

Senate File 269 - Introduced

SENATE FILE _____
BY McKINLEY

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

A BILL FOR

1 An Act relating to postsecondary tuition and fee remission for
2 veterans and survivors at community colleges and state
3 universities.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1868XS 82
6 kh/je/5

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1 1 Section 1. Section 260C.14, subsection 2, Code 2007, is
1 2 amended to read as follows:

1 3 2. Have authority to determine tuition rates for
1 4 instruction.

1 5 a. Tuition for residents of Iowa shall not exceed the
1 6 lowest tuition rate per semester, or the equivalent, charged
1 7 by an institution of higher education under the state board of
1 8 regents for a full-time resident student. However, except for
1 9 students enrolled under chapter 261C, if a local school
1 10 district pays tuition for a resident pupil of high school age,
1 11 the limitation on tuition for residents of Iowa shall not
1 12 apply, the amount of tuition shall be determined by the board
1 13 of directors of the community college with the consent of the
1 14 local school board, and the pupil shall not be included in the
1 15 full-time equivalent enrollment of the community college for
1 16 the purpose of computing general aid to the community college.

1 17 b. Tuition for nonresidents of Iowa shall not be less than
1 18 the marginal cost of instruction of a student attending the
1 19 college.

1 20 c. A lower tuition for nonresidents may be permitted under
1 21 a reciprocal tuition agreement between a merged area and an
1 22 educational institution in another state, if the agreement is
1 23 approved by the director.

1 24 d. (1) The board shall grant full remission of
1 25 nonresident tuition and fees charged for not more than one
1 26 hundred twenty-eight semester credit hours or eight semesters
1 27 of undergraduate study, or the trimester or quarter
1 28 equivalent, whichever is longer, less the amount of any fees
1 29 paid under 10 U.S.C. } 2107(c) or 38 U.S.C. } 3104(a)(7)(A),
1 30 if applicable, for a student who is a veteran. The department
1 31 of veterans affairs shall verify that the veteran is a
1 32 resident of this state for purposes of receiving benefits
1 33 under chapter 29A, and was a resident of this state at the
1 34 time of entry into the United States armed forces or the Iowa
1 35 national guard or reserve forces of the United States. For
2 1 purposes of this lettered paragraph, "veteran" means the same
2 2 as defined in section 35.1, or a resident of this state who
2 3 served in the armed forces of the United States, served in
2 4 active federal service, and was discharged under honorable
2 5 conditions. The limitation on credit hours and semesters of
2 6 study shall be applied cumulatively within the community
2 7 college system.

2 8 (2) The board shall grant full remission of tuition and
2 9 fees charged for not more than one hundred twenty-eight
2 10 semester credit hours or eight semesters of undergraduate
2 11 study, or the trimester or quarter equivalent, whichever is
2 12 longer, for the spouse, the unremarried surviving spouse, or a
2 13 child of a veteran if the veteran has a service-connected
2 14 disability or disabilities with a combined rating by the
2 15 United States department of veterans affairs of thirty percent
2 16 or greater, or if the veteran died either in the line of duty
2 17 or as a result of a service-connected disability. To be
2 18 eligible for remission, a child must be at least seventeen
2 19 years old but not yet twenty-six years old. For purposes of

2 20 this subparagraph, "child" means any biological child, adopted
2 21 child, stepchild, or any other child who is a member of the
2 22 veteran's household, or any nonmarital child if the veteran
2 23 acknowledges paternity or paternity has been otherwise
2 24 established. The state department of veterans affairs shall
2 25 verify that the veteran is a resident of this state for
2 26 purposes of receiving benefits under chapter 29A, or was a
2 27 resident of this state at the time of death, and was a
2 28 resident of this state at the time of entry into the United
2 29 States armed forces or the Iowa national guard or reserve
2 30 forces of the United States. The limitation on credit hours
2 31 and semesters of study shall be applied cumulatively within
2 32 the community college system.

2 33 e. The board may designate that a portion of the tuition
2 34 moneys collected from students be used for student aid
2 35 purposes.

3 1 Sec. 2. Section 262.9, subsection 29, Code 2007, is
3 2 amended to read as follows:

3 3 29. ~~Direct~~ Develop and adopt rules which direct the
3 4 institutions of higher education under its control to ~~adopt~~ do
3 5 the following:

3 6 a. ~~Adopt~~ a policy to offer not less than the following
3 7 options to a student who is a member of the Iowa national
3 8 guard or reserve forces of the United States and who is
3 9 ordered to state ~~military service~~ active duty or federal
3 10 service ~~or duty~~, as defined in section 29A.1:

3 11 a- (1) Withdraw from the student's entire registration
3 12 and receive a full refund of tuition and mandatory fees.

