

CHAPTER 103
INFORMATION TECHNOLOGY TRAINING PROGRAM

261—103.1(15,83GA,SF142) Authority—program termination and transition.

103.1(1) Authority. The authority for adopting rules governing the information technology training program under this chapter is provided in 2011 Iowa Code section 15.411(10).

103.1(2) Program termination and transition. The information technology training program in this chapter was established pursuant to 2011 Iowa Code Supplement section 15.411(5). In 2012 Iowa Acts, House File 2473, section 31, the general assembly rescinded the provisions that provided the statutory basis for the program. The rules in this chapter that were in effect upon the repeal of the program shall apply to all awards made and all contracts entered into under the program on or before June 30, 2012, and shall continue to apply until such time as all such contracts, including all amendments to such contracts, reach the end of their effective contract periods and are closed by the authority. No new awards will be made under the program, and no new contracts will be entered into on or after July 1, 2012.

[ARC 8210B, IAB 10/7/09, effective 11/11/09; ARC 0611C, IAB 2/20/13, effective 3/27/13]

261—103.2(15,83GA,SF142) Purpose. The purpose of the information technology training program is to assist businesses or departments of businesses engaged in the delivery of information technology services in the state in upgrading the high-level technical skills of existing employees.

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.3(15,83GA,SF142) Definitions.

“Authority” means the economic development authority created in Iowa Code section 15.105.

“Board” means the members of the economic development authority appointed by the governor and in whom the powers of the authority are vested pursuant to Iowa Code section 15.105.

“Committee” means the technology commercialization committee established by the board pursuant to 261—Chapter 1.

“High-level technical training” means training that provides knowledge or skills that are clearly recognized throughout the industry as current and advanced for a particular occupation.

“Information technology professional” means an employee primarily engaged in the delivery of information technology services in one of the following SOC job classifications or in any similar SOC job classification:

1. Networking and systems support: 11-3021, 15-1041, 15-1051, 15-1061, 15-1071, 15-1081, 15-1099, 17-3023, 17-3024.

2. Programming and engineering: 15-1011, 15-1021, 15-1031, 15-1032, 15-2031, 15-2099.

3. Assembly, installation and repair: 17-3012, 49-2011, 49-2022, 49-2093, 49-2094, 49-9052, 51-2022, 51-2023, 51-4011, 51-4012, 51-9141.

“SOC” means Standard Occupational Classification (SOC) System.

[ARC 8210B, IAB 10/7/09, effective 11/11/09; ARC 0611C, IAB 2/20/13, effective 3/27/13]

261—103.4(15,83GA,SF142) Program funding.

103.4(1) The maximum annual award that may be approved for any business site is \$25,000.

103.4(2) Program training may be provided in state or out of state.

103.4(3) Financial assistance shall be based on the actual cost of allowable services as identified in rule 261—103.6(15,83GA,SF142).

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.5(15,83GA,SF142) Matching funds requirement. A business shall provide matching funds of at least two dollars of nonstate moneys for every one dollar received from the authority.

[ARC 8210B, IAB 10/7/09, effective 11/11/09; ARC 0611C, IAB 2/20/13, effective 3/27/13]

261—103.6(15,83GA,SF142) Use of program funds.

103.6(1) The following costs associated with the operation of training services are eligible for program funding:

- a. Cost of tuition.
- b. Cost of company, college, or contracted trainer or training services.
- c. Training-related materials and supplies.
- d. Lease or rental of training facilities.
- e. Training-related travel.
- f. Subcontracted services.
- g. Contracted or professional services.

103.6(2) Equipment and software, when used for training, may be an allowable cost. If equipment or software is purchased for use in training but is subsequently retained for use in the general operation of the applicant's business, only the prorated portion of the equipment or software costs directly related to the training shall be eligible for program funding. Prorated costs for equipment or software shall not exceed \$1,000, respectively.

103.6(3) Reimbursement of an employee's wages while the employee is in training is not allowed.
[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.7(15,83GA,SF142) Eligible business. To be eligible for this program, the business, or a department of the business, must be engaged in the delivery of information technology services and the business must be located in Iowa.

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.8(15,83GA,SF142) Ineligible business. The following businesses are not eligible for this program:

103.8(1) A business which is engaged in retail sales or which provides health services is ineligible.

