

CHAPTER 20

COMMUNITY COLLEGES — MISCELLANEOUS PROVISIONS — DRINKING DRIVERS COURSES

S.F. 470

AN ACT relating to the duties and operations of the state's community colleges.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 8A.318, subsection 3, paragraph c, Code 2011, is amended to read as follows:

c. A school district, community college, or institution under the control of the state board of regents may, based upon the evaluation and assessment conducted pursuant to paragraph "b", opt out of compliance with the requirements of this section upon the affirmative vote of a majority of the members of the board of directors of the school district or a determination by the president of the community college or by the president or administrative officer of the regents institution. A school district, community college, or regents institution opting out of compliance pursuant to this paragraph shall notify the department of education, the state board ~~for community colleges~~ of education, or the state board of regents, ~~respectively~~ as appropriate, of this decision.

Sec. 2. Section 16.162, Code 2011, is amended to read as follows:

16.162 Authority to issue community college dormitory bonds and notes.

The authority shall assist a community college or the state board ~~for community colleges~~ of education as provided in chapter 260C, and the authority shall have all of the powers delegated to it in a chapter 28E agreement by a community college board of directors, the state board ~~for community colleges~~ of education, or a private developer contracting with a community college to develop a housing facility, such as a dormitory, for the community college, with respect to the issuance or securing of bonds or notes as provided in sections 260C.71 and 260C.72.

Sec. 3. Section 22.7, subsection 1, Code 2011, is amended to read as follows:

1. Personal information in records regarding a student, prospective student, or former student maintained, created, collected or assembled by or for a school corporation or educational institution maintaining such records. This subsection shall not be construed to prohibit a postsecondary education institution from disclosing to a parent or guardian information regarding a violation of a federal, state, or local law, or institutional rule or policy governing the use or possession of alcohol or a controlled substance if the child is under the age of twenty-one years and the institution determines that the student committed a disciplinary violation with respect to the use or possession of alcohol or a controlled substance regardless of whether that information is contained in the student's education records. This subsection shall not be construed to prohibit a school corporation or educational institution from transferring student records electronically to the department of education, an accredited nonpublic school, an attendance center, a school district, or an accredited postsecondary institution in accordance with section 256.9, subsection 48.

Sec. 4. Section 256.7, subsection 14, Code 2011, is amended to read as follows:

14. ~~Adopt rules which require~~ Require each community college which establishes a new jobs training project or projects and receives funds derived from or associated with the project or projects to establish a separate account to act as a repository for any funds received ~~and to report annually, by January 15, to the general assembly on funds received and disbursed during the preceding fiscal year in the form required by the department.~~

Sec. 5. Section 256.7, subsection 23, Code 2011, is amended to read as follows:

23. Adopt rules directing the community colleges to annually and uniformly submit data from the most recent fiscal year to the division of community colleges and workforce preparation, using criteria determined and prescribed by the division via the management information system.

a. Financial data submitted to the division by a community college shall be broken down by fund.

b. Community colleges shall provide data to the division by a deadline set by the division. The deadline shall be set for a date that permits the division to include the data in a report submitted for state board approval and for review by December 15 of each year by the house and senate standing education committees and the joint subcommittee on education appropriations.

c. The department shall include a statewide summary of the financial data submitted in accordance with paragraph "a" in the annual condition of community colleges report, which upon approval of the state board, shall be submitted to the general assembly on or before February 1 of each year.

Sec. 6. Section 256.31, subsection 4, Code 2011, is amended by striking the subsection.

Sec. 7. Section 259A.3, Code 2011, is amended to read as follows:

259A.3 Notice and fee.

Any applicant who has achieved the minimum passing standards as established by the department, and approved by the state board, shall be issued a high school equivalency diploma by the department upon payment of an additional ~~five dollars~~ amount determined in rules adopted by the state board of education to cover the actual costs of the production and distribution of the diploma. The state board of education may also by rule establish a fee for the issuance or verification of a transcript which shall be based on the actual costs of the production or verification of a transcript.

