

House File 47 - Introduced

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A BILL FOR

1 An Act relating to the administration of postsecondary
2 education assistance by the college student aid commission.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 261.2, Code 2017, is amended to read as
2 follows:

3 **261.2 Duties of commission.**

4 The commission shall:

5 ~~1. Prepare and administer a state plan for a state~~
6 ~~supported and administered scholarship program. The state~~
7 ~~plan shall provide for scholarships to deserving students of~~
8 ~~Iowa, matriculating in Iowa universities, colleges, community~~
9 ~~colleges, or schools of professional nursing. Eligibility of~~
10 ~~a student for receipt of a scholarship shall be based upon~~
11 ~~academic achievement and completion of advanced level courses~~
12 ~~prescribed by the commission. Provide, in accordance with~~
13 this chapter, scholarships and grants to eligible residents of
14 the state who are attending Iowa's postsecondary institutions,
15 and loan repayment for eligible recipients who are employed in
16 Iowa's workforce.

17 2. ~~Administer the tuition grant program all programs~~
18 authorized under this chapter; administer the Iowa state
19 fair scholarship fund established in section 261.62; expend
20 moneys appropriated in section 261.25; and carry out licensing
21 sanctions in accordance with division XV of this chapter.

22 3. Ensure that students receiving state-funded scholarships
23 and grants are attending institutions of higher education that
24 meet both of the following conditions:

25 a. The institutions are located in Iowa and are not
26 required to register under chapter 261B, or the institutions
27 are participating resident institutions as defined in section
28 261G.2 that volunteer to register under section 261B.11B.

29 b. The institutions are eligible to participate in a federal
30 student aid program authorized under Tit. IV of the federal
31 Higher Education Act of 1965, as amended.

32 4. Ensure that recipients of loan repayment programs
33 attended institutions of higher education that were in
34 compliance with chapter 261B and were eligible to participate
35 in a federal student aid program authorized under Tit. IV of

1 the federal Higher Education Act of 1965, as amended, at the
2 time the recipients were enrolled in the institutions.

3 5. Enter into all necessary agreements with the United
4 States secretary of education as required for the purpose of
5 receiving full benefit of the state program incentives offered
6 pursuant to the federal Higher Education Act of 1965, as
7 amended.

8 6. Enter into all necessary agreements with public or
9 private persons or entities to increase access to education
10 programs that the commission determines meet the postsecondary
11 education needs of Iowa residents. In accordance with those
12 agreements, the commission may accept appropriations, gifts,
13 grants, or other aid from those public or private persons or
14 entities, and may establish one or more funds in the state
15 treasury under the control of the commission. Notwithstanding
16 section 8.33 or 12C.7, or any other provision to the contrary,
17 moneys credited to a fund established in the state treasury
18 pursuant to this subsection shall not revert to the general
19 fund of the state and any income earned, including interest,
20 from moneys in such fund or any other receipts to the fund
21 shall remain in the fund until expended as provided in this
22 subsection.

23 ~~3- 7. Develop and implement, in cooperation with the state~~
24 ~~board of regents, the treasurer of state, and other interested~~
25 ~~constituencies, an educational program and marketing strategies~~
26 ~~designed to inform parents about the options available for~~
27 ~~financing a college education and the need to accumulate the~~
28 ~~financial resources necessary to pay for a college education.~~
29 ~~The educational program shall include but not be limited to~~
30 ~~distribution of informational material to public and nonpublic~~
31 ~~elementary schools for distribution to parents and guardians of~~
32 ~~five-year and six-year old children.~~

33 ~~4- 8. Approve transfers from the scholarship and tuition~~
34 ~~grant reserve fund under [section 261.20](#).~~

35 ~~5. Develop and implement, in cooperation with the~~

~~1 judicial district departments of correctional services and
2 the department of corrections, a program to assist criminal
3 offenders in applying for federal and state aid available for
4 higher education.~~

5 ~~6. 9.~~ Develop and implement, in cooperation with the
6 department of human services and the judicial branch, a program
7 to assist juveniles who are sixteen years of age or older and
8 who have a case permanency plan under [chapter 232](#) or [237](#) or are
9 otherwise under the jurisdiction of [chapter 232](#) in applying
10 for federal and state aid available for higher education.
11 ~~The commission shall also develop and implement the all-Iowa
12 opportunity foster care grant program in accordance with
13 [section 261.6](#).~~

14 ~~7. 10. a.~~ Adopt rules to establish reasonable registration
15 standards for the approval, pursuant to [section 261B.3A](#), of
16 postsecondary schools that are required to register with the
17 commission in order to operate in this state. The registration
18 standards established by the commission shall ensure that all
19 of the following conditions are satisfied:

20 (1) The courses, curriculum, and instruction offered by
21 the postsecondary school are of such quality and content as
22 may reasonably and adequately ensure achievement of the stated
23 objective for which the courses, curriculum, or instruction are
24 offered.

25 (2) The postsecondary school has adequate space, equipment,
26 instructional material, and personnel to provide education and
27 training of good quality.

28 (3) The educational and experience qualifications of
29 the postsecondary school's directors, administrators, and
30 instructors are such as may reasonably ensure that students
31 will receive instruction consistent with the objectives of the
32 postsecondary school's programs of study.

33 (4) Upon completion of training or instruction, students
34 are given certificates, diplomas, or degrees as appropriate by
35 the postsecondary school indicating satisfactory completion of

1 the program.

2 (5) The postsecondary school is financially responsible and
3 capable of fulfilling commitments for instruction.

4 *b.* The commission shall post an application on the
5 commission's internet site and shall render a decision on an
6 application for registration within one hundred eighty days of
7 the filing of the application.

