

Senate Amendment 5627

Amendment Text

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1 1 Amend [Senate File 2414](#) as follows:
1 2 #1. Page 2, line 19, by inserting after the word
1 3 "contributions," the following: "for administration
1 4 involving the certified school to career program,".
1 5 #2. Page 2, by inserting after line 24 the
1 6 following:
1 7 "The full-time equivalent positions authorized in
1 8 this section shall be available to administer the
1 9 certified school career program created in sections
1 10 15.361 through 15.366 as enacted in this Act."
1 11 #3. Page 3, by inserting after line 10 the
1 12 following:
1 13 "Sec. ____ NEW SECTION. 15.361 TITLE.
1 14 This part shall be known and may be cited as the
1 15 "Certified School to Career Program".
1 16 Sec. ____ NEW SECTION. 15.362 DEFINITIONS.
1 17 As used in this part, unless the context otherwise
1 18 requires:
1 19 1. "Certified school to career program" or
1 20 "certified program" means a sequenced and articulated
1 21 secondary and postsecondary program registered as an
1 22 apprenticeship program under 29 C.F.R. subtit. A, pt.
1 23 29, which is conducted pursuant to an agreement as
1 24 provided in section 15.364 or a program approved by
1 25 the state board of education, in conjunction with the
1 26 department of economic development, as meeting the
1 27 standards enumerated in section 15.363, that
1 28 integrates a secondary school curriculum with private
1 29 sector job training which places students in job
1 30 internships, and which is designed to continue into
1 31 postsecondary education and that will result in
1 32 teaching new skills and adding value to the wage-
1 33 earning potential of participants and increase their
1 34 long-term employability in the state and which is
1 35 conducted pursuant to an agreement as provided in
1 36 section 15.364.
1 37 2. "Participant" means an individual between the
1 38 ages of sixteen and twenty-four who is enrolled in a
1 39 public or private secondary or postsecondary school
1 40 and who initiated participation in a certified school
1 41 to career program as part of secondary school
1 42 education.
1 43 3. "Payroll expenditures" means the base wages
1 44 actually paid by an employer to a participant plus the
1 45 amount held in trust to be applied toward the
1 46 participant's postsecondary education.
1 47 4. "Sponsor" means any person, association,
1 48 committee, or organization operating a school to
1 49 career program and in whose name the program is or
1 50 will be registered or approved.
2 1 Sec. ____ NEW SECTION. 15.363 CERTIFICATION
2 2 STANDARDS.
2 3 The state board of education, in consultation with
2 4 the department of economic development, shall adopt
2 5 rules pursuant to chapter 17A to guide the board and
2 6 department in determining whether a potential school
2 7 to career program should be approved.

2 8 A school to career program which is approved by the
2 9 state board of education in conjunction with the
2 10 department of economic development shall comply with
2 11 all of the following standards:

- 2 12 1. The program is conducted pursuant to an
2 13 organized, written plan embodying the terms and
2 14 conditions of employment, job training, classroom
2 15 instruction, and supervision of one or more
2 16 participants, subscribed to by a sponsor who has
2 17 undertaken to carry out the school to career program.
- 2 18 2. The program complies with all state and federal
2 19 laws pertaining to the workplace.
- 2 20 3. The employer agrees to assign an employee to
2 21 serve as a mentor for a participant. The mentor's
2 22 occupation shall be in the same career pathway as the
2 23 career interests of the participant.
- 2 24 4. The program involves an eligible postsecondary
2 25 institution as defined in section 261C.3.
- 2 26 5. Other standards adopted by rule by the state
2 27 board of education after consultation with the
2 28 department of economic development.

2 29 Sec. _____. NEW SECTION. 15.364 CERTIFIED PROGRAM
2 30 AGREEMENT.

2 31 The certified program shall be conducted pursuant
2 32 to a signed written agreement between each participant
2 33 and the employer which contains at least the following
2 34 provisions:

