

### 35.9 Expenditure by department.

1. *a.* The department may expend not more than six hundred dollars per year for any one child who has lived in the state of Iowa for two years preceding application for state educational assistance, and who is the child of a person who died prior to September 11, 2001, during active federal military service while serving in the armed forces or during active federal military service in the Iowa national guard or other military component of the United States, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, board, lodging, and any other reasonably necessary expense for the child or children incident to attendance in this state at an educational or training institution of college grade, or in a business or vocational training school with standards approved by the department.

*b.* A child eligible to receive funds under this section shall not receive more than three thousand dollars under this subsection during the child's lifetime.

2. *a.* Upon application by a child who is less than thirty-one years of age, and who is the child of a person who died on or after September 11, 2001, during active federal military service while serving in the armed forces or during active federal military service in the Iowa national guard or other military component of the United States, and who at the time of entering into active military service had maintained the person's residence in the state for a period of at least six months immediately before entering into active military service, the department shall provide state educational assistance in an amount of no more than the highest resident undergraduate tuition rate established per year for an institution of higher learning under the control of the state board of regents less the amount of any state and federal education benefits, grants, or scholarships received by the child, or the amount of the child's established financial need, whichever is less, to defray the expenses of tuition at any postsecondary educational institution in this state.

*b.* A child eligible to receive state educational assistance under this subsection shall begin postsecondary education prior to reaching age twenty-six, shall not receive more than an amount equal to five times the highest resident undergraduate tuition rate established per year for an institution of higher learning under the control of the state board of regents during the child's lifetime, and shall, to remain eligible for assistance, meet the academic progress standards of the postsecondary educational institution. Payments for state educational assistance for a child under this subsection shall be made to the applicable postsecondary educational institution. The college student aid commission may, if requested, assist the department in administering this subsection.

[C39, §482.09; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §35.9]

92 Acts, ch 1140, §5; 94 Acts, ch 1200, §9; 99 Acts, ch 180, §4; 2005 Acts, ch 115, §7, 40; 2006 Acts, ch 1182, §36; 2008 Acts, ch 1032, §7; 2008 Acts, ch 1064, §2, 3

[SP] 2008 amendments to subsection 2 take effect April 11, 2008, and apply retroactively to July 1, 2007; 2008 Acts, ch 1064, §3