

283—21.3 (261B,261G) Registration approval criteria. The college student aid commission will approve an applicant school that completes a registration application provided by the commission and meets all of the following criteria:

21.3(1) The applicant school is accredited by an agency recognized by the United States Department of Education or its successor agency. The applicant school shall certify to the commission the school's status with the accrediting agency at the time of the application and provide information about any pending or final action that may affect the school's status with its accrediting agency.

As applicable, the applicant school shall provide the commission the name of any programmatic accrediting agency recognized by the United States Department of Education that accredits the specific programs the applicant school proposes to offer under its registration.

21.3(2) The applicant school certifies to the commission that the applicant school's approval to operate in a state has not been revoked by the state, the school has not been sanctioned by a state within a year prior to the date of its application, and the school is not under investigation or bound by the terms of a judgment issued by a state's attorney general or other enforcement authority.

21.3(3) The applicant school certifies that it is not subject to a limitation, suspension or termination order issued by the United States Department of Education or its successor agency. The applicant school shall provide the commission with a copy of the school's current program participation agreement with the United States Department of Education.

21.3(4) The applicant school complies with Iowa Code section 261B.7, which prohibits a school from advertising that the school is approved or accredited by the commission or the state of Iowa. However, an applicant school must demonstrate the method by which it will disclose that the school is registered with the commission and provide the commission's contact information for students who wish to inquire about the school or file a complaint.

21.3(5) The applicant school provides the commission with institutional policies adopted by the school that comply with the requirements of Iowa Code section 261.9(1) "e" to "h."

a. For a program in which a student's academic progress is measured only in clock hours, the school shall provide a full refund of tuition and mandatory fees to a student who withdraws and who requests that benefit under Iowa Code section 261.9(1) "g" for the payment period in which the student withdrew. The payment period is determined under rules promulgated by the United States Department of Education for the disbursement of federal Stafford loan funds.

b. The employee policy for reporting suspected incidents of child physical or sexual abuse required by Iowa Code section 261.9(1) "h" shall apply to individuals the school compensates to conduct activities on the school's behalf at an Iowa location.

21.3(6) If required by the commission, the applicant school files annual reports that the commission also requires from all Iowa colleges and universities.

21.3(7) The applicant school demonstrates financial viability by providing a copy of the institution's most recent audit that was prepared by a certified public accounting firm no more than 12 months prior to the date of the application and that provides an unqualified opinion. An applicant school must provide the auditor's report as an attachment to the registration application, which is posted on the commission's Internet site. However, the school may provide financial statements associated with the audit in a separate electronic file that is marked "confidential." Financial statements that a school identifies as "confidential" will not be treated as public records under Iowa Code chapter 22.

21.3(8) The applicant school provides a description of the learning resources it offers to students, including appropriate library and other support services the school provides to its students.

21.3(9) The applicant school provides evidence that faculty within an appropriate discipline are involved in developing and evaluating curriculum for the program(s) being registered in Iowa.

21.3(10) The applicant school provides documentation or information posted on its Internet site that describes the educational and experiential qualifications of all faculty or instructors who teach in the programs the school proposes to offer under its registration and the general subject matter in which

faculty members or instructors teach. The applicant school shall also provide the number of full-time and part-time faculty and instructors who will teach the courses offered to Iowans.

21.3(11) The applicant school provides documentation demonstrating that a program which prepares a student for an occupation that requires professional licensure in Iowa and which the school proposes to offer under its registration:

a. Has been approved by the appropriate state of Iowa licensing agency and accrediting agency, if such approval is required, or

b. Meets curriculum standards of the appropriate state of Iowa licensing agency such that the state of Iowa licensing agency does not require the student to complete additional coursework or practicum hours that the school did not offer in its professional licensure preparation program.

21.3(12) The school submits a request for amendment of its registration subject to commission approval in the event the school makes a substantive change in location, program offering, or accreditation during its registration term. A substantive change in program offering occurs when a school proposes to initiate a program that requires the approval of the state board of education or any other program that prepares a student for an occupation that requires professional licensure in this state.

21.3(13) During its registration term, the school notifies the commission within 90 days after adding a program that does not require the school to seek the commission's amendment approval under subrule 21.3(12).

21.3(14) The applicant school certifies that it will immediately notify the commission of any pending or final sanction issued by the school's accrediting agency, another state agency that registers or licenses the school during its registration term, or a state attorney general's office or other enforcement authority.

21.3(15) The applicant school provides a statement, signed by its chief executive officer, demonstrating the applicant school's commitment to the delivery of programs offered in Iowa and agreeing to provide alternatives for students to complete their programs at the same or other schools if the applicant school discontinues a program, the applicant school closes, or the applicant school closes an Iowa site before students have completed their courses of study.

Notwithstanding any limitations on student eligibility for a teach-out plan approved by a school's accrediting agency, the alternatives that the school provides under this agreement with the commission shall ensure that all academically eligible students attending the programs the school offers under its registration are provided with a viable option(s) to finish the program(s).

21.3(16) If the applicant school is for profit, the applicant school provides evidence that its most recently calculated percentage of revenue derived from funds received under Title IV of the Higher Education Act of 1965, as amended, does not exceed the threshold established by the United States Department of Education.

21.3(17) If the applicant school is nonpublic, the applicant school provides evidence of its official financial responsibility composite score, as calculated using the method prescribed by the United States Department of Education.

a. A school demonstrates that its financial responsibility composite score is official by providing written confirmation of its composite score from the United States Department of Education.

b. A school that does not participate in the postsecondary student financial aid programs authorized by the United States Department of Education demonstrates that its financial responsibility composite score is official by providing written confirmation of its composite score from its accrediting agency. If the school's accrediting agency does not independently verify the school's composite score, the school must submit written confirmation from its independent auditor.

21.3(18) A nonpublic school that does not have a legal governing body, such as a board of directors or board of trustees, shall provide the names, titles, and educational and experiential qualifications of the persons holding key academic and operational leadership positions at the school.

21.3(19) A nonpublic school that is a subsidiary of another organization provides all of the following:

- a.* The name of the parent organization.
- b.* The names and titles of the members of the parent organization's legal governing body, such as a board of directors or board of trustees. In the absence of a legal governing body, the school provides the information described in subrule 21.3(18).
- c.* The name(s) of any other school(s) that is a subsidiary of the same parent organization.

21.3(20) The school posts a list of required and suggested textbooks for all courses and corresponding international standard book numbers for such textbooks at least 14 days before the start of each semester or term at the locations where textbooks are sold on campus and on the school's Internet site.

21.3(21) The school provides any additional information the commission requires to evaluate the school.

[**ARC 1216C**, IAB 12/11/13, effective 1/15/14; **ARC 2580C**, IAB 6/22/16, effective 5/27/16]