

CHAPTER 4
DUE PROCESS

[Prior to 8/10/88, see College Aid Commission, 245—Ch 11]

[Prior to 10/15/03, see 283—Ch 5]

283—4.1(261) Appeals. This chapter describes procedures for appeal to commission decisions covering student eligibility for state scholarship and grant awards, adjustment in award amounts, refunds of awards, and institutional eligibility for participation in state scholarship and grant programs.

4.1(1) Administrative staff of the commission shall make all decisions in accordance with established policies and published administrative rules approved by the commission and shall notify the concerned individual or institution of these decisions within a reasonable time after inquiry.

4.1(2) If an individual, institution, or any duly appointed representative thereof disagrees with a staff decision, written evidence setting forth the reasons for disagreement shall be presented to the executive director of the commission. The evidence must be presented within 60 days after notification of the staff decision, and the appellant may request a hearing.

a. If no hearing is requested, the executive director will consider all evidence provided and will notify the appellant within 30 days whether the decision is retracted, modified or upheld. The appellant will be advised of the appellant's right to carry the appeal to a meeting of the full commission or to an appeals panel appointed by the commission.

b. If a hearing is requested, the executive director will follow the contested case procedures in 283—Chapter 5.

This rule is intended to implement Iowa Code section 261.3.

[Filed 3/9/82, Notice 1/6/82—published 3/31/82, effective 5/5/82]

[Filed emergency 8/16/85—published 9/11/85, effective 8/23/85]

[Filed 7/22/88, Notice 3/9/88—published 8/10/88, effective 9/14/88]

[Filed 9/24/03, Notice 6/11/03—published 10/15/03, effective 11/19/03]