Enrollment decreased slightly to 138,642 students taking 1,889,542 credit hours.
- Career and technical education enrollment was 35,415 students, with 42.3 percent enrolled in the health science career cluster.
- The median age of credit students was 20, largely due to the fact that Iowa community colleges enroll the highest percentage of students under 18, according to national data. The average age was 22.4.
- Female students outnumbered males, 54 to 46 percent (the highest percentage of males in 16 years).
- Iowa community colleges have become increasingly diverse, reaching a record high 18.9 percent of students reporting minority racial or ethnic backgrounds. For the past six years, Iowa community colleges have led the nation with a minority enrollment rate of 3.4 percent, meaning 3.4 percent of Iowa's college-age minority population attend community college.
- Online credit courses accounted for over 22.1 percent of total credits, with over 40.3 percent of students taking at least one online course.
- Joint enrollment of 44,034 high school students accounted for over 30 percent of total enrollment and almost 19 percent of total credits. Online noncredit enrollment of high school students increased by more than 19 percent.
- The number of awards increased to 19,225, with the number of Associate of Applied Science (AAS) degrees surpassing Associate of Arts (AA) degrees for the first time in history.
- Noncredit participation decreased 3.7 percent. Of these courses, 51.8 percent were designed to enhance students' employability or academic success.
- Adult Education and Literacy (AEL) enrollment was 19,464 students, continuing a declining trend since 2011. Over 35 percent of AEL participants advanced multiple skill levels, 34.2 percent achieved employment within one quarter of exiting AEL programs, and 74.5 percent retained employment three quarters after exiting. Also, 1,942 high school equivalency diplomas were awarded to participants, and 27.9 percent of participants entered postsecondary institutions.
- Iowa Skilled Worker and Job Creation Fund programs provided training and support to over 4,100 Pathways for Career and Employment (PACE) Program participants; tuition assistance to over 1,300 Gap Tuition Assistance (GAP) Program participants

⁶ Division of Community Colleges, Iowa Department of Education, *The Annual Condition of Iowa's Community Colleges Report 2015: Executive Summary*, pp. vii-viii, <https://www.educateiowa.gov/sites/files/ed/documents/The%20Annual%20Condition%20of%20Iowa%27s%20Community%20Colleges%202015.pdf> (last visited October 15, 2016).



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in certificate training programs;⁷ and career guidance to more than 50,000 students through regional work-based learning intermediary networks.

- Students in the 2013 cohort (8,534 students enrolled for the first time, full-time in fall 2013) were tracked for three years to evaluate their success. Overall, 43.6 percent were deemed “successful” in that they either transferred, graduated, or graduated and transferred within three years of enrollment. Of the 2013 cohort, 24.6 percent transferred to a four-year institution; however, 53.3 percent of these transfer students had not earned their two-year degree prior to transferring.
- The median tuition and fees in FY 2014-2015 was \$164.50 per credit. In FY 2015-2016, a full-time Iowa resident will pay between \$4,200 and \$5,520 for 30 credits at Iowa’s community colleges, which is about 40 percent less than the lowest tuition and fees at Iowa’s public universities.
- The total Iowa community college unrestricted general revenues were \$557,231,882, representing a nominal decrease from the previous year. Total expenditures were \$555,103,800, with salaries comprising over 75 percent of that amount.
- There were 13,935 college employees, consisting of 49.4 percent instructional, 24.9 percent professional, 18.7 percent secretarial and clerical, and 0.9 percent administrative staff members.

⁷ See Iowa Code ch. 260I.

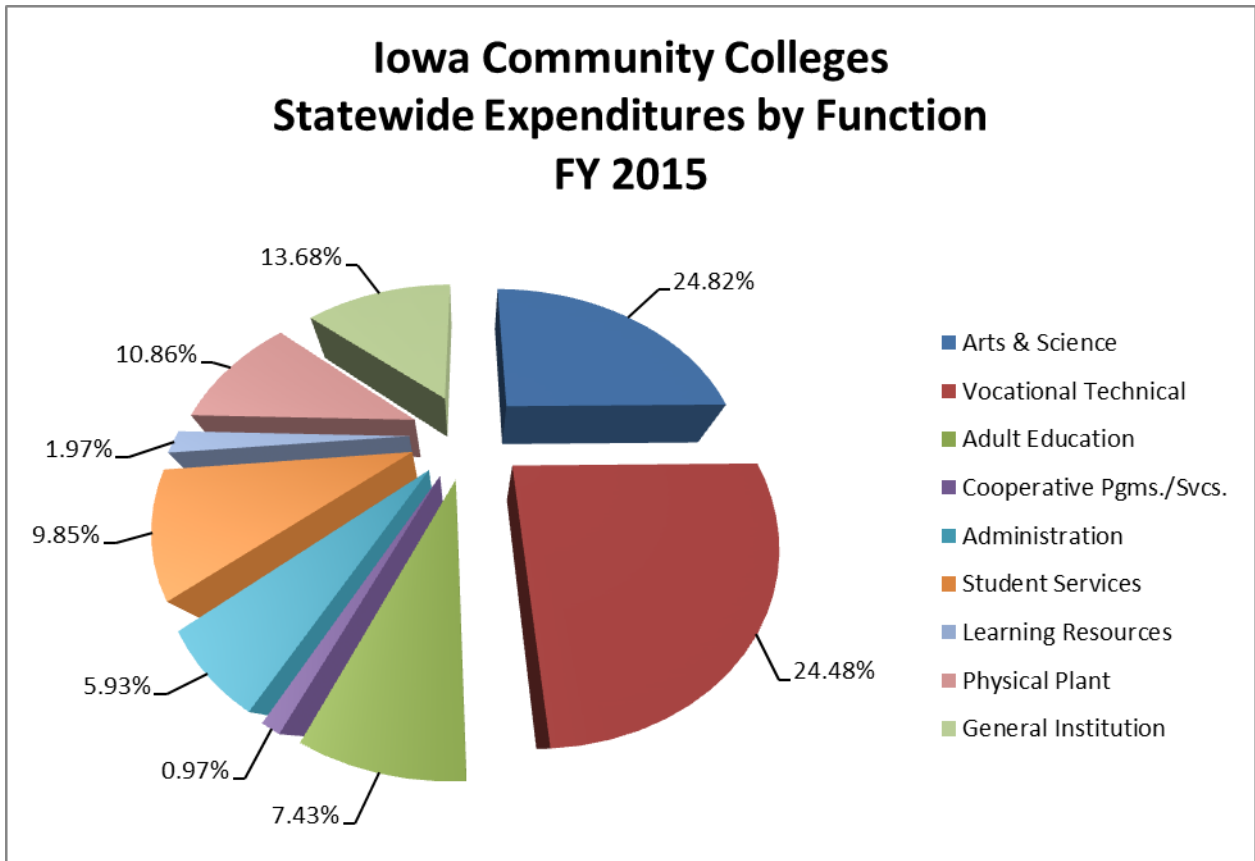


Chart prepared by Robin Madison, Senior Legislative Analyst, Fiscal Services Division, Legislative Services Agency, November 2016, from data published by the Iowa Department of Education, Division of Community Colleges, in the Annual Condition of Iowa’s Community Colleges 2015.

III. History and Mission

A. Overview

The nation’s first community college, Joliet Junior College of Joliet, Illinois, was established in 1901 as an experimental postgraduate high school program designed to permit students to remain in their community while earning their college degrees.⁸ The experiment was validated in 1917, when the North Central Association of Colleges and Schools accredited the college.⁹ Iowa’s first community college, Mason City Junior College, was established in 1918 by the Mason City School District.¹⁰ By 1919, it too was

⁸ Joliet Junior College, “History,” <http://www.jjc.edu/college-info/Pages/history.aspx> (last visited August 23, 2016).

⁹ Id.

¹⁰ Division of Community Colleges, Iowa Department of Education, *The Annual Condition of Iowa’s Community Colleges 2015*, p. 1.



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accredited by the North Central Association of Colleges and Schools.¹¹ Over the next 35 years, Iowa's school districts would establish 35 more public junior colleges.¹²

B. State Aid

The Iowa General Assembly in 1949 established the precedent of providing state aid to community colleges by allocating from the general school aid provided to school districts, "25 cents per day of attendance for each student enrolled for 12 or more hours."¹³ By 1965, the number of junior colleges operated by school districts had dwindled to 16, chiefly because after 1959 teachers were required to hold four-year degrees, leading to the closure of the two-year elementary teacher education programs, and because as "extensions of local school district[s], they did not have a large enough tax base for adequate funding" and often did not have their own facilities.¹⁴ The Iowa junior colleges offered liberal arts programs, but few offered occupational programs until 1958, when Congress passed Title VIII of the National Defense Education Act, which included financial support for vocational-technical training.¹⁵

C. Statewide System

The drive and design for a statewide system was impelled and facilitated by a number of actions:

- The General Assembly in 1959 directed "the Legislative Research Bureau to conduct a comprehensive study of higher education needs and facilities in Iowa." The report was submitted to the General Assembly in 1961.¹⁶
- The General Assembly in 1961 directed "the IDPI [Iowa Department of Public Instruction] to prepare a detailed statewide plan for the development of public area community colleges and to investigate the availability of vocational-technical education." The report was submitted to the General Assembly in December 1962.¹⁷
- The 60th General Assembly charged an interim committee with studying the problems associated with providing vocational education programs. The "committee's discussions with various stakeholders from 1963 to 1965 helped to build support for creating the new system of community colleges."¹⁸

¹¹ Jeremy Varner, *Forty Years of Growth and Achievement: A History of Iowa's Community Colleges*, p. 6 (Janice Nahra Friedel, ed., Iowa Department of Education) (2006).

¹² Id. at 7.

