



Department of Inspections,
Appeals, & Licensing

Iowa Department of Inspections, Appeals, & Licensing
Administrative Hearings Division
6200 Park Avenue, Suite 100, East Entrance
Des Moines, IA 50321-1270

Appeal Decision

Claim Number:
[REDACTED]

Determination Number:
7353984

Appeal Filed By:
KATE PARKER

Appeal Filed Date:
07/29/2025

Appeals Bureau Docket:
2025144538-AT

[REDACTED]

APPEALS BUREAU DECISION OF ADMINISTRATIVE LAW JUDGE

Mail Date: October 8, 2025

Appellant

Claimant/Job Seeker: KATE PARKER

Claimant address: [REDACTED]

Social Security Number: [REDACTED]

Appellee

Employer: N/A

Employer address:

In regard to the appeal by KATE PARKER:

STATUTORY REFERENCE

Iowa Code Section 96.4(6) - Department Approved Training

ISSUES STATEMENT

Whether the claimant is eligible for Department Approved Training for the period beginning July 20, 2025.

CASE HISTORY

On July 29, 2025, Kate Parker (claimant) appealed the July 24, 2025 (mailing date) decision that denied Department Approved Training (DAT) for the period beginning July 20, 2025, based on a determination that Ms. Parker did not meet the eligibility requirements. After appropriate notice an appeal hearing was held on September 11, 2025. Ms. Parker participated. Exhibits A through G were received into evidence. The administrative law judge took official notice of the following agency administrative records: the Payment Summary, the decisions allowing DAT for the period of July 14, 2024 to July 12, 2025 and of the Iowa Western Community College full-time status requirement. The administrative law just left the record open through September 12, 2025 to allow the claimant additional opportunity to submit a copy of her DAT application, which was not available to the administrative law judge through the IowaWORKS.gov website. On September 11,

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2025, Ms. Parker instead submitted a TEB application that was not received into evidence.

FINDINGS OF FACT

Having considered all of the evidence in the record, the administrative law judge finds as follows:

Kate Parker (claimant) established an original claim for benefits that was effective July 20, 2025. Ms. Parker has made weekly benefits for each since July 20, 2025.

Ms. Parker filed an application for Department Approved Training (DAT) for the period beginning July 20, 2025.

In the July 24, 2025 (mailing date decision), Iowa Workforce Development Benefits Bureau denied DAT for the period beginning July 20, 2025, based on a determination that, “Your training program does not have substantial, full-time curriculum that removes you from the labor market.”

Ms. Parker is currently attending college classes at Iowa Western Community College (IWCC) as part of the Fall 2025 academic semester. Classes began on August 18, 2025 and will end on December 12, 2025. Ms. Parker is taking three classes, for a total of eight credit hours. The classes meet on Tuesdays, 9:00 a.m. to 12:30 p.m. and 1:00 p.m. to 2:00 p.m., and on Thursdays, 9:00 a.m. to 12:00 p.m. and 12:00 p.m. to 1:00 p.m.

Ms. Parker is training to become a registered nurse (R.N.) Ms. Parker commenced her nurse training in August 2024. In May 2025, Ms. Parker completed the degree requirements to qualify to take the licensure exam to become a Licensed Practical Nurse (LPN). The LPN coursework counts toward the degree requirements for the R.N. degree. Ms. Parker anticipates she will complete the R.N. degree requirements in December 2026, which means the nurse training that began in August 2024 will last longer than 104 weeks by the time the R.N. degree studies are complete.

In connection with the benefit year that began on July 14, 2024 and that expired on July 12, 2025, IWD approved Ms. Parker for DAT status for the period of July 14, 2024 through July 12, 2025.

In connection with the Summer 2025 academic term, Ms. Parker took a four-credit Microbiology class for which she earned an A grade. The summer class started on June 2, 2025 and ended on July 25, 2025. Ms. Parker did not take any other classes during the summer term.

IWCC defines full-time status during all terms as 12 or more credit hours. See <https://catalog.iwcc.edu/content.php?catoid=3&navoid=105#academic-load> , “ Twelve or more credit hours is considered full-time status for the fall and spring semesters, as well as the summer session.”

