ARC 3940C

COLLEGE STUDENT AID COMMISSION[283]

Notice of Intended Action

**Proposing rule making related to application requirements and providing an opportunity
for public comment**

The College Student Aid Commission hereby proposes to amend Chapter 20, "Iowa National Guard Educational Assistance Program," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 261.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 261 and 2018 Iowa Acts, Senate File 2415, section 14.

Purpose and Summary

This proposed amendment reflects changes to Iowa Code section 261.86 that were enacted in 2018 Iowa Acts, Senate File 2415, section 14. Section 14 requires recipients of the Iowa National Guard Educational Assistance Program to complete the Free Application for Federal Student Aid (FAFSA) to apply for state and federal nonrepayable aid.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 283—Chapter 7.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Commission no later than 4:30 p.m. on September 4, 2018. Comments should be directed to:

Karen Misjak
Executive Director
College Student Aid Commission
475 S.W. Fifth Street, Suite D
Des Moines, Iowa 50309-4608
Phone: 515.725.3410
Fax: 515.725.3401
Email: karen.misjak@iowa.gov or administrative rules website at rules.iowa.gov

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 20.1(2) as follows:

20.1(2) *Guard member eligibility.* A recipient must:

a. Be a resident of Iowa, as defined by the adjutant general of Iowa, and a member of an Iowa army or air national guard unit throughout each term for which the member receives benefits.

b. Have satisfactorily completed required guard training.

c. Have maintained satisfactory performance of guard duty.

d. Have applied to the adjutant general of Iowa for program eligibility by the established application deadline date(s) by completing the Free Application for Federal Student Aid (FAFSA) and any other application form required. The adjutant general shall accept an application from an eligible member of the Iowa national guard who was on federal active duty at the time of an application deadline if the application is received within 30 days after the eligible member returns to Iowa from federal active duty. The applicant will be considered for funding for the state-defined payment period in which the application was received and any future state-defined payment periods in that academic year.

e. Be pursuing a certificate or undergraduate degree program at an eligible Iowa college or university and maintaining satisfactory academic progress.

f. Provide notice of national guard status to the college or university at the time of registration.