¹³ 1949 Iowa Acts, ch. 117, §1.

¹⁴ Varner at 10, 15.

¹⁵ United States Department of Education, "*The Federal Role in Education*," (last modified July 21, 2016), <http://www.ed.gov/about/overview/fed/role.html> (last visited August 23, 2016).

¹⁶ Varner at 14-15.

¹⁷ Id. at 15.

¹⁸ Id. at 17-18.



- The federal Vocational Education Act of 1963 was enacted, making “additional federal funding available for area vocational programming.”¹⁹

In 1965, SF 550 was enacted, establishing the parameters for a statewide system of merged area vocational schools and merged area community colleges. “Merged area” is defined as an area where two or more school systems or parts of school systems merge resources to operate a community college.²⁰ Each community college serves a multicounty merged area which may vary in size from four to twelve counties; all of Iowa’s 99 counties are included in one of these merged areas.²¹ Senate File 550 provided for the conversion of school district-owned and district-operated community or junior colleges to area vocational schools or area community colleges; required that school districts be compensated for the schools or colleges being converted; provided for the election and organization of a board of directors for each merged area and gave the boards the same powers held by school boards, including the authority to issue bonds and to designate the amounts to be raised by local taxation; permitted the boards to receive and expend federal funds, state aid, tuition, and nonpublic funds and to acquire sites and erect and equip buildings; and required the State Board of Public Instruction and the State Board of Regents to establish standards for the merged area schools.²² Currently, Iowa’s community colleges exist in the state to provide liberal arts, preprofessional, or occupational instruction, partially fulfilling the requirements for a baccalaureate degree; to provide up to two years of career and technical education, training, or retraining; or to provide basic adult education programs.

Appendices A and B provide a listing of the names and addresses of the community colleges and a map showing the current boundaries of the merged areas.

D. Mission

The term “junior college,” when used in the 1950s and 1960s, often referred to two-year colleges supported by churches or organized independently, while “community college” came gradually to be used for the comprehensive, publicly supported institutions.²³ The term junior college sparked a debate in the 1920s and 1930s that continues into the 21st century: Is a community college, or junior college, an extension of the secondary school system or is it an institution of higher learning, i.e., a university affiliate?²⁴ A corresponding debate enduring for nearly as long is whether the focus of a community college should be on career and technical education or liberal arts education. Iowa’s community colleges work to serve the state’s demands for both.

¹⁹ Id. at 18.

²⁰ Iowa Code §260C.2(5).

²¹ Iowa Department of Education, “*About the Iowa Education System: Community Colleges*,” (2015), <https://www.educateiowa.gov/about-iowas-education-system> (last visited Nov. 21, 2016).

²² 1965 Iowa Acts, ch. 247.

²³ Arthur M. Cohen, Florence B. Brawer, and Carrie B. Kisker, *The American Community College*, p. 4 (Jossey-Bass, 6th ed. 2014).

²⁴ Id. at 12.



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Community colleges fill in the gaps for a number of lowans. They serve a diverse population. High school students are making greater use of postsecondary enrollment options to gain both high school and college credit for the same coursework, with the school district paying a portion of the students' postsecondary enrollment costs if the district does not offer a comparable course.²⁵ In fact, "Iowa ranks first among the 50 states in providing college-level coursework to high school students."²⁶ The state universities, community colleges, and accredited private institutions are eligible institutions under the Postsecondary Enrollment Options Program, but "the vast majority of students enroll in postsecondary coursework through concurrent enrollment at an Iowa community college."²⁷

Collaborative efforts are increasing between community colleges and school districts, a trend encouraged by the supplementary weighting the state assigns to enrolled students to provide additional state aid to school districts implementing district-to-community college sharing agreements and by participation in concurrent enrollment programs.²⁸

The acceptance of online coursework by postsecondary institutions and students alike is creating economic opportunities for community colleges, convenience and cost-savings for students, and has the potential to change the look and culture of postsecondary campuses by reducing the need for brick and mortar structures.

E. Studies of Community College System

Several studies of the Iowa community college (merged area) system have been conducted since creation of the regions in 1965. The studies have focused on topics such as studying and making recommendations on the goals of the state's postsecondary education system and the governance and administration of the community college system.²⁹

²⁵ Iowa Code §§261E.6(3), 261E.7(1).

²⁶ Iowa Department of Education, *Joint Enrollment: Fiscal Year 2015 Annual Report*, p. 3, <https://www.educateiowa.gov/sites/files/ed/documents/Joint%20Enrollment%20Annual%20Report%20FY%202015%20FINAL.pdf> (last visited October 15, 2016).

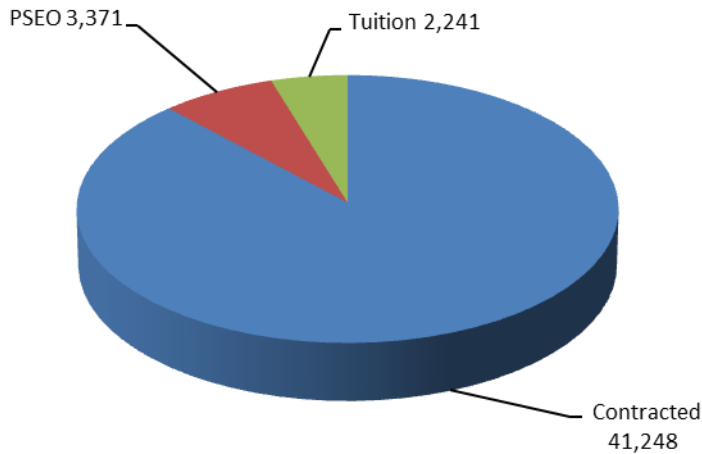
²⁷ Iowa Department of Education, Division of Community Colleges, Factsheet; National Comparison of Jointly Enrolled Students, February 3, 2015, p. 2, <https://www.educateiowa.gov/sites/files/ed/documents/JointEnrollmentFactSheet.pdf> (last visited October 25, 2016).

²⁸ Iowa Code §§257.11(3), (6), (7), (9), 261E.8, 261E.9, 261E.10.

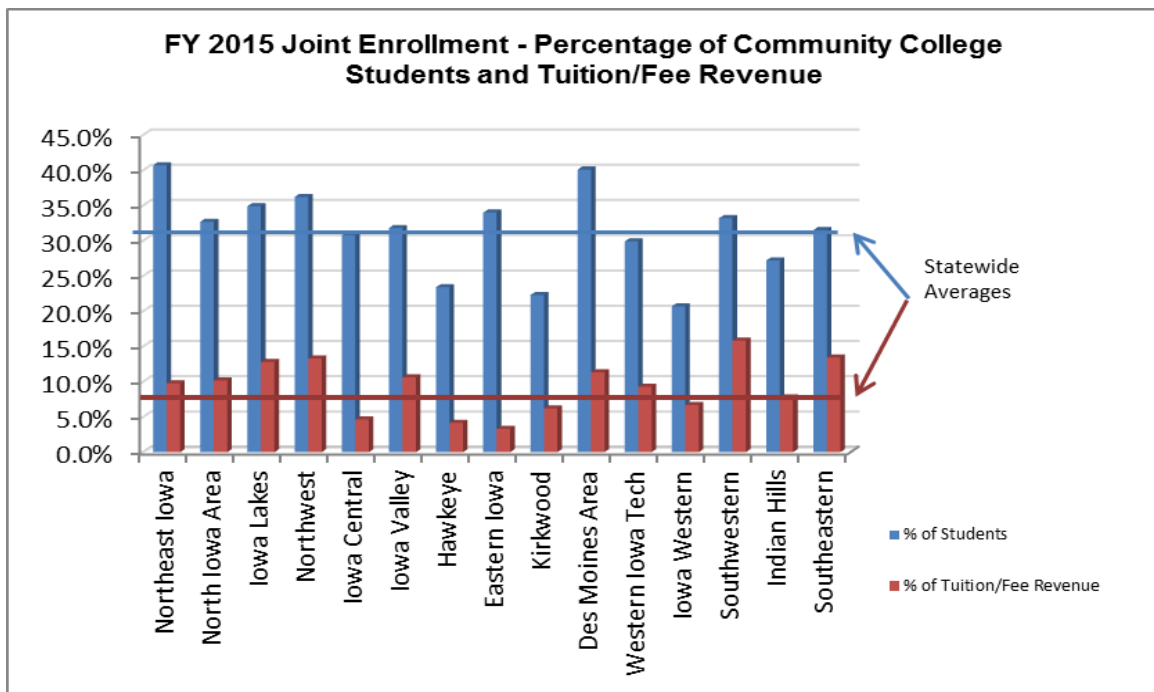
²⁹ Iowa Legislative Task Force on Higher Education, *A Challenge to Change: Education for the New Century*, p. 6 (December 1989), established in 1988 Iowa Acts, ch. 1284, §65; see also 1990 Iowa Acts, ch. 1253. Information pertaining to the Community College Governance System Study is available at <http://www.legis.state.ia.us/GA/78GA/Interim/1999/comminfo/cccollege.htm> (last visited November 28, 2016); see also 2000 Iowa Acts, ch. 1167.



