

**COLLEGE STUDENT AID COMMISSION[283]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 261.3, the Iowa College Student Aid Commission hereby amends Chapter 8, “All Iowa Opportunity Scholarship Program,” and Chapter 9, “All Iowa Opportunity Foster Care Grant Program”; adopts new Chapter 10, “Uniform Policies”; and amends Chapter 12, “Iowa Tuition Grant Program,” Chapter 13, “Iowa Vocational-Technical Tuition Grant Program,” Chapter 17, “Barber and Cosmetology Arts and Sciences Tuition Grant Program,” Chapter 18, “Iowa Work-Study Program,” Chapter 22, “Iowa Minority Grants for Economic Success (IMAGES),” Chapter 23, “Skilled Workforce Shortage Tuition Grant Program,” Chapter 24, “Rural Iowa Primary Care Loan Repayment Program,” Chapter 25, “Rural Iowa Advanced Registered Nurse Practitioner and Physician Assistant Loan Repayment Program,” Chapter 32, “Chiropractic Graduate Student Forgivable Loan Program,” and Chapter 36, “Governor Terry E. Branstad Iowa State Fair Scholarship Program,” Iowa Administrative Code.

New Chapter 10 provides a uniform policy for determining eligibility of applicants to receive funding under programs administered by the College Student Aid Commission. Other amendments update pertinent references to reflect new Chapter 10.

Notice of Intended Action was published in the Iowa Administrative Bulletin on June 24, 2015, as **ARC 2037C**. One change has been made to the amendments that were published under Notice of Intended Action. The proposed amendment to subrule 27.1(2) was not adopted because the subrule addresses the Iowa Grant Program, which was rescinded as a result of changes to the Iowa Code that were enacted in 2015 Iowa Acts, House File 658, section 18.

The Commission does not intend to grant waivers under the provisions of these rules.

After analysis and review of this rule making, the Commission finds that there is no impact on jobs.

These amendments are intended to implement Iowa Code chapter 261.

These amendments will become effective on December 2, 2015.

The following amendments are adopted.

ITEM 1. Amend rule **283—8.2(261)**, definition of “Iowa resident,” as follows:

*“Iowa resident”* means a person who meets the ~~criteria used by the state board of regents to determine residency for tuition purposes as described in 681—1.4(262) or a person who meets the criteria defined by the Iowa department of education’s “Iowa community college uniform policy on student residency status.”~~ residency requirements established in 283—Chapter 10.

ITEM 2. Amend rule **283—9.2(261)**, definition of “Iowa resident,” as follows:

*“Iowa resident”* means an individual who meets the ~~criteria used by the state board of regents to determine residency for tuition purposes as described in 681—1.4(262) or an individual for whom the Iowa department of human services had placement and care responsibilities as mandated by the Iowa juvenile court system~~ residency requirements established in 283—Chapter 10.

ITEM 3. Adopt the following **new** 283—Chapter 10:

CHAPTER 10  
UNIFORM POLICIES

**283—10.1(261) Purpose.** This chapter describes criteria for determining whether a student is considered a resident of Iowa for the purposes of gaining eligibility for funding under programs administered by the college student aid commission.

**283—10.2(261) Definition.** “Iowa resident” means a person who:

**10.2(1)** If attending an Iowa regent university, Iowa private college or university, or Iowa barber or cosmetology college, meets the criteria used by the state board of regents to determine residency for

tuition purposes as described in 681—1.4(262) and, if the person qualifies for residency only as described in 681—paragraph 1.4(2) “b,” meets the following additional criteria:

- a. Is a veteran or qualifying military person domiciled in the state of Iowa who is not dependent upon a parent for financial support;
- b. Is a dependent veteran or qualifying military person whose parent is domiciled in the state of Iowa; or
- c. Is the spouse, domestic partner, or dependent child of a veteran or qualifying military person who is domiciled in the state of Iowa; or

**10.2(2)** If attending an Iowa community college, meets the criteria defined by the Iowa department of education to determine residency for community college tuition purposes as defined in 281—subrule 21.2(11) and, if the person qualifies for residency only as described in 281—subparagraph 21.2(11) “b”(5), meets the following additional criteria:

- a. Is a veteran of uniformed service or a national guard member domiciled in the state of Iowa who is not dependent upon a parent for financial support;
- b. Is a dependent veteran of uniformed service or a national guard member whose parent is domiciled in the state of Iowa; or
- c. Is the spouse, domestic partner, or dependent child of a veteran of uniformed service or a national guard member who is domiciled in the state of Iowa.

These rules are intended to implement Iowa Code chapter 261.

