

JAN 8 1996
EDUCATION

HOUSE FILE 2029
BY MILLAGE

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the transfer of the duties and
2 responsibilities of the college student aid commission, and
3 the governance of the community colleges, to the state board
4 of regents, and providing for related matters.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 8.29, unnumbered paragraph 4, Code
2 1995, is amended to read as follows:

3 The state board of regents, with the approval of the
4 director of the department of management, shall establish a
5 uniform budgeting and accounting system for the institutions
6 of higher education under its control listed in section 262.7,
7 subsections 1, 2, and 3, and shall require each of the
8 institutions of higher education to begin-operating operate
9 under the uniform system ~~not-later-than-June-30, 1994.~~

10 Sec. 2. Section 15.108, subsection 3, paragraph a,
11 subparagraph (1), Code 1995, is amended to read as follows:

12 (1) Provide the mechanisms to promote and facilitate the
13 coordination of management and technical assistance services
14 to Iowa businesses and industries and to communities by the
15 department, ~~by the community colleges,~~ and by the state board
16 of regents institutions, including the small business
17 development centers, the center for industrial research and
18 service, and extension activities. In order to achieve this
19 goal, the department may establish periodic meetings with
20 representatives from ~~the community colleges and~~ the state
21 board of regents institutions to develop this coordination.
22 The ~~community colleges and the~~ state board of regents
23 institutions shall cooperate with the department in seeking to
24 avoid duplication of economic development services through
25 greater coordinating efforts in the utilization of space,
26 personnel, and materials and in the development of referral
27 and outreach networks. The department shall annually report
28 on the degree to which economic development activities have
29 been coordinated and the degree to which there are future
30 coordination needs, and ~~the community colleges and~~ the state
31 board of regents institutions shall be given an opportunity to
32 review and comment on this report prior to its printing or
33 release. The department shall also establish a registry of
34 applications for federal funds related to management and
35 technical assistance programs.

1 Sec. 3. Section 15.108, subsection 4, paragraph e, Code
2 1995, is amended to read as follows:

3 e. To the extent deemed feasible and in coordination with
4 the board of regents ~~and-the-area-community-colleges~~, work to
5 establish a conversational foreign language training program.

6 Sec. 4. Section 15.108, subsection 7, paragraph c,
7 subparagraph (4), Code 1995, is amended to read as follows:

8 (4) The director, in conjunction with the director of the
9 department of management and jointly with the universities and
10 community colleges under the jurisdiction of the state board
11 of regents, ~~and-the-community-colleges~~, shall develop and make
12 available in all areas of the state, programs to offer and
13 deliver concentrated, in-depth advice and services to assist
14 targeted small businesses. The advice and services shall
15 extend to all areas of business management in its practical
16 application, including but not limited to accounting,
17 engineering, drafting, grant writing, obtaining financing,
18 locating bond markets, market analysis, and projections of
19 profit and loss.

20 Sec. 5. Section 15.251, subsection 1, Code 1995, is
21 amended to read as follows:

22 1. Under the terms of section 123 of the Job Training
23 Partnership Act of 1982, Pub. L. No. 97-300, the department
24 and the ~~department-of-education~~ state board of regents shall
25 enter into a cooperative agreement as a condition to providing
26 funds under that section.

27 Sec. 6. Section 15E.155, subsections 17 and 18, Code 1995,
28 are amended to read as follows:

29 17. To broker relationships furthering the mission of the
30 foundation among state board of regents institutions of higher
31 education, ~~community-colleges~~ listed in section 262.7,
32 subsections 1, 2, 3, and 8, and private colleges and
33 universities and private investors, entrepreneurs, and
34 executives of existing businesses.

35 18. To promote communication, inventory resources, and

1 assist in the coordination of business and technology
2 assistance activities of state board of regents institutions,
3 ~~community-colleges~~, and private colleges and universities with
4 the private sector, the department of economic development,
5 and local and regional economic development groups.

6 Sec. 7. Section 19B.8, Code 1995, is amended to read as
7 follows:

8 19B.8 SANCTIONS.

9 The department of management may impose appropriate
10 sanctions on individual state agencies, including the state
11 board of regents and its institutions, ~~and-upon-a-community~~
12 ~~college~~, an area education agency, or school district, in
13 order to ensure compliance with state programs emphasizing
14 equal opportunity through affirmative action, contract
15 compliance policies, and requirements for procurement goals
16 for targeted small businesses.

