

CHAPTER 260I

GAP TUITION ASSISTANCE ACT

Referred to in [§260C.18A](#)

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260I.1 Title.

[This chapter](#) shall be known and may be cited as the “*Gap Tuition Assistance Act*”.
[2011 Acts, ch 132, §79, 106](#)

260I.2 Gap tuition assistance program — fund.

1. A gap tuition assistance program is established to provide funding to community colleges for need-based tuition assistance to applicants to enable completion of continuing education certificate training programs for in-demand occupations.

2. *a.* There is established for the community colleges a gap tuition assistance fund in the state treasury to be administered by the department of education. The funds in the gap tuition assistance fund are appropriated to the department of education for the gap tuition assistance program.

b. The aggregate total of grants awarded from the gap tuition assistance fund during a fiscal year shall not be more than two million dollars.

c. Moneys in the fund shall be allocated pursuant to the formula established in [section 260C.18C](#). Notwithstanding [section 8.33](#), moneys in the fund at the close of the fiscal year shall not revert to the general fund of the state but shall remain available for expenditure for the purpose designated for subsequent fiscal years. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the fund shall be credited to the fund.

[2011 Acts, ch 132, §80, 106; 2012 Acts, ch 1132, §18](#)

260I.3 Applicants for tuition assistance — eligibility criteria.

1. The department of education, in consultation with the economic development authority, shall adopt rules pursuant to [this chapter](#) defining eligibility criteria for persons applying to receive tuition assistance under [this chapter](#).

2. Eligibility for tuition assistance under [this chapter](#) shall be based on financial need. Criteria to be assessed in determining financial need shall include but is not limited to:

- The applicant’s family income for the six months prior to the date of application.
- The applicant’s family size.
- The applicant’s county of residence.

3. *a.* An applicant for tuition assistance under [this chapter](#) must have a demonstrated capacity to achieve the following outcomes:

- The ability to complete an eligible certificate program.
- The ability to enter a postsecondary certificate, diploma, or degree program for credit.
- The ability to gain full-time employment.
- The ability to maintain full-time employment over time.

b. The community college receiving the application shall only approve an applicant for tuition assistance under [this chapter](#) if the community college determines the applicant has a strong likelihood of achieving the outcomes described in paragraph “*a*” after considering factors including but not limited to:

- Barriers that may prevent an applicant from completing the certificate program.
- Barriers that may prevent an applicant from gaining employment in an in-demand occupation.

4. Applicants may be found eligible for partial or total tuition assistance.

5. Tuition assistance shall not be approved when the community college receiving the application determines that funding for an applicant's participation in an eligible certificate program is available from any other public or private funding source.

[2011 Acts, ch 118, §87, 89](#); [2011 Acts, ch 132, §81, 106](#); [2015 Acts, ch 140, §44, 58, 59](#)

2015 amendment to subsection 2, paragraph a takes effect July 2, 2015, and applies retroactively to July 1, 2015; 2015 Acts, ch 140, §58, 59
Subsection 2, paragraph a amended

260I.4 Applicants for tuition assistance — additional provisions.

1. An applicant for tuition assistance under [this chapter](#) shall provide to the community college receiving the application documentation of all sources of income.

2. Only an applicant eligible to work in the United States shall be approved for tuition assistance under [this chapter](#).

3. An application shall be valid for six months from the date of signature on the application.

4. A person shall not be approved for tuition assistance under [this chapter](#) for more than one eligible certificate program.

5. Eligibility for tuition assistance under [this chapter](#) shall not be construed to guarantee enrollment in any community college certificate program.

6. Eligibility for tuition assistance under [this chapter](#) shall be limited to persons earning incomes at or below two hundred fifty percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

7. Persons earning incomes between one hundred fifty percent and two hundred fifty percent, both percentages inclusive, of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services shall be given first priority for tuition assistance under [this chapter](#). Persons earning incomes below one hundred fifty percent of the federal poverty level shall be given second priority for tuition assistance under [this chapter](#).

8. A person who is eligible for financial assistance pursuant to the federal Workforce Investment Act of 1998, Pub. L. No. 105-220, or the federal Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, shall be ineligible for tuition assistance under [this chapter](#) unless such funds budgeted for training assistance for the adult, dislocated worker, or youth programs have been fully expended by a workforce region.

[2011 Acts, ch 132, §82, 106](#); [2013 Acts, ch 141, §48](#); [2015 Acts, ch 140, §45, 58, 59](#)

2015 amendment to section takes effect July 2, 2015, and applies retroactively to July 1, 2015; 2015 Acts, ch 140, §58, 59
NEW subsections 7 and 8

260I.5 Eligible costs.