ITEM 4. Amend subrule 12.1(3), introductory paragraph, as follows:

**12.1(3) Student eligibility.** A recipient must be an Iowa resident enrolled for at least three semester hours, or the trimester or quarter equivalent, in a program leading to a degree from an eligible Iowa college or university. ~~The criteria used by the state board of regents to determine residency for tuition purposes, 681—1.4(262), are adopted for this program.~~ “Iowa resident” means an individual who meets the residency requirements established in 283—Chapter 10.

ITEM 5. Amend paragraph **13.1(2)“a”** as follows:

a. A recipient must be an Iowa resident as defined ~~by the Iowa department of education’s “Iowa community college uniform policy on student residency status.”~~ in 283—Chapter 10.

ITEM 6. Amend paragraph **17.1(2)“a”** as follows:

a. A recipient must be an Iowa resident as defined ~~by the Iowa department of education’s “Iowa community college uniform policy on student residency status.”~~ in 283—Chapter 10.

ITEM 7. Amend rule 283—18.2(261) as follows:

**283—18.2(261) Student eligibility.** A recipient must be an Iowa resident enrolled for at least three semester hours, or the trimester or quarter equivalent, in a program leading to a degree from an eligible Iowa college or university. ~~The criteria used by the state board of regents to determine residency for tuition purposes, 681—1.4(262), and the Iowa department of education’s “Iowa community college uniform policy on student residency status” are adopted for this program.~~ “Iowa resident” means an individual who meets the residency requirements established in 283—Chapter 10.

Funds may be used to provide part-time or full-time work opportunities to students registered for classes at the college or university for the academic year. For this program, academic year is defined as July 1 through June 30. Work opportunities may be provided during the summer to students who are enrolled for the upcoming fall term.

ITEM 8. Amend subrule **22.1(1)**, definition of “Iowa resident,” as follows:

*“Iowa resident”* means an individual who meets the residency requirements as established ~~by the Iowa board of regents~~ in 283—Chapter 10.

ITEM 9. Amend paragraph **23.1(2)“a”** as follows:

a. A recipient must be an Iowa resident as defined ~~by the Iowa department of education’s Iowa community college uniform policy on student residency status~~ in 283—Chapter 10.

ITEM 10. Amend subrule 24.3(1), introductory paragraph, as follows:

**24.3(1)** An eligible university will recommend up to ten applicants to the commission for loan repayment benefits. Priority will be given to students who are Iowa residents upon enrolling in the eligible university. ~~The criteria used by the state board of regents to determine residency for tuition purposes, Iowa Administrative Code rule 681—1.4(262), are adopted for this program.~~ “Iowa resident” means an individual who meets the residency requirements established in 283—Chapter 10. The percentage of the agreements to be entered into by students attending each eligible university shall be evenly divided.

ITEM 11. Amend subrule 25.3(1) as follows:

**25.3(1)** The commission will annually determine and communicate the number of physician assistant and advanced registered nurse practitioner recommendations that can be funded at each eligible university. The intent of this determination will be to ensure that an equal number of students in each program at eligible universities are able to enter into an agreement. Priority will be given to applicants who are Iowa residents upon enrolling in the eligible university. ~~The criteria used by the state board of regents to determine residency for tuition purposes, Iowa Administrative Code rule 681—1.4(262), are adopted for this program.~~ “Iowa resident” means an individual who meets the residency requirements established in 283—Chapter 10. If fewer than the maximum number of physician assistants or advanced registered nurse practitioners are recommended at an eligible university, the commission may obtain additional recommendations from the other eligible universities to award the remaining agreements.

ITEM 12. Amend subrule **32.1(1)**, definition of “Iowa resident student,” as follows:

*“Iowa resident student”* means an individual who meets the criteria ~~used by the state board of regents to determine residency for tuition purposes, 681 IAC 1.4(262)~~ established in 283—Chapter 10.

ITEM 13. Amend paragraph **32.1(2)“a”** as follows:

*a.* Graduate students who are enrolled at the college on or after July 1, 1999, who meet the Iowa residency ~~criteria as defined~~ requirements established in ~~681 IAC 1.4(262)~~ 283—Chapter 10 and agree to practice chiropractic in underserved areas in Iowa are eligible to apply for program benefits.

ITEM 14. Amend subrule **36.1(1)**, definition of “Iowa resident student,” as follows:

*“Iowa resident student”* means an individual who meets the criteria ~~used by the state board of regents to determine residency for tuition purposes, 681—1.4(262)~~ established in 283—Chapter 10.

[Filed 9/29/15, effective 12/2/15]

[Published 10/28/15]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/28/15.