17 Sec. 8. Section 19B.11, Code 1995, is amended to read as
18 follows:

19 19B.11 SCHOOL DISTRICTS, AND AREA EDUCATION AGENCIES, ~~AND~~
20 ~~COMMUNITY-COLLEGES~~ -- DUTIES OF DIRECTOR OF DEPARTMENT OF
21 EDUCATION.

22 1. It is the policy of this state to provide equal
23 opportunity in school district, and area education agency, ~~and~~
24 ~~community-college~~ employment to all persons. An individual
25 shall not be denied equal access to school district, or area
26 education agency, ~~or-community-college~~ employment
27 opportunities because of race, creed, color, religion,
28 national origin, sex, age, or physical or mental disability.
29 It also is the policy of this state to apply affirmative
30 action measures to correct deficiencies in school district,
31 and area education agency, ~~and-community-college~~ employment
32 systems where those remedies are appropriate. This policy
33 shall be construed broadly to effectuate its purposes.

34 2. The director of the department of education shall
35 actively promote fair employment practices for all school

1 district, and area education agency, ~~and community college~~
2 employees and the state board of education shall adopt rules
3 requiring specific steps by school districts, and area
4 education agencies, ~~and community colleges~~ to accomplish the
5 goals of equal employment opportunity and affirmative action
6 in the recruitment, appointment, assignment, and advancement
7 of personnel. Each school district, and area education
8 agency, ~~and community college~~ shall be required to develop
9 affirmative action standards which are based on the population
10 of the community in which it functions, the student population
11 served, or the persons who can be reasonably recruited. The
12 director of education shall consult with the department of
13 personnel in the performance of duties under this section.

14 3. Each school district, and area education agency, ~~and~~
15 ~~community college~~ in the state shall submit to the director of
16 the department of education an annual report of the
17 accomplishments and programs of the district, or agency, ~~or~~
18 ~~community college~~ in carrying out its duties under this
19 section. The report shall be submitted between December 15
20 and December 31 each year. The director shall prescribe the
21 form and content of the report.

22 4. The director of the department of education shall
23 prepare a compilation of the reports required by subsection 3
24 and shall submit this compilation, together with a report of
25 the director's accomplishments and programs pursuant to this
26 section, to the department of management by January 31 of each
27 year.

28 Sec. 9. Section 20.17, subsection 11, Code 1995, is
29 amended to read as follows:

30 11. ~~a.~~ In the absence of an impasse agreement negotiated
31 pursuant to section 20.19 which provides for a different
32 completion date, public employees represented by a certified
33 employee organization who are teachers licensed under chapter
34 272 and who are employed by a public employer which is a
35 school district or area education agency shall complete the

1 negotiation of a proposed collective bargaining agreement not
2 later than May 31 of the year when the agreement is to become
3 effective. The board shall provide, by rule, a date on which
4 impasse items in such cases must be submitted to binding
5 arbitration and for such other procedures as deemed necessary
6 to provide for the completion of negotiations of proposed
7 collective bargaining agreements not later than May 31. The
8 date selected for the mandatory submission of impasse items to
9 binding arbitration in such cases shall be sufficiently in
10 advance of May 31 to ensure that the arbitrators' decision can
11 be reasonably made before May 31.

12 ~~b.--If the public employer is a community college, the~~
13 ~~following apply:~~

14 ~~(1)--The negotiation of a proposed collective bargaining~~
15 ~~agreement shall be complete not later than May 31 of the year~~
16 ~~when the agreement is to become effective, absent the~~
17 ~~existence of an impasse agreement negotiated pursuant to~~
18 ~~section 20.19 which provides for a different completion date.~~
19 ~~The board shall adopt rules providing for a date on which~~
20 ~~impasse items in such cases must be submitted to binding~~
21 ~~arbitration and for procedures for the completion of~~
22 ~~negotiations of proposed collective bargaining agreements not~~
23 ~~later than May 31.--The date selected for the mandatory~~
24 ~~submission of impasse items to binding arbitration in such~~
25 ~~cases shall be sufficiently in advance of May 31 to ensure~~
26 ~~that the arbitrators' decision can be reasonably made by May~~
27 ~~31.~~

28 ~~(2)--Notwithstanding the provisions of subparagraph (1),~~
29 ~~the May 31 deadline may be waived by mutual agreement of the~~
30 ~~parties to the collective bargaining agreement negotiations.~~

31 Sec. 10. Section 20.20, Code 1995, is amended to read as
32 follows:

33 20.20 MEDIATION.

