

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 24, “Community College Accreditation,” Iowa Administrative Code.

These proposed amendments to Chapter 24 incorporate changes to the Department’s administrative rules that establish accreditation standards for Iowa’s community colleges. Several definitions are added to or amended under rule 281—24.3(260C). Several subrules and paragraphs in rule 281—24.5(260C) are revised, including those in which additional state standards pertaining to faculty qualifications, faculty load, and special needs are added. The proposed amendments to subrule 24.5(1) align the Department’s standards for faculty with those of the Higher Learning Commission (HLC) (formerly the North Central Association of Colleges and Schools), the regional accrediting body for Iowa’s community colleges, whose standards have recently been revised and are effective September 1, 2017. New paragraph 24.5(1)“c” establishes a statewide task force to develop procedures, guidelines and documentation and ensures ongoing compliance with HLC standards. The amendment to paragraph 24.5(2)“b” lifts the daily restriction on the career and technical education faculty load (maximum 6 hours) and simply maintains the aggregate 30 contact hours per week. The amendments to subrule 24.5(3) change the catchwords of the subrule from “special needs” to “special needs and protected classes” to align with Office for Civil Rights verbiage; the amendments also expand the standard by incorporating other categories protected by state or federal civil rights legislation. These amendments align the Iowa Department of Education’s accreditation processes with those of the HLC, the regional accrediting body.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments until 4:30 p.m. on January 6, 2017. Comments on the proposed amendments should be directed to Phil Wise, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-4835; e-mail phil.wise@iowa.gov; or fax (515)242-5988.

A public hearing will be held on January 6, 2017, from 11 a.m. to 12 noon in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs by calling (515)281-5295.

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

These amendments are intended to implement Iowa Code sections 260C.47 and 260C.48.

The following amendments are proposed.

ITEM 1. Amend rule 281—24.3(260C) as follows:

281—24.3(260C) Definitions. For purposes of interpreting rule 281—24.5(260C), the following definitions shall apply:

“Applied liberal arts and sciences course.” An applied liberal arts and sciences course is a course that is classified as arts and sciences in Iowa’s common course numbering system and that primarily consists of hands-on or occupational skill development, including but not limited to accounting, ceramics, criminal investigation, dance, drama, music, photography, and physical education.

“Department.” Department refers to the Iowa department of education.

“Director.” Director refers to the director of the department.

“Field of instruction.” ~~The determination of what constitutes each field~~ Field of instruction should be based on accepted practices of regionally accredited two- and four-year institutions of higher education indicates the discipline or occupational area within which an instructor teaches, which aligns with the content of the course being taught as indicated by the course prefix, title, or description.

“Full-time instructor.” An instructor is considered to be full-time if the community college board of directors designates the instructor as full-time. ~~Consideration of determining~~ Determination of full-time status shall be based on local board-approved contracts.

“Higher Learning Commission.” The Higher Learning Commission is the regional accrediting authority within the North Central Association of Colleges and Schools recognized by the U.S. Department of Education. Iowa Code sections 260C.47 and 260C.48 require that the state accreditation process be integrated with that of the ~~North Central Association of Colleges and Schools~~ Higher Learning Commission.

“Instructors meeting minimum requirements.” ~~A community college instructor meeting the minimum requirements of Iowa Code Supplement section 260C.48(1) as amended by 2008 Iowa Acts, House File 2679, is an instructor under contract for at least half-time or more teaching college credit courses. Beginning July 1, 2011, a community college instructor meeting the minimum requirements is an instructor teaching college credit courses. Credit courses shall meet requirements as specified in rule 281—21.2(260C), and meet program requirements for college parallel, career and technical education, and career-option programs as specified in rule 281—21.4(260C) and Iowa Code chapter 260C.~~

“Joint enrollment.” Joint enrollment refers to any community college credit course offered to students enrolled in a secondary school. Courses offered for joint enrollment include courses delivered through contractual agreements between school districts and community colleges, courses delivered through the postsecondary enrollment options program, and college credit courses taken independently by tuition-paying secondary school students.

“Minimum of 12 graduate hours.” ~~Full-time arts and sciences instructors must possess a master’s degree and complete a minimum of 12 graduate hours in their field of instruction. The 12 graduate hours may be within the master’s degree requirements or independent of the master’s degree, but all hours must be in the instructor’s field of instruction.~~

“Organization.” Organization is synonymous with community college and is used in this chapter to align with accreditation terminology used by the Higher Learning Commission.