- 2 35 1. The names and signatures of the participant and
2 36 the sponsor or employer and the signature of a parent
2 37 or guardian if the participant is a minor.
- 2 38 2. A description of the career field in which the
2 39 participant is to be trained, and the beginning date
2 40 and duration of the training.
- 2 41 3. The employer's agreement to provide paid
2 42 employment, at a base wage, for the participant during
2 43 the summer months after the participant's junior and
2 44 senior years in high school and after the
2 45 participant's first year of postsecondary education.
- 2 46 4. The participant and employer shall agree upon
2 47 set minimum academic standards which must be
2 48 maintained through the participant's secondary and
2 49 postsecondary education.
- 2 50 5. This base wage paid to the participant shall
3 1 not be less than the minimum wage prescribed by Iowa
3 2 law or the federal Fair Labor Standards Act, whichever
3 3 is applicable.
- 3 4 6. That in addition to the base wage paid to the
3 5 participant, the employer shall pay an additional sum
3 6 to be held in trust to be applied toward the
3 7 participant's postsecondary education required for
3 8 completion of the certified program. The additional
3 9 amount must be not less than an amount determined by
3 10 the department of economic development to be
3 11 sufficient to provide payment of tuition expenses
3 12 toward completion of not more than two academic years
3 13 of the required postsecondary education component of
3 14 the certified program at an Iowa community college or
3 15 an Iowa public or private college or university. This
3 16 amount shall be held in trust for the benefit of the
3 17 participant pursuant to rules adopted by the
3 18 department of economic development. Payment into an
3 19 ERISA-approved fund for the benefit of the participant
3 20 shall satisfy this requirement. The specific fund
3 21 shall be specified in the agreement.
- 3 22 7. The participant's agreement to work for the
3 23 employer for at least two years following the
3 24 completion of the participant's postsecondary

3 25 education required by the certified program and the
3 26 employer's agreement to both of the following:
3 27 a. To provide and pay at least eighty percent of
3 28 the cost of a standard medical and dental insurance
3 29 plan for the participant.
3 30 b. To pay a full-time hourly wage to the
3 31 participant of at least eleven dollars per hour
3 32 indexed to 1998 dollars based on the gross national
3 33 product implicit price deflator published by the
3 34 bureau of economic analysis of the United States
3 35 department of commerce or one hundred thirty percent
3 36 of the average wage in the county in which the
3 37 facility where the participant will be employed is
3 38 located, whichever is higher.
3 39 However, the agreement may provide for additional
3 40 education and work commitments beyond the two years.
3 41 8. If the participant does not complete the two-
3 42 year employment obligation, the participant's
3 43 agreement to repay to the employer the amount paid by
3 44 the employer toward the participant's postsecondary
3 45 education expenses pursuant to subsection 6.
3 46 9. That if a participant does not complete the
3 47 certified program contemplated by the agreement, any
3 48 unexpended funds being held in trust for the
3 49 participant's postsecondary education shall be paid
3 50 back to the employer. In addition the participant
4 1 must repay to the employer amounts paid from the trust
4 2 which were expended on the participant's behalf for
4 3 postsecondary education.
4 4 Sec. _____. NEW SECTION. 15.365 PAYROLL
4 5 EXPENDITURE REFUND.
4 6 1. An employer who employs a participant in a
4 7 certified school to career program may claim a refund
4 8 of twenty percent of the employer's payroll
4 9 expenditures for each participant in the certified
4 10 program. The refund is limited to the first four
4 11 hundred hours of payroll expenditures per participant
4 12 for each calendar year the participant is in the
4 13 certified program, not to exceed three years per
4 14 participant.
4 15 2. To receive a refund under subsection 1 for a
4 16 calendar year, the employer shall file the claim by
4 17 July 1 of the following calendar year. The claim
4 18 shall be filed on forms provided by the department of
4 19 economic development and the employer shall provide
4 20 such information regarding the employer's
4 21 participation in a certified school to career program
4 22 as the department may require. Forms should be
4 23 designed such that claims for refunds for more than
4 24 one participant may be made on a single form. A valid
4 25 claim shall be paid with interest, the interest to
4 26 begin to accrue on the first day of the second
4 27 calendar month following the date the claim for refund
4 28 was to be filed or was filed, whichever is the latest,
4 29 at the rate in effect under section 421.7 counting
4 30 each fraction of a month as an entire month under
4 31 rules prescribed by the department.
4 32 3. For each fiscal year of the fiscal period
4 33 beginning July 1, 1999, and ending June 30, 2004,
4 34 there is appropriated annually from the general fund
4 35 of the state to the department of economic development
4 36 an amount sufficient to pay refunds under this
4 37 section.
4 38 4. The department of economic development shall
4 39 consult with the department of revenue and finance for
4 40 purposes of this section. The department of economic
4 41 development shall adopt rules as deemed necessary to

4 42 carry out the purposes of the certified school to
4 43 career program.
4 44 Sec. _____. NEW SECTION. 15.366 REPEAL.
4 45 This part of chapter 15 is repealed June 30, 2004.
4 46 However, any contracts in existence on June 30, 2004,
4 47 shall continue to be valid and each party to such
4 48 contract is obligated to perform as required under
4 49 such contract. However, no employer is entitled to
4 50 any payroll expenditure refund for payroll
5 1 expenditures incurred after December 31, 2002."
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5 4 _____
5 5 TOM [VILSACK](#)
5 6 [SF 2414.5](#)05 77
5 7 mg/jw/28