34 In the absence of an impasse agreement negotiated pursuant
35 to section 20.19 or the failure of either party to utilize its

1 procedures, one hundred twenty days prior to the certified
 2 budget submission date, or one hundred twenty days prior to
 3 May 31 of the year when the collective bargaining agreement is
 4 to become effective if public employees represented by the
 5 employee organization are teachers licensed under chapter 272
 6 and the public employer is a school district or area education
 7 agency, the board shall, upon the request of either party,
 8 appoint an impartial and disinterested person to act as
 9 mediator. ~~If the public employer is a community college, and~~
 10 ~~in the absence of an impasse agreement negotiated pursuant to~~
 11 ~~section 20.19 or the failure of either party to utilize its~~
 12 ~~procedures, one hundred twenty days prior to May 31 of the~~
 13 ~~year when the collective bargaining agreement is to become~~
 14 ~~effective, the board, upon the request of either party, shall~~
 15 ~~appoint an impartial and disinterested person to act as~~
 16 ~~mediator. It shall be the function of the mediator to bring~~
 17 ~~the parties together to effectuate a settlement of the~~
 18 ~~dispute, but the mediator may not compel the parties to agree.~~

19 Sec. 11. Section 20.21, unnumbered paragraph 3, Code 1995,
 20 is amended to read as follows:

21 However, the board shall not appoint a fact-finder
 22 representative of the public if the public employees
 23 represented by a certified employee organization are teachers
 24 licensed under chapter 272 and the public employer is a school
 25 district, ~~community college,~~ or area education agency. The
 26 board shall adopt rules regarding the time period after
 27 mediation when binding arbitration procedures must begin for
 28 teachers exempt from this section.

29 Sec. 12. Section 73.16, subsection 2, unnumbered paragraph
 30 2, Code 1995, is amended to read as follows:

31 ~~A community college,~~ Each area education agency, ~~or and~~
 32 school district shall establish a procurement goal from
 33 certified targeted small businesses, identified pursuant to
 34 section 10A.104, subsection 8, of at least ten percent of the
 35 value of anticipated procurements of goods and services

1 including construction, but not including utility services,
2 each fiscal year.

3 Sec. 13. Section 256.3, unnumbered paragraph 3, Code
4 Supplement 1995, is amended to read as follows:

5 ~~Three-of-the-state~~ State board members shall be members of
6 the general public and have substantial knowledge related to
7 the community-college education system. ~~The-remaining-six~~
8 ~~members-shall-be-members-of-the-general-public-~~

9 Sec. 14. Section 256.7, unnumbered paragraph 1, Code 1995,
10 is amended to read as follows:

11 Except for the ~~college-student-aid-commission-and-the~~
12 public broadcasting board and division, the state board shall:

13 Sec. 15. Section 256.7, subsection 7, unnumbered paragraph
14 1, Code 1995, is amended to read as follows:

15 Adopt rules under chapter 17A for the use of
16 telecommunications as an instructional tool for students
17 enrolled in kindergarten through grade twelve and served by
18 local school districts, accredited or approved nonpublic
19 schools, area education agencies, ~~community-colleges,~~
20 institutions of higher education under the state board of
21 regents, and independent colleges and universities in
22 elementary and secondary school classes and courses. The
23 rules shall include but need not be limited to rules relating
24 to programs, educational policy, instructional practices,
25 staff development, use of pilot projects, curriculum
26 monitoring, and the accessibility of licensed teachers.

