

SHEEO State Authorization Inventory

Iowa

Please note: For purposes of this survey, the terms “authorize” and “authorization” are used generically to include approve, certify, license, regulate, recognize, empower, or similar actions relative to the operation, provision, or availability of postsecondary education in your state.

1. Agency and Contact Information

- a. Agency Name: **Iowa College Student Aid Commission**
- Description:
The Iowa College Student Aid Commission administers provisions of Iowa law that may require an entity to seek registration approval in Iowa to 1) offer postsecondary programs or courses to Iowans, including via distance delivery or 2) establish a presence in Iowa and offer courses in other states. The Iowa College Student Aid Commission also administers independent provisions of Iowa’s consumer protection law that may require such an entity to file evidence of financial responsibility with the state of Iowa, or establish a tuition refund policy that complies with Iowa law.
 - Contact Information:
Carolyn Small
Postsecondary Registration Administrator
Iowa College Student Aid Commission
515-725-3413
carolyn.small@iowa.gov
 - Please state who institutions should contact if they have questions about your agency’s authority, policies, or application process?
Same as above.
- b. Links:
Home Page: <http://www.iowacollegeaid.gov/>
- c. The following agencies also have responsibility for authorization in the state.
None.
- d. If the division of responsibility among these agencies is not clear, please explain.

2. Types of Educational Providers Authorized

- a. Please indicate the types of institutions that your agency authorizes, using the list below. Please answer “yes” or “no” to each item. Feel free to provide a short explanation of any ambiguity, including any necessary clarification of “in-state,” “out of state,” or other terminology.

- No Public, in-state degree granting institutions
- Yes Public, out-of-state degree granting institutions
- No Private, in-state, not-for-profit degree granting institutions
- Yes Private, out-of-state, not-for-profit degree granting institutions
- Yes* Private, in-state, for-profit degree granting institutions
- Yes Private, out-of-state, for-profit degree granting institutions
- No Public, in-state, non-degree granting institutions
- No Public, out-of-state, non-degree granting institutions
- No Non degree, not-for profit institutions
- No Non degree, for-profit institutions
- Yes* Religious institutions
- Yes* Tribally-controlled institutions

Clarifying comments:

*please contact the Postsecondary Registration Administrator for conditions.

- b. Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals)? If so, please explain.

No.

- c. Is accreditation required for an institution to be authorized in your state?

Yes.

- If yes, please explain:
- If yes, what type of accreditation is required? Please, check all that apply as appropriate.

Accrediting agency must be recognized by the Federal Department of Education

- _____ Regional
- _____ National
- _____ Programmatic/specialized

Clarifying comments:

- d. Does your agency authorize specific academic programs offered by institutions or only institutions themselves?
Generally speaking we authorize institutions. We don't approve or accredit programs but we review programs for Iowa specific implications.
- e. Do programs in certain subject areas require the separate approval by another state entity; for example, a professional licensing agency?

Education

Approval of educator preparation programs is required for schools located in Iowa and distance education providers.

Iowa Department of Education
Kris Crabtree-Groff
Kris.crabtree-groff@iowa.gov
515-725-0101

Nursing

Approval required if located in Iowa. Distance education providers must contact the Iowa Board of Nursing for instructions.

Kathy Weinberg
Kathy.weinberg@iowa.gov
515-281-4828

Social Work

Program must meet requirements of Iowa administrative rule; contact the Postsecondary Registration Administrator for more information.

Counseling Psychology

Program must meet requirements of Iowa administrative rule; contact the Postsecondary Registration Administrator for more information.

Others [please list]

Cosmetology and barbering schools – contact the Iowa Board of Cosmetology Arts and Sciences, Iowa Department of Health
515-281-4416

3. Exemptions

- a. Are certain institutions or programs exempt by law or policy from your state authorization requirements?
Yes.

- If yes, please describe which institutions or programs the exemption applies to and how it works? If available, please provide any pertinent web links.

Most exemptions apply to in-state schools.

- If yes, how does the institution or program claim an exemption? For example, is the exemption automatic as long as it meets specified criteria, does the institution or program notify the agency and the exemption is granted, is there an application process, etc.?

The application for registering or requesting a formal exemption from registration:

https://apps.iowacollegeaid.gov/marketing/docs/ch261b_reg_app_or_exempt_claim051310.pdf

The application for filing evidence of financial responsibility – or requesting a formal exemption:

https://apps.iowacollegeaid.gov/marketing/docs/ch714_fin_responsibility_app_exempt070709.pdf

- b. If an institution or program is exempt from state authorization, are there any other state requirements that an institution would need to fulfill in order to operate in your state (e.g., providing contact information, list of programs, etc.)?

Yes – a school may be required to file evidence of financial responsibility, and, for a for-profit school, develop a state tuition refund policy.