FY 2015 Statewide Joint Enrollment by Type



FY 2015 Joint Enrollment - Percentage of Community College Students and Tuition/Fee Revenue



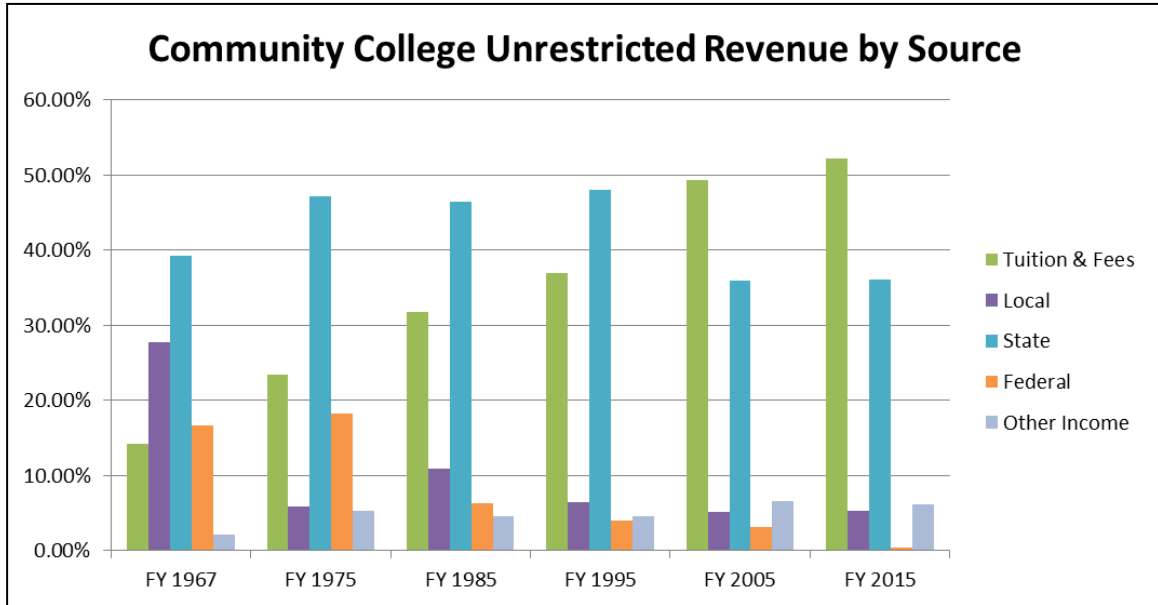
Charts prepared by Robin Madison, Senior Legislative Analyst, Fiscal Services Division, Legislative Services Agency, November 2016, from data published by the Iowa Department of Education, Division of Community Colleges, in The Annual Condition of Iowa's Community Colleges 2015.

*PSEO, as used in the chart at the top, refers to the Postsecondary Enrollment Options Program established under Iowa Code section 261E.6.



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F. Iowa Community College Historical Revenue by Source Chart³⁰



IV. Iowa Statutory Provisions

A. Governance

1. Governing Board

A community college governing board is a board of directors composed of one member elected by the voters of each director district in the area served by the community college.³¹ Boards can change the number of members,³² sometimes referred to as “trustees,” but the number cannot be less than five or more than nine.³³ Members serve four-year terms and must be residents of the director district from which they are elected. A school board member or member of an area education agency board cannot serve as a member of a community college governing board.³⁴ Members of the board are allowed their actual expenses incurred in the performance of their duties and may be eligible to receive per diem compensation.³⁵

³⁰ Chart prepared by Robin Madison, Senior Legislative Analyst, Fiscal Services Division, Legislative Services Agency, November 2016, from data published by the Iowa Department of Education, Division of Community Colleges.

³¹ Iowa Code §260C.11(1).

³² Iowa Code §260C.13(1).

³³ Iowa Code §260C.11(2).

³⁴ Iowa Code §260C.11(1).

³⁵ Iowa Code §260C.12(2).



2. Board of Directors — Authority

a. Requirements. Iowa Code section 260C.14 confers authority and places certain responsibilities on the board of directors of each community college as follows:

- **Curriculum.** Determine the curriculum to be offered, subject to approval of the Director of the Department of Education; ensure that all career and technical education (CTE) offerings are competency-based; provide any minimum competencies required by the department; comply with applicable state CTE requirements; and ascertain that all courses and programs are needed and do not duplicate programs provided by existing public or private facilities in the area. The board must mutually agree with the local school district on the competencies and performance levels of the CTE offerings that are transferable between the two institutions.³⁶ In addition, Iowa Code section 279.50(6) requires each community college that offers general adult basic education classes or courses to periodically offer an instructional program in parenting skills and in human growth and development for parents, guardians, prospective biological and adoptive parents, and foster parents.
- **Tuition.** Determine tuition rates for instruction³⁷ and adopt a schedule of fees determined by the student government for student activities.³⁸
- **General Powers.** Have the powers and duties with respect to community colleges that are prescribed by law for boards of directors of local school districts, except that the board is not required to prohibit the use of tobacco, alcoholic liquor, or beer by any student of legal age.³⁹ However, Iowa Code section 260C.40 requires that each community college adopt a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the community college or in conjunction with activities sponsored by the community college.
- **Contracts — Operations.** Have the power to enter into contracts and take other necessary action to ensure a sufficient curriculum and efficient operation and management of the college and maintain and protect the physical plant, equipment, and other property of the college.⁴⁰
- **Policies.** Establish policy and make rules, not inconsistent with law and administrative rules, regulations, and policies of the State Board of Education, for its own government and that of the administrative, teaching, and other

³⁶ Iowa Code §260C.14(1).

³⁷ Iowa Code §260C.14(2).

³⁸ Iowa Code §260C.18(7).

³⁹ Iowa Code §260C.14(3).

⁴⁰ Iowa Code §260C.14(4).



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personnel, and the students of the college, and aid in the enforcement of such laws, rules, and regulations.⁴¹

- **Traffic and Parking.** Make necessary rules to provide for the policing, control, and regulation of traffic and parking of vehicles and bicycles on the property of the community college. Penalties may be imposed for violation of the rules.⁴²
- **Credit Cards.** Be authorized to issue school credit cards to employees of community colleges to use for payment of authorized expenditures incurred in the performance of work-related duties.⁴³
- **Financial Statement.** Publish annually in at least one area newspaper a summarized statement showing the receipts and disbursements of all funds of the community college for the preceding fiscal year.⁴⁴
- **Faculty Competence.** Maintain policies related to the oral communication competence of instructors and the teaching proficiency and evaluation of teaching assistants.⁴⁵
- **Alternative Retirement Benefit Systems/Employee Investment Plans.** Provide for eligible alternative retirement systems through a nonprofit corporation or an insurance company.⁴⁶ A board may establish an investment plan for employees consisting of investment contracts on a group or individual basis.⁴⁷
- **Sexual Abuse Policy — Reporting.** Develop, implement, and disseminate a written policy addressing sexual abuse issues, including counseling, campus security, prevention, protection, and the rights and duties of students and employees of the community college. Facilitate the accurate and prompt reporting of sexual abuse to duly constituted law enforcement authorities.⁴⁸
- **State Reporting.** Annually provide to the Department of Education via the Management Information System information specified in statute, including but not limited to data relating to revenue, enrollment of high school students in community college courses, contract positions and other contracted expenses, and supplementary weighting.⁴⁹

⁴¹ Iowa Code §260C.14(5).

⁴² Iowa Code §260C.14(10).

⁴³ Iowa Code §260C.14(11).

⁴⁴ Iowa Code §260C.14(12).

⁴⁵ Iowa Code §260C.14(15), (16).

⁴⁶ Iowa Code §§97B.42(6), (7), 260C.14(17).

⁴⁷ Iowa Code §260C.14(9); I.R.C. §403(b).

⁴⁸ Iowa Code §260C.14(18).

⁴⁹ Iowa Code §260C.14(21).



- **Military Service/Residency for Tuition and Fees.** Adopt a policy to offer options to receive a refund for, or withdraw from or receive an incomplete for, a course to students who are members of the National Guard or military reserves who are ordered to National Guard duty or federal active duty.⁵⁰ The policy applies to a member’s spouse if the member has a dependent child.

The boards must also adopt rules that classify as residents, for purposes of undergraduate tuition and fees, qualified veterans and qualified military persons and their spouses and dependent children who are domiciled in this state, or who resided in Iowa for at least one year or filed an Iowa tax return in the preceding 12 months, while enrolled in a community college or regents university. The “qualified veteran” must be eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 and be domiciled in this state, whether or not the veteran is attending classes, in order for the spouse or dependent child to be eligible for status as a resident. “Qualified military person” means a person on active duty who is stationed in this state or at the Rock Island Arsenal.⁵¹

- **Statewide Articulation Agreement.** Enter into a collective statewide articulation agreement with the State Board of Regents to provide for the seamless transfer of academic credits from a completed associate of arts or associate of science degree program offered by a community college to a baccalaureate degree program offered by a regents university; to identify a transfer and articulation contact office or person, publicize transfer and articulation information and the contact information, and submit the contact information for publication on the articulation Internet site; and to collaborate with the State Board of Regents to meet the requirements to develop a systematic process for expanding academic discipline and faculty-to-faculty meetings, develop criteria to prioritize core curriculum areas, promote greater awareness of articulation-related activities, facilitate additional opportunities for individual institutions to pursue program articulation agreements for CTE programs, and develop and implement a process to examine a minimum of eight new associate of applied science degree programs for which articulation agreements would serve students’ continued academic success in those degree programs.⁵² In addition, the boards must annually file a report with the Governor and the General Assembly providing information and statistics for the previous five academic years on the number of students who are veterans per year who received education credit.⁵³

⁵⁰ Iowa Code §260C.14(20).

⁵¹ Iowa Code §260C.14(14)(b).

⁵² Iowa Code §§260C.14(22), 262.9(33).

⁵³ Iowa Code §260C.14(24).