CONCLUSION OF LAW

Iowa Code section 96.4(6)a-b provides:

6. a. An otherwise eligible individual shall not be denied benefits for any week because the individual is in training with the approval of the director, nor shall the individual be denied benefits with respect to any week in which the individual is in training with the approval of the director by reason of the application of the provision in subsection 3 of this section relating to availability for work, and an active search for work or the provision of section 96.5, subsection 3, relating to failure to apply for or a refusal to accept suitable work. However, an employer's account shall not be charged with benefits so paid.

b. (1) An otherwise eligible individual shall not be denied benefits for a week because the individual is in training approved under 19 U.S.C. section 2296(a), as amended by section 2506 of



the federal Omnibus Budget Reconciliation Act of 1981, because the individual leaves work which is not suitable employment to enter the approved training, or because of the application of subsection 3 of this section or section 96.5, subsection 3, or a federal unemployment insurance law administered by the department relating to availability for work, active search for work, or refusal to accept work.

(2) For purposes of this paragraph, "suitable employment" means work of a substantially equal or higher skill level than an individual's past adversely affected employment, as defined in 19 U.S.C. section 2319(l), if weekly wages for the work are not less than eighty percent of the individual's average weekly wage.

Iowa Admin. Code Rule 871-24.31 provides as follows:

Department-approved training allows claimants to return to the labor market after attending vocational training while being paid unemployment insurance benefits. Vocational training is nonacademic, skill-oriented training that provides the student with job tools and skills that can be used in the workplace. It includes technical, skill-based, or job readiness training intended for pursuing a career. Upon departmental approval, the claimant is exempt from the work search requirement for continued benefit eligibility benefits. To be eligible for department-approved training programs and to maintain continuing participation therein, the individual must meet the following requirements:

24.31(1) The claimant applies to the department demonstrating:

- a. The educational establishment at which the claimant would receive training;
- b. The estimated time required for such training;
- c. The date the training will be complete or the degree obtained;
- d. The occupation the training is allowing the claimant to maintain or pursue; and
- e. The training plan, indicating the requirements needed to complete the certification or degree.

24.31(2) A claimant may receive unemployment insurance while attending a training course approved by the department if:

- a. The educational establishment is a college, university or technical training institution;
- b. The training is completed 104 weeks or less from the start date; and
- c. The individual is enrolled and attending as a full-time student, as defined by the institution.

While attending the approved training course, the claimant need not be available for work or actively seeking work, except if the hours of the training are outside the regular hours worked in the base period employment. After completion of department-approved training, to continue eligibility for unemployment insurance, the claimant may place no restriction on employability. The claimant must be able to work, available for work, and actively searching for work. The claimant may be subject to disqualification for any refusal of work without good cause after completing training.

24.31(3) The claimant must show satisfactory attendance and progress in the training course to be considered for a subsequent approval.

Ms. Parker is not eligible for department-approved training for the period beginning July 20, 2025.



Though Ms. Parker has been attending a college and has been demonstrating satisfactory progress by receiving good grades, the program of study cannot be deemed nonacademic, vocational training and the length of the R.N. program of study, which includes the period spent in L.P.N. training, exceeds the 104-week maximum applicable to DAT. In addition, since July 20, 2025, Ms. Parker has not been enrolled and attending full-time, as defined by IWCC. DAT status is denied for the period beginning July 20, 2025 through the present.

DECISION/REMAND

The July 24, 2025 (mailing date) decision is **AFFIRMED**. The claimant is not eligible for department-approved training (DAT) for the period beginning July 20, 2025. Though the claimant has been attending a college and has been demonstrating satisfactory progress by receiving good grades, the program of study cannot be deemed nonacademic, vocational training and the length of the R.N. program of study, which includes the period spent in L.P.N. training, exceeds the 104-week maximum applicable to DAT. In addition, since July 20, 2025, the claimant has not been enrolled and attending full-time, as defined by IWCC. DAT status is denied for the period beginning July 20, 2025 through the present.



