

CHAPTER 20
ACE PIAP PROGRAM

261—20.1(78GA,HF772,SF465) Purpose. The purpose of the ACE PIAP program is to provide capital funds for accelerated career education programs. Funding for the program is from the physical infrastructure assistance fund. The goal of the program is to provide an enhanced skilled workforce in Iowa.

261—20.2(78GA,HF772,SF465) Definitions.

“*Accelerated career education program*” or “*ACE*” means the program established pursuant to 1999 Iowa Acts, Senate File 465, section 3.

“*Agreement*” means a program agreement referred to in 1999 Iowa Acts, Senate File 465, section 3, between an employer and a community college.

“*Community college*” means a community college established under Iowa Code chapter 260C or a consortium of two or more community colleges.

“*Employee*” means a person employed in a program job.

“*Employer*” means a business or consortium of businesses engaged in interstate or intrastate commerce for the purposes of manufacturing, processing or assembling products, construction, conducting research and development, or providing services in interstate or intrastate commerce, but excluding retail services.

“*Highly skilled job*” means a job with a broadly based, high-performance skill profile including advanced computation and communication skills, technology skills and workplace behavior skills, and for which an applied technical education is required.

“*IDED*” or “*department*” means the Iowa department of economic development.

“*IDED board*” means the Iowa economic development board authorized under Iowa Code section 15.103.

“*Participant*” means an individual who is enrolled in an accelerated career education program at a community college.

“*Participant position*” means the individual student enrollment position available in an accelerated career education program.

“*PIAP*” means the physical infrastructure assistance program established in Iowa Code section 15E.175.

“*Program capital cost*” means classroom and laboratory renovation, new classroom and laboratory construction, site acquisition or preparation.

“*Program job*” means a highly skilled job available from an employer pursuant to a program agreement.

“*Program job position*” means a job position which is planned or available for an employee by the employer pursuant to a program agreement.

“*Program operating costs*” means all necessary and incidental costs of providing program services.

“*Program services*” means services that include all of the following provided they are pursuant to a program agreement: program needs assessment and development, job task analysis, curriculum development and revision, instruction, instructional materials and supplies, computer software and upgrades, instructional support, administrative and student services, related school to career training programs, skill or career interest assessment services and testing and contracted services.

“*Vertical infrastructure*” means land acquisition and construction, major renovation and major repair of buildings, all appurtenant structures, utilities, site development and recreation trails. Vertical infrastructure does not include equipment, routine, recurring maintenance or operational expenses or leasing of a building, appurtenant structure, or utility without a lease-purchase agreement.

261—20.3(78GA,HF772,SF465) Eligibility.

20.3(1) *Eligible programs.* All programs must demonstrate increased capacity to enroll additional students. To be eligible, a program must be either:

a. A credit career, vocational, or technical education program resulting in the conferring of a certificate, diploma, associate of science degree, or associate of applied science degree; or

b. A credit equivalent career, vocational, or technical educational program consisting of not less than 540 contact hours of classroom and laboratory instruction and resulting in the conferring of a certificate or other recognized, competency-based credential.

20.3(2) *Threshold requirements.* To be considered for funding, the following threshold requirements shall be met:

a. There must be documentation of pledged program positions paying at least 200 percent of the poverty level for a family of two. If the wage designated is after a training or probationary period, the employer must document that there is a plan in place regarding time frames for transition to the permanent full-time wage, and the employer must provide documentation that these time frames are reasonable and that the employer has previously adhered to the time schedule.

b. Documentation must be provided to demonstrate that the program meets the definition of an eligible program as detailed in subrule 20.3(1).

c. An applicant must demonstrate that the project builds capacity of the community college to train additional students for available jobs.

d. Documentation must be supplied to establish a 20 percent employer cash or in-kind match for program operating funds.

e. An applicant shall describe how the project enhances geographic diversity of project offerings across the state.

f. The community college must document that other private or public sources of funds are maximized prior to ACE capital cost funding.

g. ACE program capital cost projects must enhance the geographic diversity of state investment in Iowa. The IDED board will continuously review projects to ensure that there is statewide impact. The IDED board will prioritize projects to ensure geographic diversity.

20.3(3) *Vertical infrastructure.* Funds shall be used only for ACE program capital costs for projects that meet the definition of vertical infrastructure. Building repair, renovation and construction for the purposes of ACE program equipment installation shall be allowed.

261—20.4(78GA,HF772,SF465) Funding allocation.

20.4(1) *Base allocation.*

a. For fiscal year 1999-2000, \$3 million shall be allocated equally among the community colleges in the state. If a community college fails to obligate or encumber any of its allocation by April 1 of the fiscal year, the funds for that community college will revert back to the state level to be awarded to other community colleges on a competitive basis as described in subrule 20.4(2).

b. Community colleges shall submit an application, with an accompanying program agreement, to access the allocated funds. The application and program agreement shall document that all ACE eligibility requirements as detailed in rule 20.3(78GA,HF772,SF465) have been met.

c. All applications and program agreements for allocated funds that meet the ACE eligibility requirements will be forwarded to the IDED board for recommended funding.

