

260G.3 Program agreements.

1. A community college may enter into an agreement with an employer in the community college's merged area to establish an accelerated career education program. The program shall be developed by an employer, a community college, and any employee of an employer who represents a program job. If a bargaining agreement is in place, a representative of the employee bargaining unit shall also take part in the development of the program.
2. An agreement may include reasonable and necessary provisions to implement the accelerated career education program. If an agreement that utilizes program job credits is entered into, the community college and the employer shall notify the department of revenue as soon as possible. The community college shall also file a copy of the agreement with the department of economic development as required in section 260G.4B. The agreement shall provide for program costs, including deferred costs, which may be paid from any of the following sources:
 - a. Program job credits which the employer receives based on the number of program job positions agreed to by the employer to be available under the agreement.
 - b. Cash or in-kind contributions by the employer toward the program cost. At a minimum, the employer contribution shall be twenty percent of the program costs.
 - c. Tuition, student fees, or special charges fixed by the board of directors to defray program costs.
 - d. Guarantee by the employer of payments to be received under paragraphs "a" and "b".
 - e. Moneys from a workforce training and economic development fund created in section 260C.18A, based on the number of program job positions agreed to by the employer to be available under the agreement, the amount of which shall be calculated in the same manner as the program job credits provided for in section 260G.4A.
3. An agreement shall include a provision which specifies the type and amount of funding sources which shall be used to pay for program costs.
4. An agreement shall describe program services and schedules for implementation.
5. The term of an agreement shall not exceed five years from the date of the agreement. However, the agreement may be renewed.
6. As part of the agreement, the employer shall agree to interview graduating participants for full-time positions with the employer and to provide future hiring preferences to graduates of the accelerated career education program provided for in the agreement.
7. As part of an agreement, if an employer has more than four sponsored participants in the program, the employer shall agree to offer a program job position of full-time employment to at least twenty-five percent of those participants who successfully complete the program.
8. An agreement shall provide for a wage level of no less than two hundred percent of the federal poverty level for a family of two as defined by the most recently revised poverty income guidelines as published by the United States department of health and human services at the time the agreement is entered into. The wage level shall be recertified for each year provided in the agreement on the anniversary of the effective date of the agreement.
9. An agreement shall allow an employer to decline to satisfy any provisions in the agreement relating to

subsections 6 and 7 if an employer experiences an economic downturn. For purposes of this subsection, "*economic downturn*" may include a layoff of existing employees, reduced employment levels, increased inventories, or reduced sales, if specified in the agreement.

10. Participants shall agree to interview with the employer following completion of the accelerated career education program.

11. An agreement shall provide for employer default procedures.

99 Acts, ch 179, §3, 12; 2000 Acts, ch 1196, §3, 10; 2003 Acts, ch 145, §286; 2003 Acts, 1st Ex, ch 2, §79, 209

For future repeal of 2003 amendments to subsection 2 effective June 30, 2010, see 2003 Acts, 1st Ex, ch 2, §93