27 Sec. 16. Section 256.7, subsection 14, Code 1995, is
28 amended by striking the subsection.

29 Sec. 17. Section 256.9, unnumbered paragraph 1, Code 1995,
30 is amended to read as follows:

31 Except for the ~~college-student-aid-commission-and-the~~
32 public broadcasting board and division, the director shall:

33 Sec. 18. Section 256.9, subsections 40 and 42, Code 1995,
34 are amended by striking the subsections.

35 Sec. 19. Section 256.9, subsection 41, Code 1995, is

1 amended to read as follows:

2 41. Explore, in conjunction with the state board of
3 regents, the need for coordination between school districts,
4 area education agencies, and regents institutions,~~and~~
5 ~~community-colleges~~ for purposes of delivery of courses, use of
6 telecommunications, transportation, and other similar issues.
7 Coordination may include, but is not limited to, coordination
8 of calendars, programs, schedules, or telecommunications
9 emissions.

10 Sec. 20. Section 256.62, subsection 2, unnumbered
11 paragraph 1, Code 1995, is amended to read as follows:

12 A ~~representative-who-serves-as-a-member-on-the-board-of~~
13 ~~directors-for-a~~ community college president, or the community
14 college president's designee.

15 Sec. 21. Section 256.62, unnumbered paragraph 2, Code
16 1995, is amended to read as follows:

17 The nonvoting members shall serve at the pleasure of the
18 director. The ~~appointed-members~~ representative from an area
19 education agency shall cease to be ~~members~~ a member if they
20 the representative is no longer ~~are~~ employed by an area
21 education agency ~~or-no-longer-serve-as-a-member-on-a-community~~
22 ~~college-board-of-directors.~~ Sections 256.63 and 256.64 do not
23 apply to the appointed nonvoting members of the regional
24 boards of library trustees.

25 Sec. 22. Section 256.84, subsection 3, Code 1995, is
26 amended to read as follows:

27 3. This section does not prohibit institutions under the
28 state board of regents and, including community colleges,
29 ~~under-the-department-of-education~~ from owning, operating,
30 improving, maintaining, and restructuring educational radio
31 and television stations and transmitters now in existence or
32 other educational narrowcast telecommunications systems and
33 services. The institutions and schools may enter into
34 agreements with the board for the lease or purchase of
35 equipment and facilities.

1 Sec. 23. Section 260C.2, subsection 2, Code 1995, is
2 amended to read as follows:

3 2. "~~Director~~ Executive director" means the executive
4 director of the department state board of education regents.

5 Sec. 24. Section 260C.2, subsection 4, Code 1995, is
6 amended to read as follows:

7 4. "State board" means the state board of education
8 regents.

9 Sec. 25. Section 260C.4, unnumbered paragraph 1, Code
10 1995, is amended to read as follows:

11 The state board ~~for-community-colleges~~ shall:

12 Sec. 26. Section 260C.4, subsection 2, Code 1995, is
13 amended by striking the subsection.

14 Sec. 27. Section 260C.14, subsections 2, 15, 16, and 17,
15 Code 1995, are amended to read as follows:

16 2. Have authority to determine tuition rates for
17 instruction. Tuition for residents of Iowa shall not exceed
18 the lowest tuition rate per semester, or the equivalent,
19 charged by an institution ~~of-higher-education-under-the-state~~
20 board-of-regents listed in section 262.7, subsection 1, 2, or
21 3, for a full-time resident student. However, except for
22 students enrolled under chapter 261C, if a local school
23 district pays tuition for a resident pupil of high school age,
24 the limitation on tuition for residents of Iowa shall not
25 apply, the amount of tuition shall be determined by the board
26 of directors of the community college with the consent of the
27 local school board, and the pupil shall not be included in the
28 full-time equivalent enrollment of the community college for
29 the purpose of computing general aid to the community college.
30 Tuition for nonresidents of Iowa shall not be less than the
31 marginal cost of instruction of a student attending the
32 college. A lower tuition for nonresidents may be permitted
33 under a reciprocal tuition agreement between a merged area and
34 an educational institution in another state, if the agreement
35 is approved by the state board. The board may designate that

1 a portion of the tuition moneys collected from students be
2 used for student aid purposes.

3 15. ~~By July 17, 1991, develop~~ Adopt a policy which requires
4 oral communication competence of persons who provide
5 instruction to students attending institutions under the
6 control of the board. The policy shall include a student
7 evaluation mechanism which requires student evaluation of
8 persons providing instruction on at least an annual basis.

9 16. ~~By July 17, 1991, develop~~ Adopt a policy relating to
10 the teaching proficiency of teaching assistants which provides
11 a teaching proficiency standard, instructional assistance to,
12 and evaluation of persons who provide instruction to students
13 at the higher education institutions under the control of the
14 board.