“Qualifying graduate field or major.” A qualifying graduate field or major represents an academic discipline in which an instructor must have earned credit in order to teach courses in specified fields of instruction.

“Recent and relevant work Relevant tested experience.” ~~An hour of recent and relevant work Relevant tested experience is equal to 60 minutes. The community college shall determine what constitutes recent and relevant refers to the breadth, depth, and currency of work experience that relates to the instructor’s occupational and teaching area. The college shall maintain documentation of the instructor’s educational and work experience~~ outside of the classroom in real-world situations relevant to the field of instruction.

ITEM 2. Amend rule 281—24.5(260C), introductory paragraph, as follows:

281—24.5(260C) Accreditation components and criteria—additional state standards. To be granted accreditation by the state board of education, an Iowa community college shall also meet additional standards pertaining to minimum or quality assurance standards for faculty (Iowa Code section 260C.48(1)); faculty load (Iowa Code section 260C.48(2)); special needs and protected classes (Iowa Code section 260C.48(3)); career and technical education program evaluation (Iowa Code section 258.4(7)); facilities, parking lots and roads; strategic planning; quality faculty plan (Iowa Code section 260C.36); and senior year plus programs (Iowa Code chapter 261E).

ITEM 3. Amend subrule 24.5(1) as follows:

24.5(1) Faculty.

~~a.~~ Community college-employed instructors who are under contract for at least half-time or more, and by July 1, 2011, all instructors who teach in career and technical education or arts and sciences college credit courses shall meet minimum standards and institutional quality faculty plan requirements. In accordance with Iowa Code Supplement section 260C.48(1) as amended by 2008 Iowa Acts, House File 2679, standards Standards shall at a minimum require that all community college instructors who are under contract for at least half-time or more, and by July 1, 2011, all instructors meet the following requirements:

~~a.~~ (1) Instructors teaching courses in the subject area of career and technical education shall be registered, certified, or licensed in the occupational area in which the state requires registration, certification, or licensure, ~~and shall hold the appropriate registration, certificate, or license for the occupational area in which the instructor is teaching,~~ and shall meet either of the following qualifications:

(1) 1. Possess a baccalaureate or graduate degree or higher in the area or a related area of study or occupational area field of instruction in which the instructor is teaching classes.

(2) 2. ~~Special~~ Possess a combination of education, training, and at least 6,000 hours of recent and relevant work tested experience in the occupational area or related occupational area field of instruction in which the instructor teaches classes if. If the instructor possesses less than a baccalaureate degree is a licensed practitioner who holds a career and technical endorsement under Iowa Code chapter 272, relevant work experience in the occupational area includes, but is not limited to, classroom instruction in a career and technical education subject area offered by a school district or accredited nonpublic school.

~~b.~~ (2) Instructors in the subject area of arts and sciences shall meet either one of the following qualifications:

(1) 1. Possess a master's degree or higher from a regionally accredited graduate school, ~~and have successfully completed a minimum of 12 credit hours of graduate level courses~~ in each field of instruction in which the instructor is teaching classes.

(2) 2. ~~Have two or more years of successful experience~~ Possess a master's degree or higher from a regionally accredited graduate school and have completed a minimum of 18 graduate semester hours in a professional field or area combination of the qualifying graduate fields identified as related to the field of instruction 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. These 18 graduate semester hours must include at least 6 credits in the specific course content being taught, with at least 12 credits required for courses that serve as prerequisites for junior-level courses at transfer institutions.

For the transition period ending September 1, 2017, an instructor deemed qualified to teach with a master's degree and 12 graduate semester hours within a field of instruction and who demonstrates adequate progress toward meeting the goals of the instructor's individual quality faculty plan shall remain qualified to teach until the date specified in the quality faculty plan or September 1, 2017, whichever comes first.

3. For courses identified as applied liberal arts and sciences, possess at least a bachelor's degree and a combination of formal training and professional tested experience equivalent to 6,000 hours. The instructor shall hold the appropriate registration, certification, or licensure in occupational areas in which such credential is necessary for practice.