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- **Child Abuse Policy — Reporting.** Develop and implement a written policy for an employee to report child abuse when the employee examines, attends, counsels, or treats a child in the employee’s scope of employment responsibilities. The policy must include reporting responsibilities which designate the time, circumstances, and method for reporting suspected child abuse to the community college’s administration and reporting to law enforcement. Nothing in the policy shall prohibit an employee from reporting suspected child abuse in good faith to law enforcement.⁵⁴
- b. **Powers.** The board of directors of a community college is authorized by statute to do the following:
 - **Use of Funding.** Receive and expend federal or state funds administered, allocated, and disbursed by, and subject to the approval of, the Director of the Department of Education, receive and expend tuition, state aid, donations, and gifts accepted by the governing board and expended in accordance with the terms of the gift without compliance with the local budget law, and receive and expend student fees.⁵⁵
 - **Payment of Claims.** Audit and allow all just claims against the community college.⁵⁶
 - **Capital Projects.** Acquire sites and erect and equip buildings for use by the community college and contract indebtedness and issue bonds to raise funds for such purposes.⁵⁷
 - **Additional Income.** Expend profits from auxiliary enterprises of the community college for services and equipment, including tutoring services, scholarships, grants, furniture, fixtures, and equipment for noninstructional student use, and for support of intramural and intercollegiate athletics.⁵⁸
 - **Leases.** Enter into lease agreements, with or without purchase options, and not to exceed 20 years in duration, for the leasing or rental of buildings for use as classrooms, laboratories, shops, libraries, and study halls for community college purposes, and pay for the leasing or rental with property tax revenues or other funds available to the community college such as federal and state funds, donations, and student tuition and fees.⁵⁹
 - **Apprenticeship Programs.** Establish or contract for the establishment of apprenticeship programs for persons at least 16 years of age who are employed in apprenticeable occupations. “Apprenticeship program” means a

⁵⁴ Iowa Code §260C.14(23).

⁵⁵ Iowa Code §260C.18. See also Iowa Code §260C.5(4), (5).

⁵⁶ Iowa Code §§260C.42, 260C.43.

⁵⁷ Iowa Code §260C.19.

⁵⁸ Iowa Code §260C.31.

⁵⁹ Iowa Code §260C.38.



plan that is registered with the U.S. Department of Labor, Office of Apprenticeship, and which contains the terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices under a written apprenticeship agreement.⁶⁰

- **Student Residences — Reports.** Undertake and carry out any project at a community college under the board's control and operate, control, maintain, and manage student residence halls and dormitories. Proceeds from the rent of the facilities are to be set at a rate that will allow the board to insure the payment of the principal of and interest on all bonds or notes issued to pay for the cost of the facilities and to insure that no property tax revenues will be needed to retire the debt.⁶¹ Each board must submit a quarterly report to the General Assembly concerning the projects funded by the issuance of bonds or notes.⁶²
- **Federal or Other Aid Accepted for Student Residences.** Apply for and accept federal aid or nonfederal gifts or grants of funds. Such funds may be used to pay all or any part of the cost of carrying out any project at any institution under the terms of Iowa Code chapter 260C, subchapter III, relating to the financing of residence halls and dormitories.⁶³

3. Director Districts

The board may change the number of directors on the board and make and adopt corresponding changes in the boundaries of the director districts within the community college's area.⁶⁴ The board is required to redraw director district boundary lines after each federal decennial census.⁶⁵

When the board redraws boundaries, certain standards must be followed.⁶⁶ Districts must be composed of contiguous territory and be as compact as practicable. All boundaries must follow precinct boundaries or school director district boundaries unless a boundary would divide one or more election precincts. To the extent possible, all director districts must be as nearly equal as practicable to the ideal population for the director districts as determined by dividing the population of the merged area by the number of director districts to be established. A city cannot be divided into two or more director districts unless the population of that portion of the city that is within the merged area is greater than the ideal size of a director district. When redrawing director districts,

⁶⁰ Iowa Code §260C.44.

⁶¹ Iowa Code §§260C.57, 260C.61.

⁶² Iowa Code §260C.66.

⁶³ Iowa Code §260C.65.

⁶⁴ Iowa Code §260C.13(1).

⁶⁵ Iowa Code §260C.13(2). If the community college board of directors fails to redraw director district boundary lines after the federal decennial census, the Director of the Department of Education is required to redraw the boundary lines. See Iowa Code §260C.5(2).

⁶⁶ Iowa Code §260C.13(3).



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consideration shall not be given to the addresses of incumbent officeholders, political affiliations of registered voters, previous election results, or demographic information other than population head counts, unless otherwise required by law.

4. Conduct of Elections

Board member candidates are nominated by petition. A petition must be signed by not less than 50 eligible electors of the director district from which the member is to be elected.⁶⁷ The regular election for the election of members of the board of directors or for other matters authorized by law and designated for election by the board of directors is held on the date of the school election, which is the second Tuesday in September of each odd-numbered year. Special elections for the imposition, rate increase, or discontinuance of the facilities or cash reserve levies may also be held on the second Tuesday in September of the even-numbered year.⁶⁸ Iowa Code section 260C.15 establishes filing deadlines for nomination petitions and a procedure for objections to a nomination petition and to the eligibility of a candidate for member of the board of directors.

5. Combining Merged Areas — Election

Any community college merged area may combine with any adjacent community college merged area after a favorable vote by the electors of each of the merged areas involved.⁶⁹

6. Legal Status

A community college (merged area) formed under Iowa law is a body politic as a school corporation for the purpose of exercising powers granted under Iowa Code chapter 260C, and as such may sue and be sued, hold property, and exercise all the powers granted by law and such other powers as are incident to public corporations of like character and are not inconsistent with the laws of the state.⁷⁰

7. Community College Budget Review

Iowa Code section 260C.18B establishes a community college budget review procedure to be administered by the School Budget Review Committee. The School Budget Review Committee consists of the Directors of the Departments of Education and Management as ex officio, nonvoting members, and four voting members appointed by the Governor and knowledgeable in the areas of Iowa school finance or public finance issues.⁷¹ The committee is directed to meet and hold hearings each year to review the unusual circumstances of community

⁶⁷ Iowa Code §260C.15(2).

⁶⁸ Iowa Code §§260C.15(1), 277.1.

⁶⁹ Iowa Code §260C.39. See Iowa Code §39.2(4)(c) for permissible special election dates.

⁷⁰ Iowa Code §260C.16.

⁷¹ Iowa Code §257.30.



colleges, either upon the committee's motion or upon the request of a community college. The Iowa Code section contains a nonexhaustive list of circumstances that qualify as "unusual." The committee may grant supplemental state aid to the community college from funds appropriated to the Department of Education for community college budget review purposes.⁷²

Failure by a community college to provide information to or appear before the committee as requested for a review or hearing constitutes justification for the committee to instruct the Department of Administrative Services to withhold supplemental state aid to that community college until the committee's inquiries are satisfied completely.⁷³

8. Accreditation — State Agency Oversight

In 1997, the State Board of Education established, as directed by the Iowa General Assembly, an accreditation process for community colleges.⁷⁴ The process, jointly developed and agreed upon by the Department of Education and the community colleges, must be integrated with the accreditation process of the Higher Learning Commission, including the evaluation cycle, the self-study process, and the criteria for evaluation, which incorporate the standards for community colleges developed by the state board in accordance with Iowa Code section 260C.48(4).⁷⁵

The department is required to use a two-component process for the continued accreditation of community college programs. The first component consists of submission of required data by the community colleges and annual monitoring by the department for compliance with state program evaluation requirements adopted by the state board.⁷⁶ The second component consists of the use of an accreditation team, appointed by the director of the department, to conduct an evaluation, including an on-site visit of each community college, with a comprehensive evaluation to occur once every 10 years, which cycle is the same as the evaluation by the Higher Learning Commission, and an interim evaluation midway between comprehensive evaluations.⁷⁷

If the state board determines that a program does not meet accreditation standards, the director of the department, in cooperation with the community college board of directors and subject to the approval of the state board, must establish a plan prescribing procedures to correct the deficiencies in meeting the program standards, and establish a deadline date for correction of the

⁷² Iowa Code §260C.18B(1).

⁷³ Iowa Code §260C.18B(4).

⁷⁴ See Iowa Code §260C.47.

⁷⁵ Iowa Code §260C.47(1)(u1).

⁷⁶ Iowa Code §260C.47(1)(a).

⁷⁷ Iowa Code §260C.47(1)(u1), (b).



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deficiencies. The deadline date cannot be later than June 30 of the year following the on-site visit.⁷⁸

The accreditation team must revisit the community college, determine whether the deficiencies in the standards for the program have been corrected, and make a report and recommendation to the director and the state board.⁷⁹ If the deficiencies have not been corrected, the community college board of directors must take one of the following actions within 60 days from removal of accreditation:⁸⁰

- Merge the deficient program or programs with a program or programs from another accredited community college.
- Contract with another educational institution for purposes of program delivery at the community college.
- Discontinue the program or programs which have been identified as deficient.

The director must give a community college that has a program which fails to meet accreditation standards at least one year's notice prior to removal of accreditation. If, during the year, the community college remedies the situation and satisfies the director that the community college will comply with the accreditation standards for that program in the future, the director must continue the accreditation of the program of the community college.⁸¹ Action by the director to remove a community college's accreditation of a program may be appealed to the state board.⁸²

9. Accreditation — Faculty

Standards relating to quality assurance of faculty and ongoing quality professional development must be the accreditation standards of the Higher Learning Commission and the faculty standards required under specific programs offered by the community college that are accredited by other accrediting agencies.⁸³ Community college instructors must also meet requirements as follows:

- Career and technical education instructors must hold the appropriate registration, certificate, or license for the occupational area in which the instructor is teaching, and hold a baccalaureate or graduate degree in the area or in a related area of study or occupational area in which the

⁷⁸ Iowa Code §260C.47(3).

⁷⁹ Iowa Code §260C.47(4).

⁸⁰ Iowa Code §260C.47(5).

⁸¹ Iowa Code §260C.47(6).

⁸² Iowa Code §260C.47(7).