Costs of a certificate program eligible for coverage by tuition assistance shall include but are not limited to:

1. Tuition.

2. Direct training costs.

3. Required books and equipment.

4. Fees including but not limited to fees for industry testing services and background check testing services.

5. Costs of providing direct staff support services including but not limited to marketing, outreach, application, interview, and assessment processes. Eligible costs for this purpose shall be limited to twenty percent of any allocation of moneys to the two smallest community colleges, ten percent of any allocation of moneys to the two largest community colleges, and fifteen percent of any allocation of moneys to the remaining eleven community colleges. Community college size shall be determined based on the most recent three-year rolling average full-time equivalent enrollment.

[2011 Acts, ch 132, §83, 106](#); [2013 Acts, ch 141, §49](#)

260I.6 Eligible certificate programs.

For the purposes of [this chapter](#), “*eligible certificate program*” means a program meeting all of the following criteria:

1. The program is not offered for credit, but is aligned with a certificate, diploma, or degree for credit, and does any of the following:

- a. Offers a state, national, or locally recognized certificate.
- b. Offers preparation for a professional examination or licensure.
- c. Provides endorsement for an existing credential or license.
- d. Represents recognized skill standards defined by an industrial sector.
- e. Offers a similar credential or training.

2. The program offers training or a credential in an in-demand occupation. For the purposes of [this chapter](#), “*in-demand occupation*” includes occupations in the following industries:

- a. Information technology.
- b. Health care.
- c. Advanced manufacturing.
- d. Transportation and logistics.
- e. Any other industry designated as in-demand by a regional advisory board established pursuant to [section 84A.4](#).

[2011 Acts, ch 132, §84, 106](#)

260I.7 Initial assessment.

An applicant for tuition assistance under [this chapter](#) shall complete an initial assessment administered by the community college receiving the application to determine the applicant’s readiness to complete an eligible certificate program. The assessment shall include assessments for completion of a national career readiness certificate, including the areas of reading for information, applied mathematics, and locating information. An applicant shall complete any additional assessments and occupational research required by an eligible certificate program.

[2011 Acts, ch 132, §85, 106; 2012 Acts, ch 1132, §19](#)

260I.8 Program interview.

An applicant for tuition assistance under [this chapter](#) shall meet with a member of the staff for an eligible certificate program offered by the community college receiving the application. The staff member shall discuss the relevant industry, any applicable occupational research, and any applicable training relating to the eligible certificate program. The discussion shall include an evaluation of the applicant’s capabilities, needs, family situation, work history, educational background, attitude and motivation, employment skills, vocational potential, and employment barriers. The discussion shall also include potential start dates, support needs, and other requirements for an eligible certificate program.

[2011 Acts, ch 132, §86, 106](#)

260I.9 Participation requirements.

1. A participant in an eligible certificate program who receives tuition assistance pursuant to [this chapter](#) shall do all of the following:

- a. Maintain regular contact with staff members for the certificate program to document the applicant’s progress in the program.
- b. Sign a release form to provide relevant information to community college faculty or case managers.
- c. Discuss with staff members for the certificate program any issues that may impact the participant’s ability to complete the certificate program, obtain employment, and maintain employment over time.
- d. Attend all required courses regularly.
- e. Meet with staff members for the certificate program to develop a job search plan.

2. A community college may terminate tuition assistance for a participant who fails to meet the requirements of [this section](#).

[2011 Acts, ch 132, §87, 106](#)

260I.10 Oversight.

1. The department of education, in coordination with the community colleges, shall establish a steering committee. The steering committee shall determine if the performance measures of the gap tuition assistance program are being met and shall take necessary steps to correct any deficiencies. The steering committee shall meet at least quarterly to evaluate and monitor the performance of the gap tuition assistance program.

2. The department of education, in coordination with the community colleges, shall develop a common intake tracking system that shall be implemented consistently by each participating community college.

3. The department of education shall coordinate statewide oversight, evaluation, and reporting efforts for the gap tuition assistance program.

[2011 Acts, ch 132, §88, 106](#)

260I.11 Rules.

The department of education, in consultation with the economic development authority and the community colleges, shall adopt rules pursuant to [chapter 17A](#) and [this chapter](#) to implement the provisions of [this chapter](#).

[2011 Acts, ch 118, §87, 89; 2011 Acts, ch 132, §89, 106](#)