~~e. b.~~ Developmental education and adult education noncredit instructors employed half-time or more ~~may or may not meet minimum requirements depending on their teaching assignments and the relevancy of~~ are not subject to standards to the courses they are teaching and the transferability of such courses under this subrule. If instructors are teaching credit courses reported in arts and sciences or career and technical education, it is recommended that these Adult education instructors shall meet minimum standards set forth in 281—subrule 21.3(1), paragraph “a” or “b.” rule 281—23.6(260C). By July 1, 2011, all instructors teaching credit courses shall meet minimum standards.

c. A faculty standards council shall be convened by the department to review procedures for establishing and reviewing minimum instructor qualifications and definitions for “field of instruction,” “applied liberal arts and sciences courses,” “qualifying graduate field or major,” and “relevant tested experience.” Definitions shall be based on accepted practices of regionally accredited two- and four-year institutions of higher education.

(1) The council shall include faculty and academic administrators and meet at least annually. The council shall make recommendations to a committee consisting of the chief academic officers of Iowa’s 15 community colleges. The committee shall adopt definitions and minimum faculty qualification standards to be utilized for the state accreditation process. Each community college shall adhere to the adopted definitions and minimum faculty qualification standards.

(2) When utilizing relevant tested experience to qualify an instructor to teach classes within a specific field of instruction, each community college shall maintain well-defined policies, procedures, and documentation in alignment with the adopted definitions and minimum faculty qualification standards. This documentation shall demonstrate that the instructor possesses the experience and expertise necessary to teach in the specified field of instruction and is current in the instructor’s discipline. When tested experience is assessed, an hour of relevant work is equal to 60 minutes and one full-time year of relevant work is equal to 2,000 hours.

ITEM 4. Amend paragraph **24.5(2)“b”** as follows:

b. *Career and technical education.* The full-time teaching load of an instructor in career and technical education programs shall not exceed 6 hours per day, and an aggregate of 30 hours per week or the equivalent. An instructor may also teach the equivalent of an additional 3 credit hours, provided the instructor consents to this additional assignment. When the teaching assignment includes classroom subjects (nonlaboratory), consideration shall be given to establishing the teaching load more in conformity with that of paragraph 24.5(2) “a.”

ITEM 5. Amend subrule 24.5(3) as follows:

24.5(3) *Special needs and protected classes.* Community colleges shall provide equal access ~~in~~ to the full range of program offerings and services including, but not limited to, recruitment, enrollment, and placement activities for students with ~~disabilities~~ special education needs or protected by state or federal civil rights regulations. Students with disabilities shall be given access to the full range of ~~course~~ program offerings at a college through reasonable accommodations.

ITEM 6. Amend subrule 24.5(4), introductory paragraph, as follows:

24.5(4) *Career and technical education evaluation.* The director of the department shall ensure that Iowa’s community colleges annually review at least 20 percent of the approved career and technical educational programs ~~as a basis for continuing approval~~. The community college career and technical program review and evaluation system must ensure that the programs:

ITEM 7. Amend paragraph **24.5(4)“c”** as follows:

c. Meet educational needs of the students and employment community, including students with ~~disabilities, both male and female students, and students from diverse racial and ethnic groups~~ special education needs or protected by state or federal civil rights regulations.

ITEM 8. Amend paragraph **24.5(4)“g”** as follows:

g. Provide students with support services and eliminate access barriers to education and employment for ~~both traditional and nontraditional students, men and women, persons from diverse racial and ethnic groups, and persons with disabilities~~ students with special education needs or protected by state or federal civil rights regulations.

ITEM 9. Amend subparagraph **24.5(7)“b”(9)** as follows:

(9) Compliance with the faculty accreditation standards of the ~~North Central Association of Colleges and Schools~~ Higher Learning Commission and with faculty standards required under specific programs offered by the community college that are accredited by other accrediting agencies. It is recommended that the plan provide for the uniform reports with substantiating data currently required for ~~North Central Association of Colleges and Schools~~ Higher Learning Commission accreditation.

ITEM 10. Amend subparagraph **24.5(7)“c”(3)** as follows:

(3) Documentation submitted by the college that the college is implementing the approved plan, including, but not limited to, evidence of plan monitoring, evaluation and updating; evidence that the faculty has attained, or is progressing toward attaining, minimum competencies and standards contained in Iowa Code section 260C.48 ~~as amended by 2008 Iowa Acts, House File 2679, and 2007 Iowa Acts, Senate File 588~~; evidence that faculty members have been notified of their progress toward attaining minimum competencies and standards; and evidence that the college meets the minimum accreditation requirements for faculty required by the ~~North Central Association of Colleges and Schools~~ Higher Learning Commission.