⁸³ Iowa Code §260C.48(4).



instructor is teaching classes. In lieu of the degree requirements, CTE instructors must have 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 is a licensed practitioner who holds a CTE endorsement from the Board of Educational Examiners, relevant work experience in the occupational area includes but is not limited to classroom instruction in a CTE subject area.⁸⁴

- Arts and sciences instructors must either possess a master's degree with 12 credit hours of graduate level courses in each field of instruction in which the instructor is teaching classes or 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.⁸⁵

10. Quality Faculty Plans and Potential

Each community college administration must appoint a committee to develop a quality faculty plan.⁸⁶ The plan requirements may be differentiated for each type of employee.⁸⁷ The accreditation team appointed by the Director of the Department of Education must monitor the implementation of each community college's quality faculty plan as part of the state accreditation process.⁸⁸ The department is also directed to establish an ad hoc accreditation quality faculty plan protocol committee, an ongoing quality faculty plan professional development committee, and a community college faculty advisory committee.⁸⁹

Each community college's administration is required to encourage the continued development of faculty potential by regularly stimulating community college department chairpersons or heads to meet their responsibilities for the development of faculty potential, to reduce instructional loads for first-year instructors, to stimulate curricular evaluation, and to encourage an atmosphere in which the faculty brings a wide range of ideas and experiences to students, each other, and the community.⁹⁰

⁸⁴ Iowa Code §260C.48(1)(a).

⁸⁵ Iowa Code §260C.48(1)(b).

⁸⁶ Iowa Code §260C.36(1), (2).

⁸⁷ Iowa Code §260C.36(1)(i).

⁸⁸ Iowa Code §260C.47(1)(b).

⁸⁹ Iowa Code §260C.36(4).

⁹⁰ Iowa Code §260C.36(3).



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11. Faculty Contracts

Iowa Code provisions regulating elementary and secondary education teacher and administrator contracts, teacher probationary periods, evaluation criteria and procedures, and procedures for the discharge of teachers and administrators also apply to community college instructors other than adjunct instructors; librarians, including learning resource specialists and media specialists; counselors; and instructional administrators.⁹¹ Community college faculty are not subject to licensure by the Board of Educational Examiners. A coach employed by a community college is exempt from the coaching endorsement and authorization requirements of Iowa Code section 279.19B if the coach has not been issued a teaching contract. Such a person serves at the pleasure of the board of directors of the community college.

12. Limitation on Land Purchase

Community colleges are prohibited from purchasing land that increases the aggregate of land it owns, excluding land acquired by donation or gift, to more than 320 acres without the approval of the Director of the Department of Education. With the approval of the director, the board of directors may at any time sell any land in excess of 160 acres, and an election is not necessary in connection with the sale.⁹²

13. Alternative Fuels Requirement

All motor vehicles purchased by or used under the direction of the board of directors to provide services to a community college are required to operate on ethanol blended gasoline. A minimum of 10 percent of all new passenger vehicles and light pickup trucks purchased by or under the direction of a community college board of directors to provide services to a merged area, other than those vehicles used for law enforcement or off-road maintenance work, must be equipped with engines that utilize alternative methods of propulsion, including but not limited to flexible fuel, compressed or liquefied natural gas, propane gas, solar energy, and electricity.⁹³

14. Biobased Hydraulic Fluids Requirement — Preference

Hydraulic fluids, greases, and other industrial lubricants purchased by or used under the direction of the board of directors to provide services to a merged area must be purchased in compliance with preference program requirements for purchasing biobased hydraulic fluids, greases, and other industrial lubricants as provided in Iowa Code section 8A.316.⁹⁴ Similarly, a board must give preference

⁹¹ Iowa Code §§279.13(4), 279.23(4).

⁹² Iowa Code §260C.35. The 320-acre limit does not apply to a community college merged area that owned, by purchase, more than 320 acres prior to January 1, 1969. See Iowa Code §260C.22(1)(a) for permissible use of sale proceeds.

⁹³ Iowa Code §260C.19A.

⁹⁴ Iowa Code §260C.19B.



to purchasing designated biobased products (other than food or feed) that are, in significant part, comprised of biological products.⁹⁵

B. Powers and Duties of State Agencies and Departments

In addition to the powers and duties described in other areas of this Guide, state agencies and departments have the following powers and duties relating to community colleges:

- **Coordination Between Secondary and Postsecondary Institutions.** The Director of the Department of Education is required to explore the need for coordination between school districts, area education agencies, regents institutions, and community colleges for purposes of delivery of courses, use of telecommunications, transportation, and possibly for purposes of coordination of calendars, programs, schedules, or telecommunications emissions.⁹⁶
- **Program and Administrative Sharing.** The Department of Education is required to establish guidelines and an approval process for program sharing agreements and for administrative sharing agreements entered into by two or more community colleges or by a community college and a higher education institution under the control of the State Board of Regents.⁹⁷
- **Recommendations to State Board.** The Community College Council is required to assist the State Board of Education with substantial issues which are directly related to the community college system by formulating recommendations regarding issues referred by the State Board.⁹⁸
- **Duties of the State Board of Education.** The State Board of Education is required to adopt and establish policies for programs and services of the department which relate to community colleges; to prescribe standards and procedures for the approval of practitioner preparation programs and professional development programs under Iowa Code section 256.7, subsection 3; and to review and make recommendations that relate to community colleges in the five-year plan for the achievement of educational goals.⁹⁹
- **Area Career and Technical Education Schools.** The Director of the Department of Education is to designate an eligible community college as an “area career and technical education school” within the meaning of, and for the purpose of administering, the federal Career and Technical Education Improvement Act of 2006.¹⁰⁰ The director is also required to enter into

⁹⁵ Iowa Code §260C.19C.

⁹⁶ Iowa Code §256.9(35).

⁹⁷ Iowa Code §260C.46.

⁹⁸ Iowa Code §256.31.

⁹⁹ Iowa Code §260C.4.

¹⁰⁰ The federal Act was formerly the “Vocational Education Act of 1963.”



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contracts with local school boards within the area that have and maintain a CTE program and with private schools or colleges in the merged areas to provide courses or programs of study in addition to or as a part of the curriculum made available in the community college.¹⁰¹

- **Credit for Classes Completed by High School Students.** The Director of the Department of Education is required to make arrangements with boards of merged areas and local school districts to permit students attending high school to participate in CTE programs and advanced college placement courses and obtain credit for such participation for application toward the completion of a high school diploma. The granting of credit is subject to the approval of the director.¹⁰²
- **Boundaries of Merged Areas.** If approved by the board of directors of the affected merged areas, the Director of the Department of Education shall make changes in boundaries of merged areas. When the boundaries of a merged area are changed, the director may authorize the board of directors of the merged area to levy additional taxes upon the property within the merged area, or any part of the merged area, and distribute the taxes so that all parts of the merged area are paying their share toward the support of the community college.¹⁰³
- **Accounting System.** The Director of the Department of Education is required to prescribe a uniform system of accounting for community colleges.¹⁰⁴

C. Finance

1. Preparation and Approval of Budget — Operations Levy

The board of directors of each community college is required to prepare an annual budget designating the proposed expenditures for operation of the community college, and to designate the amounts to be raised by local taxation and through other sources of revenue for the community college's operation. The budget must be submitted to the State Board of Education for approval no later than May 1 preceding the next fiscal year. The state board reviews the proposed budget and can either grant its approval or return the unapproved budget with its comments attached. Any unapproved budget must be resubmitted to the state board for final approval. Upon approval of the budget by the state board, the board of directors must certify the amount to the respective county auditors, and the counties then annually levy a tax of not more than 20.25

¹⁰¹ Iowa Code §260C.5(1), (7).

¹⁰² Iowa Code §260C.5(8).

¹⁰³ Iowa Code §260C.5(3).

¹⁰⁴ Iowa Code §260C.5(9).



cents per \$1,000 of assessed value on taxable property in a community college's merged area for the operation of the community college.¹⁰⁵

2. Election to Incur Indebtedness

Indebtedness payable with property tax revenues cannot be incurred to acquire sites and erect and equip buildings for use by community colleges unless authorized by an election and approval by at least 60 percent of the voters voting on the proposition.¹⁰⁶

3. Facilities Levy

In addition to the tax authorized for community college operations, and upon resolution of the board of directors, the voters may at the regular school election or at a special election held in September of the even-numbered year approve a tax not exceeding 20.25 cents per \$1,000 of assessed value in any one year for a period not to exceed 10 years, unless otherwise provided, for the purchase of grounds, construction of buildings, payment of debts contracted for the construction of buildings, purchase of buildings and equipment for buildings, the acquisition of libraries, for paying utilities costs, and for maintaining, remodeling, improving, or expanding the community college.¹⁰⁷

In 2015, a provision was added in which, following approval of the imposition of the facilities property tax levy at two consecutive elections, and if the tax had been imposed for a period of at least 20 consecutive years, the board of directors of the merged area may, by resolution, at any time before the end of the most recently authorized period of time for imposing the tax, continue to impose the voted tax each year for an additional period not to exceed 10 years at a rate not to exceed the maximum rate approved at election until the tax is discontinued or its rate increased following an election initiated by petition of the voters in the merged area.¹⁰⁸

If the question of whether to discontinue the authority of the board of directors to impose a levy under Iowa Code section 260C.22 fails to gain approval at election, the question may not be submitted to the voters of the merged area for a period of 10 years following the date of the election.¹⁰⁹

To make revenues resulting from this facilities levy immediately available, the board may borrow money and enter into loan agreements in anticipation of the collection of the tax, and must, by resolution, provide for the levy of an annual tax, within the limits of the special voted tax authorized, sufficient to pay the principal and interest of the loan. Proceeds of the loan must be deposited in a special

¹⁰⁵ Iowa Code §260C.17.

¹⁰⁶ Iowa Code §260C.21.