15 17. ~~Commencing July 17, 1994, provide~~ Provide for an
16 alternative retirement benefits system, which is issued by or
17 through a nonprofit corporation issuing retirement annuities
18 exclusively to educational institutions and their employees,
19 for persons employed by the community college who are members
20 of the Iowa public employees' retirement system on July 1,
21 1994, or who are new employees, and who elect coverage under
22 the alternative retirement benefits system pursuant to section
23 97B.42, in lieu of continuing or commencing contributions to
24 the Iowa public employees' retirement system. The system for
25 employee and employer contributions under the alternative
26 system shall be similar to that provided by the state board of
27 regents under the teachers insurance annuity association-
28 college retirement equities fund, except that the employer's
29 annual contribution in dollars shall not exceed the annual
30 contribution in dollars which the employer would contribute if
31 the employee had elected to remain an active member pursuant
32 to the Iowa public employees' retirement system, as set forth
33 in section 97B.11.

34 Sec. 28. Section 260C.39, unnumbered paragraph 2, Code
35 1995, is amended to read as follows:

1 If the vote is favorable in each merged area, the boards of
2 each area shall proceed to transfer the assets, liabilities,
3 and facilities of the areas to the combined merged area, and
4 shall serve as the acting board of the combined merged area
5 until a new board of directors is elected. The acting board
6 shall submit to the executive director of the ~~department of~~
7 education state board a plan for redistricting the combined
8 merged area, and upon receiving approval from the executive
9 director, shall provide for the election of a director from
10 each new district at the next regular school election. The
11 directors elected from each new district shall determine their
12 terms by lot so that the terms of one-third of the members, as
13 nearly as may be, expire each year. Election of directors for
14 the combined merged area shall follow the procedures
15 established for election of directors of a merged area. A
16 combined merged area is subject to all provisions of law and
17 rules governing merged areas.

18 Sec. 29. Section 260C.46, Code 1995, is amended to read as
19 follows:

20 260C.46 PROGRAM AND ADMINISTRATIVE SHARING.

21 ~~By September 17, 1990, the department~~ The state board shall
22 establish guidelines and an approval process for program
23 sharing agreements and for administrative sharing agreements
24 entered into by two or more community colleges or by a
25 community college and ~~a higher education~~ an institution under
26 the control of the board of regents listed in section 262.7,
27 subsection 1, 2, or 3. Guidelines established shall be
28 designed to increase student access to programs, enhance
29 educational program offerings throughout the state, and
30 enhance interinstitutional cooperation in program offerings.
31 A community college must submit an application and obtain
32 approval from the ~~department~~ state board in order to become
33 eligible to receive funds from the community college
34 excellence 2000 account under section 260D.14A for an
35 administrative sharing or program sharing agreement. The

1 application shall describe the sharing agreement, costs, and
2 benefits associated with the sharing proposal.

3 Sec. 30. Section 260C.47, subsection 1, unnumbered
4 paragraph 1, Code 1995, is amended to read as follows:

5 The state board ~~of-education~~ shall establish an
6 accreditation process for community college programs by July
7 1, ~~1994~~ 1998. The process shall be jointly developed and
8 agreed upon by the ~~department-of-education~~ state board and the
9 community colleges. The state accreditation process shall be
10 integrated with the accreditation process of the north central
11 association of colleges and schools, including the evaluation
12 cycle, the self-study process, and the criteria for
13 evaluation, which shall incorporate the standards for
14 community colleges developed under section 260C.48; and shall
15 identify and make provision for the needs of the state that
16 are not met by the association's accreditation process. ~~If-a~~
17 ~~joint-agreement-has-not-been-reached-by-July-1,-1994,-the~~ The
18 approval process provided under section 260C.4, ~~subsection-4~~
19 Code 1995, shall remain the required accreditation process for
20 community colleges until the state board establishes an
21 accreditation process for community college programs. For the
22 academic year commencing July 1, ~~1995~~ 1996, and in succeeding
23 school years, the ~~department-of-education~~ state board shall
24 use a two-component process for the continued accreditation of
25 community college programs.