20.4(2) *Competitive awards.* ACE program capital funds that are not allocated to a community college will be made competitively available to community colleges for ACE program capital costs.

20.4(3) *Evaluation criteria for competitive awards.* Applications and accompanying program agreements meeting all ACE eligibility requirements will be prioritized and rated using the following point criteria:

a. The degree to which the applicant adequately demonstrates a lack of existing public or private infrastructure for development of the partnership. There must be a demonstration that the project will build capacity in order for the project to be considered. Capacity will be measured in terms of jobs that are pledged, students that are interested in the program area and the capacity that is built at the community college to undertake the programming. Up to 33 points will be awarded.

b. Demonstration that the jobs resulting from the partnership would include wages, benefits and other attributes that would improve the quality of employment within the region. Projects where the average wage for the pledged jobs exceeds the regional or county average wage, whichever is lower for the location where the training is to be provided, will be awarded points based upon the percentage that the average wage of the pledged jobs exceeds the applicable average wage. Up to 33 points will be awarded.

c. Evidence of local, public or private contributions that meet the requirements of 1999 Iowa Acts, Senate File 465, section 3. Projects will be rated based upon the percentage of match that is pledged to the ACE program capital cost for the project. Up to 34 points will be awarded.

Applications that do not receive at least 66 out of 100 will not be forwarded to the IDED board for review. Projects will be competing against each other for IDED board approval and the number of points that a project receives will be considered in the award process.

261—20.5(78GA,HF772,SF465) Application procedures.

20.5(1) *Preapplication.* A preapplication process will be available to provide applicants with feedback as the project is developed. A preapplication can be made prior to employer sign off or community college board of director approval. Preapplications for projects that will cross community college boundaries, or for projects that involve employers from multiple community college areas, must have sign off from all college areas involved. A successful preapplication review will result in funds being set aside for the project from the competitive funds pool for 60 days, pending the receipt of a final application. Subsequent to the voluntary preapplication process, an application with an accompanying program agreement will be required to request funding from ACE PIAP funds.

20.5(2) *Final application.* Applicants shall submit a final application to IDED to request program funds.

20.5(3) *Staff review and recommendation.* A committee of IDED staff will review and rate applications based upon the rating criteria. Based upon this review, a decision will be made regarding submittal of the application to the IDED board for action.

20.5(4) *IDED board action.* The IDED board will review ACE program capital cost projects meeting the requirements prescribed in these rules. A program agreement, which is approved by the community college board of directors, must be attached to the final application. Approval or denial of applications that are submitted that are complete and in final form shall be made no later than 60 days following receipt of the application by the department. Subsequent to board approval, an award letter will be sent. The award letter will be followed by a contract. After a signed contract is in place, funding for a project may be requested.

261—20.6(78GA,HF772,SF465) Program agreements.

20.6(1) Program agreements will be developed by an employer, a community college and any employee of an employer representing a program job. The development of these agreements may be facilitated by an entity representing a group of employers. Any community college that has an employer from its merged area involved in an ACE project must enter into the agreement. If a bargaining unit is in place with the employer pledging the jobs, a representative of the bargaining unit shall take part in the development of the program agreement. All participating parties must sign the program agreement. The agreement must include employer certification of contributions that are made toward the program costs.

20.6(2) A program agreement shall include, at a minimum, the following terms: match provided by the employer; tuition, student fees, or special charges fixed by the community college board of directors; guarantee of employer payments; type and amount of funding sources that will be used to pay for program costs; description of program services and implementation schedule; the term of the agreement, not to exceed five years; the employer's agreement to interview graduates for full-time positions and provide hiring preference; for employers with more than four sponsored participants, certification that a job offer will be made to at least 25 percent of those participants that complete the program; an agreement by the employer to provide a wage level of no less than 200 percent of the federal poverty guideline for a family of two; a provision that the employer does not have to fulfill the job offer requirement if the employer experiences an economic downturn; a provision that the participants will agree to interview with the employer following completion of the program; and default procedures.

261—20.7(78GA,HF772,SF465) Monitoring. IDED will monitor ACE PIAP projects to ensure compliance with all program requirements.

261—20.8(78GA,HF772,SF465) Customer tracking system. Participants in the ACE program shall be included in the customer tracking system implemented by IWD. In order to achieve this, social security numbers on all ACE program trainees will be required.

261—20.9(78GA,HF772,SF465) Program costs recalculation. Program costs shall be calculated or recalculated on an annual basis based on the required program services for a specific number of participants. Agreement updates reflecting this recalculation must be submitted to IDED annually to review compliance with program parameters.

These rules are intended to implement 1999 Iowa Acts, House File 772 and Senate File 465.

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