¹⁰⁷ Iowa Code §260C.22(1)(a).

¹⁰⁸ Iowa Code §260C.22(2).

¹⁰⁹ Iowa Code §260C.22(3).



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fund, to be paid out by the president and secretary of the board for the purposes for which the tax was authorized.¹¹⁰

4. Tax for Equipment Replacement and Program Sharing

The board of directors may annually certify for levy a tax on taxable property in the community college's (merged) area at a rate not exceeding 3 cents per \$1,000 of assessed value for equipment replacement.¹¹¹ However, the board may exceed this amount if the excess tax levied does not cause the total rate certified to exceed a rate of 9 cents per \$1,000 of assessed value, and the excess revenue generated is used for purposes of program sharing between community colleges or for the purchase of instructional equipment.¹¹² To levy the excess amount, the board must submit the question to the voters at an election held on a day as specified in Iowa Code section 39.2(4)(c). Authorization requires the approval of a simple majority of those voting on the question at the election. If so authorized, the board may certify a levy for the excess amount during each of the 10 years following the election.¹¹³ Prior to expenditure of the excess revenues generated, the board must obtain the approval of the Director of the Department of Education.¹¹⁴

In 2015, a provision was added in which, following approval of the imposition of the additional tax at two consecutive elections, and if the additional tax has been imposed for a period of at least 20 consecutive years, the board of directors of the merged area, prior to expiration of the authority to impose the additional tax, may by resolution continue to impose the additional tax each year for an additional period not to exceed 10 years, until the tax is discontinued following an election initiated by petition of the voters in the merged area. If the question of whether to discontinue the authority of the board of directors to impose the additional tax fails to gain approval at election, the question may not be submitted to the voters of the merged area for a period of 10 years following the date of the election.¹¹⁵

5. Levy Fund Use Limitations

Revenues resulting from community college property tax levies cannot be used for the construction or maintenance of athletic buildings or grounds but may be used for residence hall or dormitory projects.¹¹⁶

¹¹⁰ Iowa Code §260C.22(1)(b).

¹¹¹ Iowa Code §260C.28(1).

¹¹² Iowa Code §260C.28(2).

¹¹³ Iowa Code §260C.28(3)(a).

¹¹⁴ Iowa Code §260C.28(2).

¹¹⁵ Iowa Code §260C.28(3)(b), (c).

¹¹⁶ Iowa Code §260C.34.



6. State Aid Distribution Formulas

a. Institutional. The Iowa Code provides for a state aid distribution formula for the allocation of state moneys appropriated annually by the General Assembly to the Department of Education for distribution to each community college.¹¹⁷ The formula includes a base funding allocation, a marginal cost adjustment, a three-year rolling average of full-time equivalent enrollment (FTEE), an extraordinary growth adjustment, and, in years when the inflation factor is greater than 2 percent, the formula provides an additional three-year rolling average FTEE allocation and other specified allocations.¹¹⁸ Each community college must annually submit a student enrollment audit to the department. If a community college fails to provide the department with information annually in the manner and form determined by the department, the department must estimate the community college's enrollment.¹¹⁹

b. Faculty Salary Supplement. The General Assembly began appropriating moneys from the General Fund of the State to the Department of Education for distribution to community colleges to supplement faculty salaries in 2007.¹²⁰ Iowa Code section 260C.18D establishes an instructor salary distribution formula for moneys appropriated to the community colleges for instructor salaries. For fiscal year 2016-2017, \$500,000 was appropriated from the General Fund of the State to supplement faculty salaries.¹²¹

7. Tax Credits

a. Renewable Energy Tax Credit. A community college, as a political subdivision of the state, that owns a small wind energy system located within a small wind innovation zone, may interconnect with an electric utility, benefit from a streamlined application process, utilize a model interconnection agreement, qualify under a model ordinance, and be allowed a renewable energy tax credit under Iowa Code chapter 476C.¹²²

b. Wind Energy Production Tax Credit. A community college is included in the definition of "qualified facility" for wind energy production tax credit applications filed for its own use of qualified electricity generated by a wind turbine with a combined nameplate capacity of three-fourths of a megawatt or greater. The qualified facility must have been placed in service on or after July 1, 2005, but before July 1, 2012.¹²³

¹¹⁷ Iowa Code §260C.18C.

¹¹⁸ Iowa Code §260C.18C(3).

¹¹⁹ Iowa Code §260C.18C(4).

¹²⁰ 2007 Iowa Acts, ch. 215 (SF 601), §31 (\$2 million in FY 2007-2008).

¹²¹ 2016 Iowa Acts, ch. 1132 (SF 2323), §4(29)(b).

¹²² Iowa Code §476.48.

¹²³ Iowa Code §476B.1(4)(d).



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8. Postsecondary Distance Education Agreements — Interstate Reciprocity

In 2014, Iowa Code chapter 261G was enacted,¹²⁴ its purpose to authorize the College Student Aid Commission to enter into or recognize agreements that will create interstate reciprocity in the regulation of postsecondary distance education for the purpose of encouraging cost savings for students and greater efficiencies and effectiveness for postsecondary institutions, including community colleges, but only if such agreements contain sufficient consumer protection provisions and are in the best interest of students enrolled in Iowa's postsecondary institutions.

9. Indebtedness for Insurance — Tax Levy

A community college may contract indebtedness and issue general obligation bonds or enter into insurance agreements obligating the corporation to make payments beyond its current budget year for one or more of the following mechanisms to protect the school district or corporation from tort liability, loss of property, environmental hazards, or any other risk associated with the operation of the school district or corporation:

- To procure or provide for a policy of insurance.
- To provide a self-insurance program.
- To establish and maintain a local government risk pool.¹²⁵

10. Joint Infrastructure Project — Statewide School Infrastructure Funds

A school district may use its share of school infrastructure revenues collected statewide from imposition of a 1 percent sales tax for a joint infrastructure project with one or more school districts or one or more school districts and a community college for buildings or facilities constructed or leased for the purpose of offering classes under a district-to-community college sharing agreement or concurrent enrollment program, subject to voter approval of a revenue purpose statement.¹²⁶

D. State Program and Operating Requirements

1. Workforce Training and Economic Development Funds

Iowa Code section 260C.18A provides for the creation of a workforce training and economic development fund for each community college. Moneys appropriated and allocated for purposes of these funds are distributed by the Department of Education utilizing the same distribution formula used for the allocation of state general aid to the community colleges.¹²⁷

¹²⁴ 2014 Iowa Acts, ch. 1063.

¹²⁵ Iowa Code §296.7.

¹²⁶ Iowa Code §423F.3(3).

¹²⁷ Iowa Code §260C.18A(3).



Of the moneys deposited in the funds, 70 percent must be used on projects in the areas of advanced manufacturing, information technology and insurance, alternative and renewable energy including alternative and renewable energy sectors, and life sciences including biotechnology, health care technology, and nursing care technology. Moneys in the funds shall be expended for projects that meet the requirements of the Accelerated Career Education (ACE) Program or the Iowa Jobs Training Act; for the development and implementation of career academies designed to provide new career preparation opportunities for high school students that are formally linked with postsecondary CTE programs; for programs and courses that provide career and technical training and for programs for in-service training and retraining; for development and implementation of pathways for academic career and employment programs; for development and implementation of programs for the GAP Tuition Assistance Program; for entrepreneurial education, small business assistance, and business incubators; and for development and implementation of the National Career Readiness Certificate and the Skills Certification System endorsed by the National Association of Manufacturers.¹²⁸

Each community college must adopt a two-year workforce training and economic development fund plan outlining the community college's proposed use of moneys appropriated, update the two-year plan annually, prepare an annual progress report on the plan's implementation, and annually submit the two-year plan and progress report to the department.¹²⁹

For the 2016-2017 fiscal year, a total of \$15.1 million was appropriated from the Iowa Skilled Worker and Job Creation Fund to the Department of Education for administration of and deposit in the workforce training and economic development funds.¹³⁰

2. Iowa Industrial New Jobs Training Act

The Iowa Industrial New Jobs Training Act, enacted in 1983, establishes a program coordinated and reviewed by the Economic Development Authority in consultation with the Departments of Education, Revenue, and Workforce Development. Rules adopted by the authority are to be used by a community college in developing projects with new and expanding industrial new jobs training proposals and that the authority uses to review and report on the program. The authority, in consultation with the participating community colleges, must identify the information necessary to effectively coordinate and review the program, and the community colleges must provide such information to the authority. Using the information provided, the authority, in consultation with the community colleges, must issue a report on the effectiveness of the program. However, the authority

¹²⁸ Iowa Code §260C.18A(2).

¹²⁹ Iowa Code §260C.18A(4).

¹³⁰ 2016 Iowa Acts, ch. 1132 (SF 2323), §22.



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must give due regard to the confidentiality of certain information provided by the community colleges.¹³¹

Under the program, a community college may enter into an agreement with a business to establish a jobs training project. Costs of the project may be paid from one or a combination of the following sources:¹³²

- Incremental property taxes to be received or derived from an employer's business property where new jobs are created as a result of the project.
- New jobs credit from withholding of wages (for income tax purposes) to be received or derived from new employment resulting from the project.
- Tuition, student fees, or special charges fixed by the board of directors to defray program costs in whole or in part.

Under Iowa Code section 403.21, however, jobs training projects administered under the Iowa Industrial New Jobs Training Act are prohibited within a municipality unless the municipality and the community college have entered into an agreement or have jointly adopted a plan relating to a community college's new jobs training program which provides for advance notification to each affected municipality, for exchange of information, for mutual consultation, and for procedural guidelines for all such new jobs training projects, including related project financing to be undertaken within the area of operation of the municipality. If an agreement is not reached, the community college may not use incremental property taxes to fund a jobs training project within the municipality.