Sec. 8. Section 260C.4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The state board ~~for community colleges~~ shall:

Sec. 9. Section 260C.48, subsection 2, Code 2011, is amended to read as follows:

2. Standards developed shall include a provision that the ~~standard academic workload full-time teaching load~~ for an instructor in arts and ~~science~~ sciences courses shall be fifteen credit hours per school term semester, or the equivalent, and the maximum academic workload ~~for any instructor~~ shall be sixteen credit hours per school term, for classes taught during the normal school day semester, or the equivalent. In addition thereto, any faculty member may teach a course or courses at times other than the regular school week, involving total class instruction time equivalent to not more than a three-credit-hour course. The total workload for such instructors shall not exceed the equivalent of eighteen credit hours per school term. An instructor may also have an additional teaching assignment if the instructor and the community college administration mutually consent to the additional assignment and the total teaching load does not exceed twenty-two hours of credit per semester, or the equivalent.

Sec. 10. Section 260C.71, subsection 2, Code 2011, is amended to read as follows:

2. The authority shall cooperate with the state board ~~for community colleges~~, individual community colleges, and private developers, acting in conjunction with a community college to build housing facilities in connection with the community college, in the creation, administration, and funding of a community college dormitory bond program to finance housing facilities, such as dormitories, in connection with a community college.

Sec. 11. Section 260C.72, subsection 1, paragraph a, subparagraphs (2), (3), (4), and (6), Code 2011, are amended to read as follows:

(2) From the net rents, profits, and income which has not been pledged for other purposes arising from any similar housing facility under the control and management of the community college or state board ~~for community colleges~~.

(3) From the fees or charges established by the community college or state board ~~for community colleges~~ for students attending the institution who are living in the housing facility for which the obligation was incurred.

(4) From the income derived from gifts and bequests made to the institutions under the control of the community college or state board ~~for community colleges~~ for such purposes.

(6) From the amounts payable to the authority, the community college board of directors, the state board ~~for community colleges~~, or a private developer or operator, pursuant to a loan agreement, lease agreement, or sale agreement.

Sec. 12. Section 261E.8, subsection 5, Code 2011, is amended by striking the subsection.

Sec. 13. Section 262.9, subsection 33, unnumbered paragraph 1, Code 2011, is amended to read as follows:

In consultation with the state board ~~for community colleges established pursuant to section 260C.3 of education~~, establish and enter into a collective statewide articulation agreement with the community colleges established pursuant to chapter 260C, which shall 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 an institution of higher education governed by the board. The board shall also do the following:

Sec. 14. Section 266.39C, subsection 2, paragraph a, subparagraph (5), Code 2011, is amended to read as follows:

(5) One representative of community colleges, appointed by the state board ~~for community colleges of education~~.

Sec. 15. Section 321J.3, subsection 1, paragraph c, Code 2011, is amended to read as follows:

c. The court may prescribe the length of time for the evaluation and treatment or it may request that the community college or other approved provider conducting the course for drinking drivers which the person is ordered to attend or the treatment program to which the person is committed immediately report to the court when the person has received maximum benefit from the course for drinking drivers or treatment program or has recovered from the person's addiction, dependency, or tendency to chronically abuse alcohol or drugs.

Sec. 16. Section 321J.17, subsection 2, paragraph b, Code 2011, is amended to read as follows:

b. The court or department may request that the community college or substance abuse treatment providers licensed under chapter 125 or other approved provider conducting the course for drinking drivers that the person is ordered to attend immediately report to the court or department that the person has successfully completed the course for drinking drivers. The court or department may request that the treatment program which the person attends periodically report on the defendant's attendance and participation in the program, as well as the status of treatment or rehabilitation.

Sec. 17. Section 321J.22, subsection 1, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. 0a. "Approved provider" means a provider of a course for drinking drivers offered outside this state which has been approved by the department of education.

Sec. 18. Section 321J.22, subsection 2, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. 0d. The department of education may approve a provider of a course for drinking drivers offered outside this state upon proof to the department's satisfaction that the course is comparable to those offered by community colleges, substance abuse treatment programs licensed under chapter 125, and state correctional facilities as provided in this section. The department shall comply with the requirements of subsection 5 regarding such approved providers.

Sec. 19. REPEAL. Section 260C.3, Code 2011, is repealed.

Approved April 5, 2011