26 Sec. 31. Section 260C.70, Code 1995, is amended to read as
27 follows:

28 260C.70 TEN-YEAR PROGRAM AND TWO-YEAR BONDING ESTIMATE
29 SUBMITTED EACH YEAR.

30 The board of directors of each community college shall
31 prepare and submit to the general assembly, the governor, and
32 the ~~department-of-education~~ state board a proposed ten-year
33 building program for each institution under the state board's
34 control, including an estimate of the maximum amount of bonds
35 which the state board expects to issue under the provisions of

1 this chapter during each year of the ensuing biennium. The
2 program and estimate shall be submitted no later than seven
3 days after the convening of each regular annual session of the
4 general assembly. Before a board of directors can proceed
5 with a project in the building program, the project must be
6 approved by the state board ~~for community colleges~~, and be a
7 project designed for special programs, special needs of
8 special students, and to meet needs for which privately owned
9 housing is not available. The building program shall contain
10 a list of the buildings and facilities which are designed to
11 meet the special needs of students attending special programs.
12 The list shall be revised annually, but no project shall be
13 eliminated from the list when bonds have previously been
14 issued by the state board to pay the cost of the project.
15 Each list shall contain an estimate of the cost of each of the
16 buildings and facilities referred to on the list.

17 Sec. 32. Section 260C.72, subsection 1, paragraph d, Code
18 1995, is amended to read as follows:

19 d. From the income derived from gifts and bequests made to
20 the institutions under the control of the community college or
21 state board ~~for community colleges~~ for such purposes.

22 Sec. 33. Section 261.1, Code 1995, is amended by striking
23 the section and inserting in lieu thereof the following:

24 261.1 RULEMAKING -- DEFINITIONS.

25 1. The state board of regents shall adopt rules under
26 chapter 17A, and do such other things as may be necessary and
27 incidental in the administration of this chapter, including
28 the housing, employment, and fixing the compensation and bond
29 of persons required to carry out its functions and
30 responsibilities.

31 2. For purposes of this chapter, unless the context
32 otherwise requires:

33 a. "Executive director" means the executive director of
34 the state board of regents.

35 b. "State board" means the state board of regents.

1 Sec. 34. Section 261.85, unnumbered paragraph 2, Code
2 Supplement 1995, is amended to read as follows:

3 From moneys appropriated in this section, one million five
4 hundred thousand dollars shall be allocated to institutions of
5 higher education under the state board of regents and
6 ~~community-colleges~~ and the remaining dollars appropriated in
7 this section shall be allocated by the commission on the basis
8 of need as determined by the portion of the federal formula
9 for distribution of work study funds that relates to the
10 current need of institutions.

11 Sec. 35. Section 262.1, Code 1995, is amended to read as
12 follows:

13 262.1 MEMBERSHIP.

14 The state board of regents consists of nine members, eight
15 of whom shall be selected from the state at large solely with
16 regard to their qualifications and fitness to discharge the
17 duties of the office. The ninth member shall be a student
18 enrolled on a full-time basis in good standing at either the
19 graduate or undergraduate level at one of the institutions
20 listed in section 262.7, subsection 1, 2, ~~or 3~~, or 8, at the
21 time of the member's appointment. Not more than five members
22 shall be of the same political party.

23 Sec. 36. Section 262.7, Code 1995, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 8. The community colleges pursuant to
26 chapter 260C.

27 Sec. 37. Section 262.9, subsections 18 and 25, Code
28 Supplement 1995, are amended to read as follows:

29 18. Not less than thirty days prior to action by the board
30 on any proposal to increase tuition, fees, or charges at one
31 or more of the institutions of higher education under its
32 control listed in section 262.7, subsection 1, 2, or 3, send
33 written notification of the amount of the proposed increase
34 including a copy of the proposed tuition increase docket
35 memorandum prepared for its consideration to the presiding

1 officers of the student government organization of the
2 affected institutions. The final decision on an increase in
3 tuition or mandatory fees charged to all students at an
4 institution for a fiscal year shall be made no later than the
5 regular meeting held in November of the preceding fiscal year
6 and shall be reflected in a final docket memorandum that
7 states the estimated total cost of attending each of the
8 institutions of higher education under the board's control
9 listed in section 262.7, subsections 1, 2, and 3. The regular
10 meeting held in November shall be held in Ames, Cedar Falls,
11 or Iowa City and shall not be held during the period in which
12 classes have been suspended for Thanksgiving vacation.