3 13 b- (2) Make arrangements with the student's instructors
3 14 for course grades, or for incompletes that shall be completed
3 15 by the student at a later date. If such arrangements are
3 16 made, the student's registration shall remain intact and
3 17 tuition and mandatory fees shall be assessed for the courses
3 18 in full.

3 19 c- (3) Make arrangements with only some of the student's
3 20 instructors for grades, or for incompletes that shall be
3 21 completed by the student at a later date. If such
3 22 arrangements are made, the registration for those courses
3 23 shall remain intact and tuition and mandatory fees shall be
3 24 assessed for those courses. Any course for which arrangements
3 25 cannot be made for grades or incompletes shall be considered
3 26 dropped and the tuition and mandatory fees for the course
3 27 refunded.

3 28 b. (1) Grant full remission of nonresident tuition and
3 29 fees charged for not more than one hundred twenty-eight
3 30 semester credit hours or eight semesters of undergraduate
3 31 study, or the trimester or quarter equivalent, whichever is
3 32 longer, or for not more than fifty graduate semester hours of
3 33 coursework or the trimester or quarter equivalent, less the
3 34 amount of any fees paid under 10 U.S.C. } 2107(c) or 38 U.S.C.
3 35 } 3104(a)(7)(A), if applicable, for a student who is a

4 1 veteran. The department of veterans affairs shall verify that
4 2 the veteran is a resident of this state for purposes of
4 3 receiving benefits under chapter 29A, and was a resident of
4 4 this state at the time of entry into the United States armed
4 5 forces or the Iowa national guard or reserve forces of the
4 6 United States. For purposes of this lettered paragraph,
4 7 "veteran" means the same as defined in section 35.1, or a
4 8 resident of this state who served in the armed forces of the
4 9 United States, served in active federal service, and was
4 10 discharged under honorable conditions. The limitation on
4 11 credit hours and semesters of study shall be applied
4 12 cumulatively among the institutions of higher education
4 13 governed by the board.

4 14 (2) Grant full remission of tuition and fees charged for
4 15 not more than one hundred twenty-eight semester credit hours
4 16 or eight semesters of undergraduate study, or the trimester or
4 17 quarter equivalent, whichever is longer, or for not more than
4 18 fifty graduate semester hours of coursework or the trimester
4 19 or quarter equivalent for the spouse, the unremarried
4 20 surviving spouse, or a child of a veteran if the veteran has a
4 21 service-connected disability or disabilities with a combined
4 22 rating by the United States department of veterans affairs of
4 23 thirty percent or greater, or if the veteran died either in
4 24 the line of duty or as a result of a service-connected
4 25 disability. To be eligible for remission, a child must be at
4 26 least seventeen years old but not yet twenty-six years old.
4 27 For purposes of this subparagraph, "child" means any
4 28 biological child, adopted child, stepchild, or any other child
4 29 who is a member of the veteran's household, or any nonmarital
4 30 child if the veteran acknowledges paternity or paternity has

4 31 been otherwise established. The state department of veterans
4 32 affairs shall verify that the veteran is a resident of this
4 33 state for purposes of receiving benefits under chapter 29A, or
4 34 was a resident of this state at the time of death, and was a
4 35 resident of this state at the time of entry into the United
5 1 States armed forces or the Iowa national guard or reserve
5 2 forces of the United States. The limitation on credit hours
5 3 and semesters of study shall be applied cumulatively among the
5 4 institutions of higher education governed by the board.

5 5 EXPLANATION

5 6 This bill requires community colleges and state
5 7 universities to grant full remission of nonresident tuition
5 8 and fees for not more than 128 semester credit hours or eight
5 9 semesters, or the trimester or quarter equivalent, whichever
5 10 is longer, or 50 graduate semester hours of coursework, or the
5 11 trimester or quarter equivalent, minus senior ROTC scholarship
5 12 and federal veterans administration's vocational
5 13 rehabilitation and education program funds if applicable, for
5 14 a veteran; or for the spouse, surviving unremarried spouse, or
5 15 child of a veteran if the veteran has a service-connected
5 16 disability or disabilities with a combined rating by the
5 17 United States department of veterans affairs of 30 percent or
5 18 greater, or if the veteran died either in the line of duty or
5 19 as a result of a service-connected disability. To be eligible
5 20 for remission, the child must be between 17 and 26 years of
5 21 age.
5 22 LSB 1868XS 82
5 23 kh:nh/je/5.2