

House Study Bill 691

Bill Text

PAG LIN

1 1 Section 1. Section [19B.3](#), subsection 2, paragraph h, Code
1 2 1999, is amended to read as follows:
1 3 h. Require development of equal employment opportunity
1 4 reports, including the initiation of the processes necessary
1 5 for the completion of

~~the annual EEO-6~~

- reports required by the

1 6 federal equal employment opportunity commission.

1 7 Sec. 2. Section [261.1](#), subsection 2, Code 1999, is amended
1 8 to read as follows:

1 9 2. The director of the department of education or the
1 10 director's designee.

1 11 Sec. 3. Section [261.2](#), subsections 1, 2, 3, 5, and 7
1 12 through 10, Code 1999, are amended by striking the
1 13 subsections.

1 14 Sec. 4. Section [261.9](#), subsection 1, unnumbered paragraph
1 15 1, Code 1999, is amended to read as follows:

1 16 "Accredited private institution" means an institution of
1 17 higher learning located in Iowa which is operated privately
1 18 and not controlled or administered by any state agency or any
1 19 subdivision of the state, except for county hospitals as
1 20 provided in paragraph "c" of this subsection, and which meets
1 21 at least one of the

~~following~~

- criteria in paragraphs "a"

1 22 through "c" and all of the criteria in paragraphs "e" through
1 23 "h":

1 24 Sec. 5. Section [261.9](#), subsection 1, paragraphs a, b, and
1 25 c, Code 1999, are amended to read as follows:

1 26 a.

~~which is~~

- accredited by the north central association of

1 27 colleges and secondary schools accrediting agency based on
1 28 their requirements

~~, or~~

-
1 29 b.

~~which has been~~

- is certified by the north central

1 30 association of colleges and secondary schools accrediting
1 31 agency as a candidate for accreditation by that agency

~~, or~~

-
1 32 c.

~~which is~~

- a school of nursing accredited by the national

1 33 league for nursing and approved by the board of nurse
1 34 examiners, including such a school operated, controlled, and
1 35 administered by a county public hospital.

2 1 Sec. 6. Section [261.9](#), subsection 1, paragraph d, Code
2 2 1999, is amended by striking the paragraph.
2 3 Sec. 7. Section [261.9](#), subsection 1, paragraph e,
2 4 unnumbered paragraph 1, Code 1999, is amended to read as
2 5 follows:
2 6

~~Which promotes~~

- equal opportunity and affirmative action
2 7 efforts in the recruitment, appointment, assignment, and
2 8 advancement of personnel at the institution. In carrying out
2 9 this responsibility the institution shall do all of the
2 10 following:
2 11 Sec. 8. Section [261.9](#), subsection 1, paragraph e,
2 12 subparagraph (8), Code 1999, is amended to read as follows:
2 13 (8) Require development of equal employment opportunity
2 14 reports, including the initiation of the processes necessary
2 15 for the completion of

~~the annual EEO 6~~

- reports required by the
2 16 federal equal employment opportunity commission.
2 17 Sec. 9. Section [261.9](#), subsection 1, paragraph f, Code
2 18 1999, is amended to read as follows:
2 19 f.

~~Which adopts~~

- a policy that prohibits unlawful
2 20 possession, use, or distribution of controlled substances by
2 21 students and employees on property owned or leased by the
2 22 institution or in conjunction with activities sponsored by the
2 23 institution. Each institution shall provide information about
2 24 the policy to all students and employees. The policy shall
2 25 include a clear statement of sanctions for violation of the
2 26 policy and information about available drug or alcohol
2 27 counseling and rehabilitation programs. In carrying out this
2 28 policy, an institution shall provide substance abuse
2 29 prevention programs for students and employees.
2 30 Sec. 10. Section [261.9](#), subsection 1, paragraph g,
2 31 unnumbered paragraph 1, Code 1999, is amended to read as
2 32 follows:
2 33

~~Which develops~~

- and implements a written policy, which is
2 34 disseminated during student registration or orientation,
2 35 addressing the following four areas relating to sexual abuse:
3 1 Sec. 11. Section [261.9](#), subsection 1, paragraph h, Code
3 2 1999, is amended to read as follows:
3 3 h.