8 ~~8.~~ 11. Submit by January 15 annually a report to the
9 general assembly which provides, by program, the number of
10 individuals who received ~~loan forgiveness~~ assistance from the
11 programs authorized under this chapter in the previous fiscal
12 year, the amount paid to those individuals ~~under sections~~
13 ~~261.73, 261.112, and 261.116,~~ and the institutions ~~from which~~
14 those individuals ~~graduated~~ attended, and ~~that~~ which includes
15 any proposed statutory changes and the commission's findings
16 and recommendations.

17 ~~9.~~ 12. Require any postsecondary institution whose
18 students are eligible for or who receive assistance under
19 programs administered by the commission and who were enrolled
20 in a school district in Iowa to include in its student
21 management information system the unique student identifiers
22 assigned to the institution's students while the students were
23 in the state's kindergarten through grade twelve system.

24 ~~10.~~ ~~Ensure that students receiving state-funded~~
25 ~~scholarships and grants are attending institutions of higher~~
26 ~~education that meet all of the following conditions:~~

27 ~~a.~~ ~~The institutions are not required to register under~~
28 ~~chapter 261B or the institutions are participating resident~~
29 ~~institutions as defined in section 261G.2 that volunteer to~~
30 ~~register under section 261B.11B.~~

31 ~~b.~~ ~~The institutions are eligible to participate in a federal~~
32 ~~student aid program authorized under Tit. IV of the federal~~
33 ~~Higher Education Act of 1965, as amended.~~

34 ~~11.~~ 13. Require any postsecondary institution whose
35 students are eligible for or who receive financial assistance

1 under programs administered by the commission to transmit
2 annually to the commission information about the numbers of
3 minority students enrolled in and minority faculty members
4 employed at the institution. The commission shall compile
5 and report the information collected to the general assembly,
6 the governor, and the legislative services agency by March 1
7 annually.

8 ~~12.~~ 14. Enter into and administer, or recognize, an
9 interstate reciprocity agreement for the provision of
10 postsecondary distance education by a postsecondary institution
11 pursuant to [chapter 261G](#). The commission shall adopt
12 rules establishing application procedures and criteria for
13 the authorization of postsecondary institutions providing
14 postsecondary distance education under interstate reciprocity
15 agreements pursuant to [chapter 261G](#) and for the review and
16 approval of interstate reciprocity agreements the commission
17 may enter into or recognize pursuant to [this subsection](#) and
18 [chapter 261G](#). The commission may accept an authorization
19 granted by another state to a postsecondary institution under
20 an interstate reciprocity agreement to deliver postsecondary
21 distance education.

22 Sec. 2. Section 261.114, subsection 11, paragraph b, Code
23 2017, is amended to read as follows:

24 *b.* *"Eligible university"* means a college or university that
25 meets the requirements of [section 261.2, subsection 10 3](#), and
26 is an institution of higher learning under the control of the
27 state board of regents or an accredited private institution as
28 defined in [section 261.9](#).

29 Sec. 3. Section 261G.2, subsection 2, Code 2017, is amended
30 to read as follows:

31 2. *"Interstate reciprocity agreement"* means an interstate
32 reciprocity agreement entered into and administered, or
33 recognized, by the commission in accordance with [section 261.2,](#)
34 [subsection 12 14](#).

35

EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill amends the current duties of the college student
4 aid commission, under Code section 261.2, by eliminating
5 provisions requiring the commission to prepare and administer a
6 state plan for a scholarship program, distribute informational
7 material to elementary school children, and develop and
8 implement a program to assist criminal offenders in applying
9 for higher education assistance; by consolidating certain
10 authorizations and responsibilities; by authorizing the
11 commission to seek and administer higher education assistance
12 programs under agreements with public and private entities;
13 by striking redundancies relating to administration of the
14 tuition grant and the all Iowa opportunity foster care grant
15 programs; and by moving a provision within the Code section in
16 order to improve the organization of the Code section, though
17 the provision is also amended to require the commission to
18 ensure that individuals benefiting from loan repayment attended
19 postsecondary institutions that were eligible for federal
20 student assistance and were in compliance with Code chapter
21 261B. The bill also makes conforming changes.

22 The commission is currently required to prepare and
23 administer a state plan for a scholarship program for
24 deserving Iowa students matriculating in Iowa's postsecondary
25 institutions. The bill strikes the requirement for the
26 state plan, though the Code sections establishing commission
27 requirements relating to the Iowa state fair scholarship and
28 the all Iowa opportunity scholarship program remain intact.

29 Commission responsibilities that are provided for in
30 other Code sections within the Code chapter, including
31 responsibilities to administer the Iowa state fair scholarship,
32 to distribute tuition grant funds appropriated by the general
33 assembly, and to carry out licensing sanctions as appropriate,
34 are added under the bill to Code section 261.2.

35 Currently, the commission must develop and implement, in

1 cooperation with the state board of regents, an educational
2 program and marketing strategies designed to inform parents
3 about the options available for financing a college education.
4 The bill adds the treasurer of state and other constituencies
5 to the entities with whom the commission must cooperate in
6 developing and implementing the program and strategies.

7 Currently, the commission must submit an annual report
8 to the general assembly relating to loan forgiveness
9 amounts issued, the recipients of loan forgiveness, and the
10 institutions attended by the recipients. The bill expands the
11 requirement beyond loan forgiveness to require that the report
12 include information relating to all assistance authorized under
13 the Code chapter.

14 The bill authorizes the commission to administer higher
15 education assistance programs under agreements with public and
16 private persons and entities; to accept appropriations, gifts,
17 grants, or other aid from those public or private persons or
18 entities; and to establish one or more funds in the state
19 treasury under the control of the commission. Moneys in such a
20 fund do not revert to the general fund of the state and moneys
21 earned as income, including as interest, from such a fund and
22 other receipts remain in the fund until expended.