James **TIMBERLAND**

Administrative Law Judge

Iowa Department of Inspections, Appeals, & Licensing

Administrative Hearings Division

Unemployment Insurance Appeals Bureau

Please see the last page of this document for important information about reopening the appeal and further appeal rights.



INSTRUCTIONS FOR FILING AN APPEAL

If you disagree with the decision, you or any interested party may:

1. Appeal to the Employment Appeal Board within fifteen (15) days of the date under the judge's signature by submitting a written appeal via mail, fax, or online to:

Employment Appeal Board
6200 Park Avenue Suite 100
Des Moines, IA 50321
Fax: (515)281-7191
Online: IowaWORKS account

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

AN APPEAL TO THE BOARD SHALL STATE CLEARLY:

1. A reference to the decision from which the appeal is taken.
2. That an appeal from such decision is being made and such appeal is signed.
3. The grounds upon which such appeal is based.

An Employment Appeal Board decision is final agency action. If a party disagrees with the Employment Appeal Board decision, they may then file a petition for judicial review in district court.

2. If no one files an appeal of the judge's decision with the Employment Appeal Board within fifteen (15) days, the decision becomes final agency action, and you have the option to file a petition for judicial review in District Court within thirty (30) days after the decision becomes final. Additional information on how to file a petition can be found at Iowa Code 17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17a.19.pdf> or by contacting the District Court Clerk of Court <https://www.iowacourts.gov/iowa-courts/court-directory/>.

Note to Parties: YOU MAY REPRESENT yourself in the appeal or obtain a lawyer or other interested party to do so provided there is no expense to Iowa Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds.

Note to Claimant: It is important that you file your weekly claim as directed, while the appeal is pending, to protect your continuing right to benefits.

SERVICE INFORMATION:

A true and correct copy of this decision was mailed to each of the parties listed.



Babel Notice – Claim and Appeal Information

Aviso: Aviso: Documento De Beneficios Del Seguro De Desempleo
Y Información De Apelación

IMPORTANT!

This document contains important information about your unemployment compensation rights, responsibilities and/or benefits. It is critical that you understand the information in this document. **DEADLINE FOR APPEAL:** If you disagree with this determination or decision, you must file an appeal before the deadline noted in this document. **IMMEDIATELY:** If needed, call 866-239-0843 for assistance in the translation and understanding of the information in the document(s) you have received.

¡IMPORTANTE!

Este documento contiene información importante sobre sus derechos, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. **PLAZO LÍMITE PARA APELAR:** Si usted está en desacuerdo con esta determinación o decisión, debe presentar una apelación antes del plazo límite indicado en este documento. **INMEDIATAMENTE:** Si necesita asistencia para traducir y entender la información contenida en el documento(s) que recibió, llame al 866-239-0843.

重要提示！

这份文件包含有关失业补偿的权利、责任和/或利益的重要信息。您需要理解本文件中的信息，这一点至关重要。

上诉截止日期：如果您不同意本裁定或决定，您必须在本文件所载截止日期前提出上诉。**立即：**如果需要，请拨打866-239-0843，可获得帮助，以利您翻译和理解所收到的文件中的信息。

IMPORTANT!

Ce document contient des informations importantes sur vos droits d'allocation de chômage, vos responsabilités et/ou vos bénéfices. Il est indispensable que vous compreniez le contenu de ce document. **DATE LIMITE POUR FAIRE APPEL:** Si vous n'êtes pas d'accord avec cette détermination ou décision, vous devrez faire un appel avant la date limite signalée dans ce document. **IMMÉDIATEMENT:** Si nécessaire, téléphonez au 866-239-0843 pour avoir de l'assistance sur la traduction et/ou la compréhension de ce document.

WICHTIG!