~~Which files~~

- a copy of the annual report required by the
3 4 federal Student Right-To-Know and Campus Security Act, Pub. L.
3 5 No. 101-542, with the division of criminal and juvenile
3 6 justice planning of the department of human rights, along with
3 7 a copy of the written policy developed pursuant to paragraph
3 8 "g".
3 9 Sec. 12. Section [261.19](#), subsection 2, Code 1999, is
3 10 amended to read as follows:
3 11 2. A forgivable loan may be awarded to a resident of Iowa
3 12 who is enrolled at the university of osteopathic medicine and
3 13 health sciences if the student agrees to practice in this
3 14 state for a period of time to be determined by the commission
3 15 at the time the loan is awarded. Forgivable loans to eligible
3 16 students shall not become due

~~and interest on the loan shall~~

3 17

~~not accrue~~

- until after the student completes a residency

3 18 program. Interest on the loans shall begin to accrue the day
3 19 following the student's graduation date. If the student
3 20 completes the period of practice established by the commission
3 21 and agreed to by the student, the loan amount shall be
3 22 forgiven. The loan amount shall not be forgiven if the
3 23 osteopathic physician fails to complete the required time
3 24 period of practice in this state or fails to satisfactorily
3 25 continue in the university's program of medical education.
3 26 Sec. 13. Section [261.19B](#), Code 1999, is amended to read as
3 27 follows:

3 28 261.19B OSTEOPATHIC

~~LOAN~~

- PHYSICIAN RECRUITMENT REVOLVING

3 29 FUND.

3 30 An osteopathic

~~loan~~

- physician recruitment revolving fund is

3 31 created in the state treasury as a separate fund under the
3 32 control of the commission. The commission shall deposit
3 33 payments made by osteopathic

~~loan~~

- physician recruitment

3 34 recipients and the proceeds from the sale of osteopathic loans
3 35 into the osteopathic loan revolving fund. Moneys credited to
4 1 the fund shall be used to supplement moneys appropriated for
4 2 the osteopathic

~~forgivable loan~~

- physician recruitment program,

4 3 for loan forgiveness to eligible physicians and to pay for
4 4 loan or interest repayment defaults by eligible physicians.
4 5 Notwithstanding section 8.33, any balance in the fund on June
4 6 30 of any fiscal year shall not revert to the general fund of
4 7 the state.
4 8 Sec. 14. Section [261.25](#), subsection 5, Code Supplement
4 9 1999, is amended to read as follows:
4 10 5. For

~~the~~

- each fiscal year

~~beginning July 1, 1989, and in~~

4 11

~~succeeding years~~

-, the institutions of higher education that

4 12 enroll recipients of Iowa tuition grants shall transmit to the
4 13 Iowa college student aid commission information about the
4 14 numbers of minority students enrolled and minority faculty
4 15 members employed at the institution, and existing or proposed
4 16 plans for the recruitment and retention of minority students
4 17 and faculty as well as existing or proposed plans to serve
4 18 nontraditional students. The Iowa college student aid
4 19 commission shall compile and report the first fall academic
4 20 semester or quarter enrollment and employment information and
4 21 plans for the next fiscal year to the chairpersons and ranking
4 22 members of the house and senate education committees, members

4 23 of the joint education appropriations subcommittee, the
4 24 governor, and the legislative fiscal bureau by

~~December 15~~

4 25 March 1 of each year.

4 26 Sec. 15. Section [261.86](#), subsection 2, Code Supplement
4 27 1999, is amended to read as follows:

4 28 2. The amount of educational assistance received by a
4 29 national guard member pursuant to this section

~~shall be~~

4 30

~~determined by the adjutant general and~~

~~shall not exceed the~~

4 31 resident tuition rate established for institutions of higher
4 32 learning under the control of the state board of regents. If
4 33 the amount appropriated in a fiscal year for purposes of this
4 34 section is insufficient to provide educational assistance to
4 35 all national guard members who apply for the program and who
5 1 are determined by the adjutant general to be eligible for the
5 2 program, the

~~adjutant general~~

~~commission shall~~

~~determine~~

5 3 prorate the amount of educational assistance each eligible
5 4 guard member shall receive based upon the amount appropriated.
5 5

~~However, educational assistance paid to an eligible national~~

5 6

~~guard member shall not be less than an amount equal to fifty~~

5 7

~~percent of the resident tuition rate established for~~

5 8

~~institutions of higher learning under the control of the state~~

5 9

~~board of regents.~~

~~The adjutant general shall not determine~~
5 10 educational assistance

~~amounts~~

~~eligibility based upon a~~

5 11 national guard member's unit, the location at which drills are
5 12 attended, or whether the eligible individual is a member of
5 13 the Iowa army or air national guard.