13 25. Develop a policy relating to the teaching proficiency
14 of teaching assistants which provides a teaching proficiency
15 standard, instructional assistance to, and evaluation of
16 persons who provide instruction to students at the higher
17 education institutions under the control of the board listed
18 in section 262.7, subsections 1, 2, and 3.

19 Sec. 38. Section 262.9, Code Supplement 1995, is amended
20 by adding the following new subsections:

21 NEW SUBSECTION. 30. Adopt rules which require each
22 community college which establishes a new jobs training
23 project or projects and receives funds derived from or
24 associated with the project or projects to establish a
25 separate account to act as a repository for any funds received
26 and to report annually, by January 15, to the general assembly
27 on funds received and disbursed during the preceding fiscal
28 year in the form required by the department.

29 NEW SUBSECTION. 31. Develop an application and review
30 process for the identification of quality instructional
31 centers at the community colleges. The process developed
32 shall include but is not limited to the development of
33 criteria for the identification of a quality instructional
34 center as well as for the enhancement of other program
35 offerings in order to upgrade programs to quality

1 instructional center status. Criteria established shall be
2 designed to increase student access to programs, establish
3 high quality occupational and vocational education programs,
4 and enhance interinstitutional cooperation in program
5 offerings.

6 NEW SUBSECTION. 32. Develop an application and review
7 process for approval of administrative and program sharing
8 agreements between two or more community colleges or a
9 community college and an institution of higher education under
10 the control of the board of regents entered into pursuant to
11 section 262.34C.

12 Sec. 39. Section 262.20, Code 1995, is amended to read as
13 follows:

14 262.20 BUSINESS OFFICES -- VISITATION.

15 A business office shall be maintained at each of the
16 institutions of higher learning listed in section 262.7,
17 subsections 1, 2, and 3, with such organizations, powers and
18 duties as the board may prescribe and delegate.

19 Sec. 40. NEW SECTION. 262.34C PROGRAM AND ADMINISTRATIVE
20 SHARING.

21 By September 1, 1996, the state board shall establish
22 guidelines and an approval process for program sharing
23 agreements and for administrative sharing agreements entered
24 into by two or more community colleges or by a community
25 college and an institution under the control of the board of
26 regents listed in section 262.7, subsection 1, 2, or 3.
27 Guidelines established shall be designed to increase student
28 access to programs, enhance educational program offerings
29 throughout the state, and enhance interinstitutional
30 cooperation in program offerings. A community college must
31 submit an application and obtain approval from the department
32 in order to become eligible to receive funds from the
33 community college excellence 2000 account under section
34 260D.14A for an administrative sharing or program sharing
35 agreement. The application shall describe the sharing

1 agreement, costs, and benefits associated with the sharing
2 proposal.

3 Sec. 41. NEW SECTION. 262.34D COMMUNITY COLLEGE COUNCIL.

4 1. A community college council is established consisting
5 of six members. Membership of the council shall be as
6 follows:

7 a. Three members of the state board of regents who have
8 knowledge of issues and concerns affecting the community
9 college system.

10 b. An additional member of the state board of regents
11 appointed annually by the president of the state board of
12 regents.

13 c. A community college president appointed by an
14 association which represents the largest number of community
15 college presidents in the state.

16 d. A community college trustee appointed by an association
17 which represents the largest number of community college
18 trustees in the state.

19 2. The nonboard members shall serve staggered terms of
20 three years beginning on May 1 of the year of appointment.
21 Vacancies on the council shall be filled in the same manner as
22 the original appointment. A person appointed to fill a
23 vacancy shall commence service on the date of appointment and
24 shall serve only for the unexpired portion of the term.

25 3. The council shall assist the state board of regents
26 with substantial issues directly related to the community
27 college system. The state board of regents shall refer all
28 substantial issues directly related to the community college
29 system to the council. The council shall formulate
30 recommendations on each issue referred to it by the state
31 board and shall submit the recommendations to the state board
32 within any specified time periods.

33 4. The council shall meet on a regular basis and at the
34 call of the chairperson or upon the written request to the
35 chairperson of two or more members.

1 5. The members of the council shall be paid a per diem as
2 specified in section 7E.6, and their reasonable and necessary
3 expenses.