103.8(2) A business which closes or substantially reduces its workforce by more than 20 percent at existing operations in order to relocate substantially the same operations to another area of the state is ineligible for 36 consecutive months at any of its Iowa sites from the date the new establishment opens.

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.9(15,83GA,SF142) Eligible employee.

103.9(1) The employee for whom training is planned must be an information technology professional whose principal place of employment is in Iowa.

103.9(2) The employee for whom training is planned must hold a current position intended by the employer to exist on an ongoing basis with no planned termination date.

103.9(3) Training is available only to an employee who is hired by the business, is currently employed by the business, and for whom the business pays Iowa withholding tax.

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.10(15,83GA,SF142) Ineligible employee.

103.10(1) A replacement worker who is hired as a result of a strike, lockout, or other labor dispute is ineligible for program services.

103.10(2) An employee hired as a temporary worker is ineligible for program services.

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.11(15,83GA,SF142) Application and review process.

103.11(1) An eligible business must submit an application for training assistance, on a form provided by the authority, to the Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa 50309. Required forms and instructions are available by contacting the authority at that address or from the authority's Web site at www.iowaeconomicdevelopment.com.

103.11(2) The application will be reviewed by authority staff, the committee and the board. The committee will make a recommendation to the board regarding an application. The board has final decision-making authority on requests for financial assistance for this program. The board may approve, defer or deny an application or may refer an application to another training program.

103.11(3) An application for assistance shall include all information required by the authority including, but not limited to, the following:

- a. The dates and location of the training.
- b. The name of employee(s) attending training.
- c. A copy of the quote from the training provider outlining costs of training.
- d. A statement of how training will benefit the company and how the training supports Iowa's initiative to grow the targeted industries.
- e. Identification of the skills the employees will acquire from the training and how the skills will increase the employees' value to the business.
- f. A statement of the anticipated training outcomes.

103.11(4) The authority and the committee will score applications according to the criteria specified in rule 261—103.12(15,83GA,SF142).

103.11(5) To be considered for funding, an application must receive a minimum score of 65 out of a possible 100 points and meet all other eligibility criteria specified in these rules.

103.11(6) Applications which receive a minimum score of 65 points shall be referred to the board for final action.

103.11(7) The authority reserves the right to require additional information from a business.

103.11(8) Application approval shall be contingent on the availability of funds. The board shall reject or defer an application if funds are not available.

103.11(9) The board reserves the right to award program funds in an amount less than that requested in the application.

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261—103.12(15,83GA,SF142) Application scoring criteria. When applications for financial assistance are reviewed, the following criteria shall be considered:

1. The application has established the business's need for training. 15 points.
2. The application represents high-level technology training. 15 points.
3. The training will substantially improve the skills, knowledge and abilities of the employee. 15 points.
4. The average wages that are or will be paid by the business participating in this training are or will be above the state average wage rates. 10 points.
5. The training will help improve the business's competitiveness. 5 points.
6. The state of Iowa will realize economic benefits as a result of providing assistance for this training. 10 points.
7. The training will be provided at a state of Iowa community college or university. 5 points.
8. The training is jointly provided to IT employees from more than one Iowa company. 10 points.
9. The application documents that all considerations, including the funding required to begin the training project, have been addressed. 5 points.
10. The business provides its employees health insurance and other benefits. 5 points.
11. The majority of the business's employees are employed full-time. 5 points.

[ARC 8210B, IAB 10/7/09, effective 11/11/09]

261—103.13(15,83GA,SF142) Contract and reporting.

103.13(1) Notice of award. Successful applicants will be notified in writing of an award of assistance, including any conditions and terms of the approval.

103.13(2) Contract required. The authority shall prepare a contract, which includes, but is not limited to, a description of the training to be completed; conditions to disbursement; required reports; and the repayment requirements imposed in the event the business does not fulfill its obligations described in the contract and other specific repayment provisions ("clawback" provisions) to be established on an individual basis.

103.13(3) Reporting. An applicant shall submit any information requested by the authority in sufficient detail to permit the authority to prepare the report required pursuant to Iowa Code section

15.104(9) “l” and any other reports deemed necessary by the authority, the board, the general assembly or the governor’s office.

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These rules are intended to implement Iowa Code section 15.411(5) and 2009 Iowa Acts, Senate File 142.

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