5 14 Sec. 16. Section [261.92](#), subsection 1, paragraph b,
5 15 subparagraph (8), Code 1999, is amended to read as follows:

5 16 (8) Require development of equal employment opportunity
5 17 reports, including the initiation of the processes necessary
5 18 for the completion of

~~the annual EEO 6~~

~~reports required by the~~

5 19 federal equal employment opportunity commission.
5 20 Sec. 17. TRANSFER OF OSTEOPATHIC FORGIVABLE LOAN REVOLVING
5 21 FUND MONEYS BY TREASURER. On the effective date of this Act,
5 22 the treasurer of state shall transfer any balance in the
5 23 osteopathic forgivable loan program to the osteopathic
5 24 physician recruitment revolving fund established pursuant to
5 25 section 13 of this Act.
5 26 Sec. 18. DIRECTION TO CODE EDITOR. The Code editor is
5 27 directed to correct internal references in section 261.9 of
5 28 the Code as necessary in conjunction with the enactment of
5 29 this Act.

5 30 EXPLANATION

5 31 This bill authorizes the director of the department of
5 32 education to appoint a designee to serve on the college
5 33 student aid commission, strikes language referring to defunct
5 34 federal law and a discontinued federal report, changes the
5 35 point in time when interest will begin to accrue on loans made
6 1 under the osteopathic physician recruitment program, and
6 2 pushes the date on which the commission is required to submit
6 3 a report on enrollment and employment information from
6 4 December 15 to March 1.

6 5 Congress in 1972 repealed the Higher Education Facilities
6 6 Act of 1963 and provided that the programs authorized by Title
6 7 VII of the Higher Education Act of 1965 are a continuation of
6 8 the comparable programs authorized by the Higher Education
6 9 Facilities Act of 1963. References to the Higher Education
6 10 Facilities Act of 1963 are therefore struck in the bill.
6 11 Language referring to the annual federal EEO-6 report is
6 12 likewise struck as it is no longer required by the federal
6 13 government, though other federal reports are required.

6 14 The bill also makes clear that an "accredited private
6 15 institution", as defined in the Code, is an institution of
6 16 higher learning that meets at least one of the three specific
6 17 criteria in the Code relating to accreditation and
6 18 certification, and all of the criteria relating to equal
6 19 opportunity and affirmative action efforts, a controlled
6 20 substances policy, a sexual abuse policy, and the filing of
6 21 the federal Student Right-To-Know and Campus Security Act
6 22 report with the division of criminal and juvenile justice
6 23 planning of the department of human rights.

6 24 The bill also provides that interest will begin to accrue
6 25 on a loan issued to a student under the osteopathic physician
6 26 recruitment program on the day after the student graduates.
6 27 Currently, the Code provides that the interest will not accrue
6 28 until after the student completes a residency program.

6 29 The bill also renames the osteopathic forgivable loan
6 30 revolving fund as the osteopathic physician recruitment
6 31 revolving fund, and directs the treasurer of state to transfer
6 32 the funds from the old fund to the new fund on the date the
6 33 Act takes effect.

6 34 The bill also strikes from the Code the authorization for
6 35 the adjutant general to determine the amount of funding an
7 1 eligible national guard member receives under the national
7 2 guard educational assistance program and instead permits the
7 3 college student aid commission to prorate the amount of
7 4 assistance based on the amount appropriated.

7 5 Finally, the Code currently requires the institutions of
7 6 higher education that enroll recipients of Iowa tuition grants
7 7 to transmit to the commission information about the numbers of
7 8 minority students enrolled, minority faculty members employed,
7 9 and existing or proposed plans for the recruitment and
7 10 retention of minority students and faculty, along with plans
7 11 to serve nontraditional students. The commission is required
7 12 to compile and report the information and plans to the
7 13 chairpersons and ranking members of the house and senate
7 14 education committees, members of the joint education
7 15 appropriations subcommittee, the governor, and the legislative

7 16 fiscal bureau by December 15 of each year. This bill pushes
7 17 that reporting date to March 1.
7 18 LSB 6732YC 78
7 19 kh/cf/24