Diese Dokument enthält wichtige Hinweise zu ihren Rechten, Pflichten bzw. Leistungen im Rahmen der Arbeitslosenunterstützung. Es ist entscheidend, dass Sie die Informationen in diesem Dokument verstehen. **FRIST ZUR BESCHWERDEEINLEGUNG:** Wenn Sie mit der Feststellung oder Entscheidung nicht einverstanden sind, müssen Sie vor Ablauf der in diesem Dokument aufgeführten Frist eine Beschwerde einlegen. **SOFORT:** Sofern erforderlich, rufen Sie die Telefonnummer 866-239-0843 an und erkundigen sich nach Hilfsdiensten bei der Übersetzung und zum Verständnis der Informationen in dem (den) von Ihnen erhaltenen Dokument(en).

IMPORTANTE!

Ang mga dokumentong ito ay naglalaman ng mahalagang impormasyon tungkol sa iyong mga karapatan na makatanggap ng kabayaran, mga responsibilidad at /o benepisyo dahil sa pagkawala ng trabaho. Napakahalagang maunawaan mo ang mga impormasyong nilalaman sa dokumentong ito. **HULING ARAW PARA UMAPILA:** Kung hindi ka sumasang-ayon sa pagpapasiya o desisyon, dapat kang maghabol o magharap ng apila bago dumating ang huling araw na nabanggit sa dokumentong ito. **KAAGAD:** Kung kinakailangan ang tulong, tumawag sa 866-239-0843 para sa pagsasalin ng wika at pag-unawa ng impormasyon sa mga dokumentong natanggap mo.

IMPORTANTE:

Questo documento contiene informazioni importanti sui Suoi diritti di indennizzo di disoccupazione, sulle sue responsabilità e i suoi benefit. E' cruciale che Lei comprenda appieno le informazioni contenute in questo documento. **SCADENZA PER IL RICORSO:** Se non si trova in accordo con questa determinazione o decisione, dovrà presentare ricorso prima della scadenza riportata nel presente documento. **INMEDIATAMENTE:** In caso di necessità chiami il 866-239-0843 per assistenza alla traduzione e comprensione delle informazioni contenute nei documenti ricevuti.

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Tài liệu này chứa đựng tin tức quan trọng về quyền hạn, trách nhiệm và/hoặc những lợi lộc được đền bù trong khi thất nghiệp. Đó là điều tối cần thiết mà quý vị phải hiểu rõ những tin tức trong tài liệu này. **HẠN CHÓT KHIẾU NẠI:** Nếu quý vị không đồng ý với quyết định này, quý vị phải nộp đơn khiếu nại trước hạn chót ghi rõ trong tài liệu này. **MỘT CÁCH NHANH CHÓNG:** Nếu cần xin hãy gọi số 866-239-0843 để được giúp đỡ trong việc phiên dịch và hiểu rõ những tin tức trong tài liệu quý vị đã nhận.

중요!

이 문서는 실업보상 권리, 책임 및/또는 혜택에 대한 중요한 정보가 포함되어 있습니다. 이 문서에 있는 정보를 이해 하는 것은 매우 중요합니다. **항소 마감:** 이 결정에 이견이 있으시면 항소인은 문서에 언급된 마감일 전에 항소를 제기하셔야 합니다. **즉시:** 받으신 문서의 번역 및 이해를 위해서 도움이 필요하시면 866-239-0843 로연락을 하시기 바랍니다.

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Dokumenty mogą zawierać ważne informacje o Pana(-i) prawach do zasiłków dla bezrobotnych, obowiązków i/lub świadczeń. Zrozumienie informacji zawartych w niniejszym dokumencie jest bardzo ważne. **DATA WYGAŚNIĘCIA TERMINU SKŁADANIA ODWOŁAŃ:** Jeśli nie zgadza się Pan(-i) z decyzją zawartą w niniejszym dokumencie, odwołanie należy złożyć przed datą wygaśnięcia terminu wyszczególnionego w treści niniejszego dokumentu. **NATYCHMIAST:** W razie potrzeby, należy dzwonić pod 866-239-0843 w celu uzyskania pomocy w tłumaczeniu i zrozumieniu informacji w dokumentach, które Pan(i) otrzymał(-a).

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ໝາຍເຫລາະສາ

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هام!

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