

3/5/96 Referred to W. & M.
3/12/96 Do Pass
FILED MAR 4 1996
H-3/14/96 Education

SENATE FILE 24/2
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2140)

Passed Senate, Date ^(p.799) 3/14/96 Passed House, Date _____
Vote: Ayes 47 Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the registration of postsecondary schools and
2 increasing fees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

S.C. 24/2

1 Section 1. Section 261B.2, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. "Degree" means a postsecondary credential conferring on
4 the recipient the title or symbol which signifies or purports
5 to signify completion of the requirements of an academic,
6 educational, or professional program of study beyond the
7 secondary school level of associate, bachelor, master, or
8 doctor, or an equivalent title, signifying educational
9 attainment based on any one or a combination of study or the
10 equivalent experience or achievement testing. A postsecondary
11 degree under this chapter shall not include an honorary degree
12 or other unearned degree.

13 Sec. 2. Section 261B.2, Code 1995, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 1A. "Presence" means maintaining an
16 address within Iowa.

17 Sec. 3. Section 261B.3, Code 1995, is amended to read as
18 follows:

19 261B.3 REGISTRATION.

20 1. A school that maintains or conducts one or more courses
21 of instruction, including courses of instruction by
22 correspondence, offered in this state or which has a presence
23 in this state and offers courses in other states or foreign
24 countries shall register annually with the secretary.

25 Registration shall be made on application forms approved and
26 supplied by the secretary and at the time and in the manner
27 prescribed by the secretary. Upon receipt of a complete and
28 accurate registration application, the secretary shall issue a
29 certificate of registration an acknowledgment of document
30 filed and send it to the school.

31 2. The secretary may request additional information as
32 necessary to enable the secretary to determine the accuracy
33 and completeness of the information contained in the
34 registration application. If the secretary believes that
35 false, misleading, or incomplete information has been

1 submitted in connection with an application for registration,
2 the secretary may deny registration. The secretary shall
3 conduct a hearing on the denial if a hearing is requested by a
4 school. The secretary may withhold ~~a certificate of~~
5 ~~registration~~ an acknowledgment of document filed pending the
6 outcome of the hearing. Upon a finding after the hearing that
7 information contained in the registration application is
8 false, misleading, or incomplete, the secretary shall deny a
9 ~~certificate of registration~~ an acknowledgment of document
10 filed to the school. The secretary shall make the final
11 decision on each registration. ~~The~~ However, the decision of
12 the secretary is subject to judicial review in accordance with
13 section 17A.19.

14 3. The secretary shall utilize the advisory committee
15 created in section 261B.10 in reviewing new and continuing
16 registrations.

17 4. The secretary shall adopt rules under chapter 17A for
18 the implementation of this chapter.

19 Sec. 4. NEW SECTION. 261B.3A REQUIREMENT.

20 A school offering courses or programs of study leading to a
21 degree in the state of Iowa shall be accredited by an agency
22 or organization approved or recognized by the United States
23 department of education or a successor agency and be approved
24 for operation by the appropriate state agencies in all other
25 states in which it operates or maintains a presence. A school
26 is exempt from this section if the programs offered by the
27 school are limited to nondegree specialty vocational training
28 programs.

29 Sec. 5. Section 261B.4, subsections 2 and 11, Code 1995,
30 are amended to read as follows:

31 2. The principal location of the school in this state, in
32 other states, and in foreign countries, and the location of
33 the place or places in this state, in other states, and in
34 foreign countries where instruction is likely to be given.

35 11. The names or titles and a description of the courses

1 and degrees to be offered in-this-state.

2 Sec. 6. Section 261B.4, Code 1995, is amended by adding
3 the following new subsection:

4 NEW SUBSECTION. 13. The academic and instructional
5 methodologies and delivery systems to be used by the school
6 and the extent to which the school anticipates each
7 methodology and delivery system will be used, including but
8 not limited to, classroom instruction, correspondence,
9 electronic telecommunications, independent study, and
10 portfolio experience evaluation.

11 Sec. 7. Section 261B.8, Code 1995, is amended to read as
12 follows:

13 261B.8 REGISTRATION FEES.

14 The secretary shall collect an initial registration fee of
15 fifty one thousand dollars and an annual renewal of
16 registration fee of twenty-five five hundred dollars from each
17 registered school.