4 Sec. 42. Section 262.92, subsection 3, Code 1995, is
5 amended to read as follows:

6 3. The board of regents shall adopt rules to establish
7 program guidelines for the universities under the board's
8 control and for the administration and coordination of program
9 efforts. Rules adopted shall include methods of recording
10 data relating to voucher recipients ~~and-making-the-data~~
11 ~~available-to-the-college-student-aid-commission.~~

12 Sec. 43. Section 262.93, Code 1995, is amended to read as
13 follows:

14 262.93 REPORTS TO GENERAL ASSEMBLY.

15 ~~The college-student-aid-commission-and-the~~ state board of
16 regents ~~each~~ shall submit, by January 1 of each year, a report
17 on the progress and implementation of the programs ~~which-they~~
18 ~~administer~~ the board administers under sections 261.102
19 through 261.105, 262.82, and 262.92. The reports shall
20 include, but are not limited to, the numbers of students
21 participating in the programs and allocation of funds
22 appropriated for the programs.

23 Sec. 44. Section 272.33, unnumbered paragraph 2, Code
24 1995, is amended to read as follows:

25 ~~By-July-17-19907-the~~ The board of educational examiners
26 shall adopt rules establishing requirements for an evaluator
27 license including but not limited to renewal requirements,
28 fees, and suspension and revocation of evaluator licenses. An
29 approved program shall include provisions for determining that
30 an applicant for an evaluator license has satisfactorily
31 completed the program. The state board of education shall
32 work with institutions of higher education under the state
33 board of regents, private colleges and universities, ~~community~~
34 ~~colleges~~, and area education agencies to ensure that the
35 courses required under subsection 1 are offered throughout the

1 state at convenient times and at reasonable cost. The
2 requirements shall include completion of a program approved by
3 the state board of education as follows:

4 Sec. 45. DESIGNATION SUBSTITUTION. Sections 260C.5, with
5 the exception of subsection 2; 260C.28; and 260C.38, Code
6 1995, are amended as follows:

7 1. By striking the word "director" and inserting in lieu
8 thereof the words "executive director".

9 2. By striking the words "department of education" and
10 inserting in lieu thereof the words "state board".

11 Sec. 46. DESIGNATION SUBSTITUTION. Sections 7A.4; 7E.7;
12 261.9, except for subsection 1, paragraph e, subparagraph (8);
13 261.15; 261.16; 261.17; 261.18; 261.19; 261.19A; 261.19B;
14 261.20; 261.35; 261.36; 261.37; 261.38; 261.39; 261.41;
15 261.43; 261.44; 261.45; 261.48; 261.52A; 261.54; 261.81A;
16 261.82; 261.83; 261.84; 261.92, except for subsection 1,
17 paragraph b, subparagraph (8); 261.93A; 261.96; 261.97;
18 261.102; 261.103; 261.104; 261.105; 261A.5; and 714.25, Code
19 1995, 135.107; 261.2; 261.12; 261.25; 261.81; 261.85; and
20 421.17, Code Supplement 1995, are amended as follows:

21 1. By striking the words "college student aid commission"
22 and inserting in lieu thereof the words "state board of
23 regents".

24 2. By striking the word "commission" and inserting in lieu
25 thereof the words "state board".

26 3. By striking the words "Iowa college student aid
27 commission" and inserting in lieu thereof the words "state
28 board of regents".

29 Sec. 47. CODE EDITOR. The Code editor is directed to
30 reassign chapter 261 as amended by this Act, to a subchapter
31 under chapter 262.

32 Sec. 48. REPEAL. Sections 256.31, 260C.3, 260C.6, 261.1,
33 261.3, and 261.4, Code 1995, are repealed.

34 EXPLANATION

35 This bill transfers the authority the department of

1 education has over the community colleges to the state board
2 of regents. Duties required of the director of the department
3 of education relating to the community colleges are placed
4 with the executive director of the state board of regents.
5 The bill also repeals the section creating the college student
6 aid commission and confers upon the state board of regents all
7 authority and responsibility currently held by the commission
8 for the administration of college student aid. The bill makes
9 conforming technical changes, and directs the Code editor to
10 reassign sections relating to college student aid to a
11 subchapter of chapter 262, relating to the state board of
12 regents.

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