

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 56, "Iowa Vocational Rehabilitation Services," Iowa Administrative Code.

Many of the amendments are nonsubstantive clean-up items that primarily reflect actual practice and that will not alter the services provided to clients of the Division of Vocational Rehabilitation Services. The amendments of consequence do the following:

- Item 1 adds a definition of "menu of services" (and Items 6 and 8 through 10 reflect the addition of this term) because this term is used by the Division in client materials; adding the term to the rules makes the menu of services more generally accessible to the public and to clients.

- Items 3 and 4 clarify eligibility for Division services of recipients of social security disability payments or Supplemental Security Income payments, not because of any new laws or regulations, but because current language is not clear.

- Items 5, 7 and 8 change postsecondary education assistance in order to assist the greatest practical number of eligible clients. The amount of assistance to an eligible client in the first or second year of college will be based on the tuition charged by the least expensive Iowa community college, even if the client is enrolled in a four-year postsecondary institution. The amendments also add paragraphs about various graduate schools, non-credit courses, and distance learning. A copy of the proposed changes was sent to the financial aid administrator of every postsecondary institution in Iowa. Two pre-Notice comments were received. One financial aid administrator merely asked for a timeline of when the rates will be published. The other financial aid administrator (from a community college) noted that these changes may encourage more students to take their first two years of postsecondary work at a community college, but also noted that the reality of serving more students with fewer dollars to each student served may mean that some students discontinue their postsecondary education. The commenter added that students who qualify for other financial aid will retain the potential to have full coverage of the students' postsecondary costs.

- Item 13 adds a factor to those considered by the Division when purchasing items for a client and provides for repossession of the item by the Division.

- Item 14 makes the process of appealing a denial of services easier for a client or would-be client of the Division.

- Items 15 through 20 pertain to the Iowa self-employment program, reducing from three to two the number of document requirements scored by business development specialists and adding provisions consistent with federal law regarding types of business ventures that may not be funded by the program.

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

Notice of Intended Action was published in the April 7, 2010, Iowa Administrative Bulletin as **ARC 8641B**. Public comments were allowed until 4:30 p.m. on April 27, 2010. No one requested a public hearing; no written or oral comments were received.

These amendments are identical to those published under Notice.

These amendments are intended to implement Iowa Code chapter 259.

These amendments shall become effective July 7, 2010.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Ch 56] is being omitted. These amendments are identical to those published under Notice as **ARC 8641B**, IAB 4/7/10.

[Filed 5/13/10, effective 7/7/10]

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[For replacement pages for IAC, see IAC Supplement 6/2/10.]