

261A.4 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Authority*” means the Iowa higher education loan authority created by [this chapter](#), and “*members of the authority*” means those persons appointed to the authority pursuant to [section 261A.6](#).

2. “*Authority loans*” means loans by the authority to institutions of higher education for the purpose of funding education loans.

3. “*Bond resolution*” means a resolution of the authority and the trust agreement, if any, and any supplements or amendments to the resolution and agreement, authorizing the issuance of and providing for the terms and conditions applicable to obligations.

4. “*Bond service charges*” means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the authority on obligations.

5. “*Borrower*” means a student who has received an education loan or a parent who has received or agreed to pay an education loan.

6. “*Cost of attendance*” means the amount defined by the institution for the purpose of the guaranteed student loan program as defined under Tit. IV, part B, of the Higher Education Act of 1965, as amended.

7. “*Default insurance*” means insurance insuring education loans, authority loans, or obligations against default.

8. “*Default reserve fund*” means a fund established pursuant to a bond resolution for the purpose of securing education loans, authority loans, or obligations.

9. “*Education loan*” means a loan which is made by an institution to a student or parents of a student, or both, in amounts not in excess of the maximum amounts specified in rules adopted by the authority under [chapter 17A](#) to finance all or a portion of the cost of the student’s attendance at the institution.

10. “*Education loan series portfolio*” means all education loans made by a specific institution which are funded from the proceeds of an authority loan to the institution from the proceeds of a related specific issue of obligations through the authority.

11. “*Governmental agency*” means the state or a state department, division, commission, institution, or authority, an agency, city, county, township, school district, and any other political subdivision or special district in this state established pursuant to law, and, except where otherwise indicated, also means the United States or a department, division, or agency of the United States, and an agency, commission, or authority established pursuant to an interstate compact or agreement.

12. “*Institution*” means a nonprofit educational institution located in Iowa not owned or controlled by the state or any political subdivision, agency, instrumentality, district, or city of the state, which is authorized by law to provide a program of education beyond the high school level and which meets all of the following requirements:

a. Admits as regular students only individuals having a certificate of graduation from high school, or the recognized equivalent of such a certificate.

b. Provides an educational program for which it awards a baccalaureate degree; or provides an educational program which conditions admission upon the prior attainment of a baccalaureate degree or its equivalent, for which it awards a postgraduate degree; or provides not less than a two-year program which is acceptable for full credit toward a baccalaureate degree, or offers not less than a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge.

c. Is accredited by a nationally recognized accrediting agency or association or, if not accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are accredited.

d. Does not discriminate in the admission of students on the basis of age, race, creed, color, sex, national origin, religion, or disability.

- e. Has a governing board which possesses its own sovereignty.
 - f. Has a governing board, or delegated institutional officials, which possess final authority in all matters of local control, including educational policy, choice of personnel, determination of program, and financial management.
- 13. “*Loan funding deposit*” means money or other property that is deposited:
 - a. By an institution with the authority or a trustee.
 - b. In amounts deemed necessary by the authority as a condition for the institution’s participation in the authority’s programs.
 - c. For the purpose of one or more of the following:
 - (1) Providing security for obligations.
 - (2) Funding a default reserve fund.
 - (3) Acquiring default insurance.
 - (4) Defraying costs of the authority.
 - 14. “*Obligations*” means bonds, notes, or other evidences of indebtedness of the authority, including interest coupons pertaining thereto, issued under [this chapter](#), including refunding bonds.
 - 15. “*Parent*” means a parent or guardian of a student at an institution.
 - 16. “*Person*” means a public or private person, firm, partnership, association, corporation or other body.

[82 Acts, ch 1031, §4]

2008 Acts, ch 1031, §43

Referred to in §261A.24