18 Sec. 8. Section 261B.10, Code 1995, is amended to read as
19 follows:

20 261B.10 ADVISORY COMMITTEE.

21 The state advisory committee for postsecondary school
22 registration is created. The committee shall consist of the
23 secretary of state and seven members appointed by the
24 coordinating council for post-high school education. Members
25 shall serve for staggered four-year terms and shall include
26 representatives from public and private two-year and four-year
27 colleges, universities, and specialized and vocational
28 schools.

29 The committee shall meet at least annually to advise the
30 secretary and other agencies in matters relating to the
31 administration of this chapter and to serve as a resource and
32 advisory board to the secretary as needed. The secretary
33 shall serve as chairperson of the advisory committee and may
34 call meetings and set the agenda as needed.

35 Sec. 9. Section 261B.11, Code 1995, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 9. Postsecondary educational institutions
3 licensed by the state of Iowa to conduct business in the
4 state.

5 EXPLANATION

6 This bill augments the requirements for registration by a
7 postsecondary school in Iowa and increases the registration
8 fees.

9 Any school that has a presence, which is defined in the
10 bill as maintaining an address in Iowa, and maintains or
11 conducts one or more courses, including correspondence
12 courses, offered in Iowa, or which has a presence in Iowa and
13 offers courses in other states, or foreign countries, must
14 register with the secretary of state. Currently, only those
15 schools that are actually offering, maintaining, and
16 conducting courses, including correspondence courses, in Iowa
17 are required to register with the secretary.

18 Schools meeting the requirements of the registration are
19 given certificates of registration, currently. Under the
20 bill, they are issued an acknowledgement of document on file.
21 The secretary of state makes the final determination on each
22 registration, however, the secretary's decision is subject to
23 judicial review.

24 The secretary is directed to utilize the state advisory
25 committee for postsecondary school registration in reviewing
26 new and continuing registrations, and the committee is
27 directed to serve as an advisory review board for the
28 secretary. The secretary is added to the board and shall
29 serve as the board's chairperson.

30 The bill adds a new registration requirement that a school
31 offering courses or programs of study leading to a degree
32 shall be accredited by an agency or organization approved or
33 recognized by the United States department of education and be
34 approved for operation by the appropriate state agencies in
35 all other states in which it operates. A school is exempt

1 from the section if its programs are limited to nondegree
2 specialty vocational training programs.

3 The following information is added to the registration
4 information the school is required to submit when requesting
5 registration: The locations where instruction is likely to be
6 given in this state, along with the principal locations of the
7 school in other states and foreign countries, and the names
8 and titles and a description of the degrees to be offered in
9 Iowa. The bill also requires disclosure of this information
10 before a student takes a course or pays tuition at a school.

11 The academic and instructional methodologies and delivery
12 systems to be used by the school and the extent to which the
13 school anticipates each methodology and delivery system will
14 be used, including but not limited to classroom instruction,
15 correspondence, electronic telecommunications, independent
16 study, and portfolio experience evaluation.

17 An exemption from the registration requirements is added
18 for postsecondary institutions licensed in the state.

19 Registration and renewal fees are increased from the
20 current \$50 and \$25 to \$1,000 and \$500, respectively.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Delahery
Fink
Redfern

SSB - 2140
Education

Succeeded By
SENATE FILE CF/HF 2412
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON CONNOLLY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the registration of postsecondary schools and
2 increasing fees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1 Section 1. Section 261B.3, unnumbered paragraphs 1 and 2,
2 Code 1995, are amended to read as follows:

3 A school that has a presence in Iowa, and offers,
4 maintains, or conducts one or more courses of instruction,
5 including courses of instruction by correspondence, in this
6 state or in other states or foreign countries, shall register
7 annually with the secretary. Registration shall be made on
8 application forms approved and supplied by the secretary and
9 at the time and in the manner prescribed by the secretary.
10 Upon receipt of a complete and accurate registration
11 application, the secretary shall issue a certificate letter of
12 registration and send it to the school. A school must be
13 accredited by an accrediting agency recognized by the United
14 States department of education, or its successor agency, and
15 must be approved for operation by the appropriate state
16 agencies in all other states in which it operates or maintains
17 a presence prior to the issuance of a letter of registration.