3. Iowa Jobs Training Act

The Iowa Jobs Training Act, enacted in 1985, directs the Economic Development Authority, in consultation with the Department of Education and the Department of Workforce Development, to coordinate the Jobs Training Program.¹³³ The authority and the community colleges are authorized to fund jobs training projects,¹³⁴ business network training projects,¹³⁵ high technology apprenticeship programs,¹³⁶ and entrepreneur development and support activities.¹³⁷

A Job Training Fund is established for community colleges in the Economic Development Authority in the Workforce Development Fund. The Job Training Fund consists of moneys appropriated for the purposes of the program, plus the interest and principal from repayment of advances made to businesses for

¹³¹ Iowa Code §260E.7.

¹³² Iowa Code §§260E.3 – 260E.5.

¹³³ Iowa Code §260F.7.

¹³⁴ Iowa Code §260F.6(1).

¹³⁵ Iowa Code §260F.6A.

¹³⁶ Iowa Code §260F.6B.

¹³⁷ Iowa Code §260F.6(3).



program costs, plus the repayments, including interest, of loans made from that retraining fund, and interest earned from moneys in the Job Training Fund. To provide funds for the present payment of the costs of a training program by the business, the community college may provide to the business an advance of the moneys to be used to pay for the program costs as provided in the agreement. To receive the funds for this advance from the Job Training Fund, the community college must submit an application to the authority. The amount of the advance shall not exceed \$50,000 for any business site, or \$100,000 within a period of three fiscal years for any business site. If the project involves a consortium of businesses, the maximum award per project shall not exceed \$100,000. Prior to approval a business shall agree to match program amounts in accordance with criteria established by the authority.¹³⁸

Iowa Code section 15.342A(3) provides a standing limited appropriation of \$3 million from the Workforce Development Fund Account to the Job Training Fund.

4. Academic Incentives for Minorities Program

The mission of the Academic Incentives for Minorities Program (originally the Career Opportunity Program), created in 1995, is to encourage collaborative efforts by community colleges, regents institutions, and business and industry to enhance educational opportunities and provide for job creation and career advancement for Iowa's minorities by providing assistance to minorities who major in fields or subject areas where minorities are currently underrepresented or underutilized.¹³⁹ The program was administered by Des Moines Area Community College but is currently unfunded.

5. Accelerated Career Education Program Act

The Accelerated Career Education Program Act, enacted in 1999, permits an ACE program to be developed by an employer, a community college, and any employee of an employer who represents a program job and, if a bargaining agreement is in place, a representative of the employee bargaining unit.¹⁴⁰ Community college programs eligible for designation and approval as an ACE program include credit CTE programs that result in a certificate, diploma, associate of science degree, or associate of applied science degree and credit equivalent CTE programs consisting of not less than 540 contact hours of classroom and laboratory instruction that results in the conferring of a certificate or other recognized competency-based credential.¹⁴¹

An agreement entered into by a community college must specify the type and amount of funding sources that will be used to pay for the program costs, which funding may include program job credits from withholding, cash or in-kind

¹³⁸ Iowa Code §260F.6.

¹³⁹ Iowa Code §260C.29.

¹⁴⁰ Iowa Code §260G.3(1).

¹⁴¹ Iowa Code §260G.4(1).



Community Colleges

contributions by the employer, and tuition, fees, or special charges fixed by the community college.¹⁴² The employer must agree to interview graduating participants in the program for full-time positions with the employer and provide future hiring preferences to graduates of the program.¹⁴³ If an employer has more than four sponsored participants in the program, the employer must agree to offer a program full-time job position to at least 25 percent of those participants who successfully complete the program.¹⁴⁴ The program requires that an agreement provide for a wage level of no less than 200 percent of the federal poverty level for a family of two.¹⁴⁵

The employer and community college must certify to the Department of Revenue that the program job credits from withholding are in accordance with the program agreement.¹⁴⁶ The Economic Development Authority administers the statewide allocation of program job credits from withholding.¹⁴⁷ The total amount of program job credits from all employers allocated for all ACE programs in the state in any one fiscal year cannot exceed \$5.4 million. When the program job credits limit is reached for a fiscal year, the authority notifies all community colleges that further program job credits will not be available for the remainder of the fiscal year.¹⁴⁸

For the 2016-2017 fiscal year, from the \$15.1 million appropriated from the Iowa Skilled Worker and Job Creation Fund to the Department of Education for administration of and deposit in the workforce training and economic development funds of community colleges, \$6 million was allocated for ACE program capital projects at community colleges that are authorized under Iowa Code chapter 260G and that meet the definition of the term “vertical infrastructure” in Iowa Code section 8.57(5)(c).¹⁴⁹

6. Regional Career and Technical Planning Partnerships

Iowa Code section 258.14, enacted in 2016, provides for the establishment of regional career and technical education planning partnerships to assist school districts in delivering high-quality secondary CTE programs.¹⁵⁰ These regional partnerships must be established no later than June 30, 2017. The regional CTE partnerships must provide for the active participation of local school districts and community colleges in the delivery of CTE in the region and the participation of

¹⁴² Iowa Code §260G.3(2), (3).

¹⁴³ Iowa Code §260G.3(6).

¹⁴⁴ Iowa Code §260G.3(7).

¹⁴⁵ Iowa Code §260G.3(8).

¹⁴⁶ Iowa Code §260G.4A(3), (4).

¹⁴⁷ Iowa Code §260G.4C.

¹⁴⁸ Iowa Code §260G.4B.

¹⁴⁹ 2016 Iowa Acts, ch. 1132 (SF 2323), §22.

¹⁵⁰ See 2016 Iowa Acts, ch. 1108 (HF 2392), §46.



representatives of business and industry, including representatives of sector partnerships and community stakeholders; promote career and college readiness and high-quality, integrated CTE programming, including career academies; afford students the opportunity to access a spectrum of high-quality work-based learning experiences through collaboration with a work-based learning intermediary network; and provide for increased and equitable access to high-quality CTE programs through the planning and development of a system of regional centers.¹⁵¹

The regional CTE partnership is also responsible for ensuring compliance with standards adopted by the Board for Career and Technical Education; developing a multiyear plan; securing collaboration with secondary schools, postsecondary educational institutions, and employers to ensure the creation of high-quality CTE programming that aligns career guidance, 21st century CTE and academic curricula, and work-based learning opportunities; reviewing school district CTE programs and recommending to the department CTE programs for approval; coordinating and facilitating local advisory councils or establishing regional advisory councils for CTE programs; and planning for regional centers with the purpose of achieving equitable access to high-quality CTE programming and concurrent enrollment opportunities for all students.¹⁵²

Convening the regional partnership, whose membership is specified in statute, is the joint responsibility of the area education agency and community college located within the region. A regional partnership may use funds received from state and federal sources to convene, lead, and staff the regional partnership, to offer regional CTE professional development opportunities, to coordinate and maintain a career guidance system, and to purchase equipment on behalf of school districts and community colleges participating in the regional CTE planning partnership.¹⁵³

7. Pathways for Academic Career and Employment Act

The Pathways for Academic Career and Employment (PACE) Act was enacted in 2011¹⁵⁴ to provide funding to community colleges for the development of projects in coordination with the Economic Development Authority, the Department of Education, the Department of Workforce Development, local workforce development boards, and community partners, to implement a simplified, streamlined, and comprehensive process, along with customized support services, designed to enable eligible participants to acquire effective academic and employment training to secure gainful, quality, in-state employment.¹⁵⁵ The Department of Education is tasked with the following duties:

¹⁵¹ Iowa Code §258.14(1).

¹⁵² Iowa Code §258.14(3).

¹⁵³ Iowa Code §258.14(4) - (6).

¹⁵⁴ See Iowa Code ch. 260H.

¹⁵⁵ Iowa Code §260H.2(1).



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- Administering the PACE fund created in the State Treasury for the PACE program. Moneys in the fund are allocated to community colleges pursuant to the formula established in Iowa Code section 260C.18C. The annual aggregate total of grants awarded under the program is limited to not more than \$5 million.¹⁵⁶
- Adopting, in consultation with the community colleges, Economic Development Authority, Department of Workforce Development, and local workforce development boards, administrative rules to implement the program.¹⁵⁷

To be eligible for funding under the program, projects must further the ability of members of target populations to secure gainful, quality employment, further partnerships that link the community colleges to industry and nonprofit organizations, and further program outcomes, as specified in Iowa Code section 260H.4, for targeted populations, the regions served, and the industry partners in the area. Target population includes persons deemed low-skilled, persons earning incomes at or below 250 percent of the federal poverty level, unemployed and underemployed persons, and dislocated workers.¹⁵⁸

Each project implemented at a community college is to include measurable and effective recruitment, assessment, and referral activities designed for the target populations; integrate basic skills and work-readiness training with occupational skills training; combine customized supportive and case management services with training services to help participants overcome barriers to employment; and provide training services at times, locations, and through multiple, flexible modalities that are easily understood and readily accessible to the target populations.¹⁵⁹

Each community college receiving funding for the program must develop both a pipeline program and a career pathways and bridge curriculum development program in order to better serve the academic, training, and employment needs of the target populations.¹⁶⁰

A community college may use program moneys for the following:

- To employ pathway navigators to assist students in selecting pathways for academic career and employment projects that will result in gainful, quality, in-state employment and to ensuring students are successful once enrolled in pathways for academic career and employment projects.¹⁶¹

¹⁵⁶ Iowa Code §260H.2(2).

¹⁵⁷ Iowa Code §260H.8.

¹⁵⁸ Iowa Code §260H.3.

¹⁵⁹ Iowa Code §260H.5.

¹⁶⁰ Iowa Code §§260H.6(1), 260H.7(1).

¹⁶¹ Iowa Code §260H.7A.