18 The secretary may request additional information as
19 necessary to enable the secretary to determine the accuracy
20 and completeness of the information contained in the
21 registration application. If the secretary believes that
22 false, misleading, or incomplete information has been
23 submitted in connection with an application for registration,
24 the secretary may deny registration. The secretary shall
25 conduct a hearing on the denial if a hearing is requested by a
26 school. The secretary may withhold a certificate letter of
27 registration pending the outcome of the hearing. Upon a
28 finding after the hearing that information contained in the
29 registration application is false, misleading, or incomplete,
30 the secretary shall deny a certificate letter of registration
31 to the school. The decision of the secretary is subject to
32 judicial review in accordance with section 17A.19.

33 Sec. 2. Section 261B.3, Code 1995, is amended by adding
34 the following new unnumbered paragraph:

35 NEW UNNUMBERED PARAGRAPH. The secretary shall utilize the

1 state advisory committee for postsecondary school registration
2 in reviewing new and continuing registrations.

3 Sec. 3. Section 261B.4, subsections 2, 9, and 11, Code
4 1995, are amended to read as follows:

5 2. ~~The principal location of the school and the location~~
6 ~~of the place or places~~ locations in this state where
7 instruction is likely to be given and the principal locations
8 of the school in other states and foreign countries.

9 9. ~~Whether the school is accredited by any accrediting~~
10 ~~agency recognized by the United States department of education~~
11 ~~or a successor agency and, if so, the~~ The name of the
12 accreditation body that has accredited the school and the
13 status under which accreditation is held.

14 11. The names or titles and a description of the courses
15 and degrees to be offered in this state.

16 Sec. 4. Section 261B.4, Code 1995, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 13. The academic and instructional
19 methodologies and delivery systems to be used by the school
20 and the extent to which the school anticipates each
21 methodology and delivery system will be used, including but
22 not limited to classroom instruction, correspondence,
23 electronic telecommunications, independent study, and
24 portfolio experience evaluation.

25 Sec. 5. Section 261B.8, Code 1995, is amended to read as
26 follows:

27 261B.8 REGISTRATION FEES.

28 The secretary shall collect an initial registration fee of
29 fifty one thousand dollars and an annual renewal of
30 registration fee of ~~twenty-five~~ five hundred dollars from each
31 registered school.

32 Sec. 6. Section 261B.9, subsection 6, Code 1995, is
33 amended by striking the subsection and inserting in lieu
34 thereof the following:

35 6. The name of the body that has accredited the school and

1 the status under which the accreditation is held.

2 Sec. 7. Section 261B.10, unnumbered paragraph 2, Code
3 1995, is amended to read as follows:

4 The committee shall meet at least annually to advise the
5 secretary and other agencies in matters relating to the
6 administration of this chapter and to serve as a resource and
7 advisory review board to the secretary as needed.

8 EXPLANATION

9 This bill augments the requirements for registration by a
10 postsecondary school in Iowa and increases the registration
11 fees.

12 Any school that has a presence in Iowa and maintains or
13 conducts courses, including correspondence courses, in Iowa,
14 other states, or foreign countries, must register with the
15 secretary of state. Currently, only those schools that are
16 actually offering, maintaining, and conducting courses,
17 including correspondence courses, in Iowa are required to
18 register with the secretary.

19 Schools meeting the requirements of the registration are
20 given certificates of registration, currently. Under the
21 bill, they are issued letters of registration.

22 The secretary is directed to utilize the state advisory
23 committee for postsecondary school registration in reviewing
24 new and continuing registrations, and the committee is
25 directed to serve as an advisory review board for the
26 secretary.

27 The following information is added to the registration
28 information the school is required to submit when requesting
29 registration: (1) All locations where instruction is likely
30 to be given in this state, along with the principal locations
31 of the school in other states and foreign countries, (2) the
32 name of the body that has accredited the school and the status
33 under which accreditation is held, and (3) the names and
34 titles and a description of the degrees to be offered in Iowa.
35 The bill also requires disclosure of this information before a

1 student takes a course or pays tuition at a school.

2 The academic and instructional methodologies and delivery
3 systems to be used by the school and the extent to which the
4 school anticipates each methodology and delivery system will
5 be used, including but not limited to classroom instruction,
6 correspondence, electronic telecommunications, independent
7 study, and portfolio experience evaluation.

8 Registration and renewal fees are increased from the
9 current \$50 and \$25 to \$1,000 and \$500, respectively.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35