- To provide staff and support for the development and implementation of regional industry sector partnerships within the region served by the community college.¹⁶²

8. Gap Tuition Assistance Act

The Gap Tuition Assistance (GAP) Act was enacted in 2011¹⁶³ to provide funding to community colleges for need-based tuition assistance to applicants to enable completion of continuing education certificate training programs for in-demand occupations.¹⁶⁴ The Act tasks the Department of Education with the following duties:

- Administering the GAP Fund created in the State Treasury for the GAP Program. Moneys in the fund are allocated to community colleges pursuant to the formula established in Iowa Code section 260C.18C. The annual aggregate total of grants under the program is limited to not more than \$2 million.¹⁶⁵
- Adopting, in consultation with the Economic Development Authority, administrative rules defining eligibility criteria for persons applying to receive tuition assistance under the program. Eligibility is based on an applicant's financial need and demonstrated ability to achieve the outcomes specified in the program.¹⁶⁶
- Adopting, in consultation with Economic Development Authority and the community colleges, administrative rules to implement the program.¹⁶⁷
- Establishing, in coordination with the community colleges, a steering committee charged with determining if the performance measures of the program are being met and with taking necessary steps to correct any deficiencies.¹⁶⁸
- Developing, in coordination with the community colleges, a common intake tracking system that shall be implemented consistently by each participating community college.¹⁶⁹
- Coordinating statewide oversight, evaluation, and reporting efforts for the program.¹⁷⁰

¹⁶² Iowa Code §260H.7B.

¹⁶³ See Iowa Code ch. 260I.

¹⁶⁴ Iowa Code §260I.2(1).

¹⁶⁵ Iowa Code §260I.2(2).

¹⁶⁶ Iowa Code §260I.3.

¹⁶⁷ Iowa Code §260I.11.

¹⁶⁸ Iowa Code §260I.10(1).

¹⁶⁹ Iowa Code §260I.10(2).

¹⁷⁰ Iowa Code §260I.10(3).



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An applicant for tuition assistance must complete an initial assessment administered by the community college receiving the application, and meet with a member of the staff for an interview, in order to determine the applicant's readiness to complete an eligible certificate program.¹⁷¹

Costs of a certificate program eligible for coverage by tuition assistance shall include but are not limited to tuition, direct training costs, required books and equipment, fees, and costs of providing direct staff support services including but not limited to marketing, outreach, application, interview, and assessment processes. Eligible costs for this purpose are limited to 20 percent of any allocation of moneys to the two smallest community colleges, 10 percent of any allocation of moneys to the two largest community colleges, and 15 percent of any allocation of moneys to the remaining 11 community colleges. Community college size shall be determined based on the most recent three-year rolling average full-time equivalent enrollment.¹⁷²

An eligible certificate program, as defined in Iowa Code section 260I.6, must not be offered for credit, but rather aligned with a certificate, diploma, or degree for credit. The program must offer training or a credential in an in-demand occupation, which is defined to include occupations in information technology, health care, advanced manufacturing, transportation and logistics, or any other industry designated as in-demand by a local workforce development board.¹⁷³

An individual who receives tuition assistance under the program must maintain regular contact with staff members for the certificate program to document the applicant's progress in the program; sign a release form to provide relevant information to community college faculty or case managers; 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 time; attend all required courses regularly; and meet with staff members for the certificate program to develop a job search plan.¹⁷⁴

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¹⁷¹ Iowa Code §§260I.7, 260I.8.

¹⁷² Iowa Code §260I.5.

¹⁷³ Iowa Code §260I.6.

¹⁷⁴ Iowa Code §260I.9.

APPENDIX A

Iowa Community Colleges

Area 1 (NICC)

Northeast Iowa Community College
Administrative Center
1625 Hwy 1505, Box 400
Calmar, Iowa 52132

Area 2 (NIACC)

North Iowa Area Community College
Administrative Center
500 College Drive
Mason City, Iowa 50401

Area 3 (ILCC)

Iowa Lakes Community College
Administrative Center
19 South 7th Street
Estherville, Iowa 51334

Area 4 (NCC)

Northwest Iowa Community College
Administrative Center
603 West Park Street
Sheldon, Iowa 51201-1046

Area 5 (ICCC)

Iowa Central Community College
Administrative Center
1 Triton Circle
Fort Dodge, Iowa 50501

Area 6 (IVCCD)

Iowa Valley Community College District
Administrative Center
3702 South Center Street
Marshalltown, Iowa 50158

Area 7 (HCC)

Hawkeye Community College
Administrative Center
1501 East Orange Road, Box 8015
Waterloo, Iowa 50704-8015

Area 9 (EICCD)

Eastern Iowa Community College
District
Administrative Center
306 West River Drive
Davenport, Iowa 52801

Area 10 (KCC)

Kirkwood Community College
Administrative Center
6301 Kirkwood Blvd., S.W., Box 2068
Cedar Rapids, Iowa 52406-2068

Area 11 (DMACC)

Des Moines Area Community College
Administrative Center
2006 South Ankeny Blvd.
Ankeny, Iowa 50023

Area 12 (WITCC)

Western Iowa Tech Community College
Administrative Center
4647 Stone Avenue, Box 5199
Sioux City, Iowa 51102-5199

Area 13 (IWCC)

Iowa Western Community College
Administrative Center
2700 College Road, Box 4C
Council Bluffs, Iowa 51502-3004

Area 14 (SWCC)

Southwestern Community College
Administrative Center
1501 West Townline Street
Creston, Iowa 50801

Area 15 (IHCC)

Indian Hills Community College
Administrative Center
525 Grandview Avenue
Ottumwa, Iowa 52501

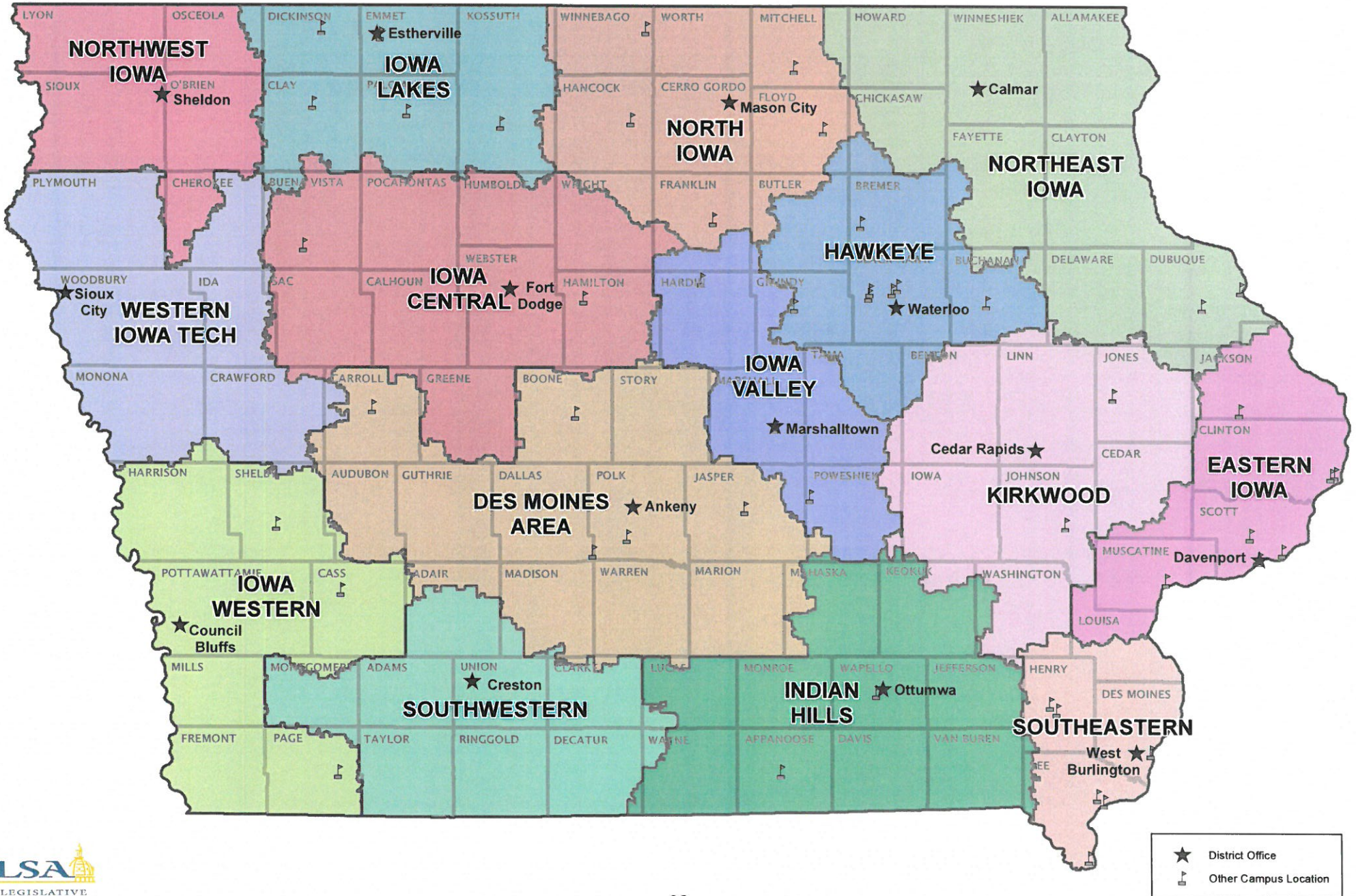
Area 16 (SCC)

Southeastern Community College
Administrative Center
1500 West Agency Road, Box 180
West Burlington, Iowa 52655-0180

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APPENDIX B

Iowa Merged Areas (Community College Districts)



★	District Office
🚩	Other Campus Location