- c. Does your state constitution or do your state laws provide any exemptions for religious institutions?

Yes – very restrictive.

- Are all religious institutions exempt (please describe)?

No.

- Are religious institutions that award only religious degrees or certificates exempt (please describe)?

Yes.

- Are certain religious institutions exempt that meet other criteria (please describe)?

In addition to offering programs that result only in religious degrees or certificates a school may offer programs only to persons who are, or who aspire to be, leadership practitioners in the established, bona fide, religious organization with which the school is affiliated.

4. Authorization of Distance Education

- a. Does your agency require purely (100%) distance education programs, including online or correspondence study programs that enroll residents of your state, to be authorized without regard to physical presence?

No.

- b. If not, does your agency determine whether an institution must be authorized based on a physical presence or “operating” standard?

Under the Commission’s current policy a school that offers distance education programs in Iowa and that has a programmatic or operational “presence” must register.

A school that offers a distance education course in Iowa or that solicits the sale of that course in Iowa may also be required to file evidence of financial responsibility under Iowa’s consumer protection law, Iowa Code Section 714.18. If it is a for-profit school with a program of more than four months in length that results in a degree, diploma, or license, the school may also be required to establish an Iowa tuition refund policy under Iowa Code Section 714.23.

Updated, general information about who must register, including the current definition of “presence” in the state, for distance education providers, who must file evidence of financial responsibility, and who must establish a state tuition refund policy is on the website at:

<http://www.iowacollegeaid.gov\PostsecondaryRegistration\postsecondaryregistration.html>

Any school that is offering purely distance education programs to Iowa residents and has no programmatic or operational “presence” (see #5 below) is not required to register with the Commission. However, any school offering distance education programs to Iowa residents is strongly encouraged to contact Carolyn Small directly to discuss the school’s programs and operational activities in Iowa in detail, and receive written confirmation of the school’s Iowa registration status.

5. Physical Presence Policy – Common “Triggers”

- a. If your agency uses a physical presence standard, how does your agency define physical presence? If available, please provide a link to that policy or a citation to the relevant regulation giving that standard.

Please see web site at:

<http://www.iowacollegeaid.gov\PostsecondaryRegistration\postsecondaryregistration.html>

- b. Please specify whether any of the following activities would constitute a physical presence or signify “operating” in your state, assuming that the named activity is the institution’s sole activity in your state. **Please answer “yes” or “no” to each question. In addition you may provide a short explanation of any ambiguity.**
- Permitting a student to complete an internship, externship, field experience, or clinical practicum organized by the institution?
Yes for distance education; no for residential programs provided the school has no compensated person at a location in Iowa providing instruction or supervision in the field experience.
 - Does this apply only to distance education students or more generally?
More generally.
 - Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently?
Yes for distance education if required for program completion; no for residential programs provided the school has no compensated person at a location in Iowa providing instruction or supervision in the field experience.
 - Does this apply only to distance education students or more generally?
More generally.
 - Employing full-time faculty in the state to provide instruction via distance education programs to students in the state?
Yes.
 - What about adjunct faculty?
Yes.
 - Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state?
Yes, unless the school does not offer any distance education course/program to Iowa residents.
 - What about adjunct faculty?
Yes, unless the school does not offer any distance education course/program to Iowa residents.

- Having a contract/agreement between the institution and in-state institutions or in-state entities to provide services for students (i.e. library, gym, computer centers, etc.)?
It depends – contact the Postsecondary Registration Administrator.
- Organized, consistent, on-the-ground recruiting of students in the state by employees or agents of the institution?
Yes.
 - What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs)?
No, for residential programs; all recruitment activities in Iowa for distance education programs necessitate registration.
- Advertising in local media sources that are largely viewed by residents of the state?
It depends – contact the Postsecondary Registration Administrator for registration implications. School may be required to file evidence of financial responsibility.
- Advertising in national media sources that can be accessed by residents of the state?
It depends – contact the Postsecondary Registration Administrator for registration implications. School may be required to file evidence of financial responsibility.
- Having computer servers or other equipment located in the state?
Yes.
- Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?
Yes, if the school compensates a person to conduct the seminar/activity.
- Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?
Yes, if the school compensates the mentor/tutor/preceptor; no if the mentor, tutor, preceptor's participation is voluntary/uncompensated.
- Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?
No.
- Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?
No.

- Other [please explain]
- c. Of the activities or conditions listed above that alone would not constitute a physical presence, are there any that if combined would create a physical presence?
No.

6. Application Process

- a. Please provide a short description of the application process to obtain state authorization. If available, please provide web links to the specific references to all applicable state laws, regulations, manuals, forms, or other pertinent documents.

The application for registering under Iowa Code Chapter 261B – or requesting a formal exemption from registration:

https://apps.iowacollegeaid.gov/marketing/docs/ch261b_reg_app_or_exempt_claim051310.pdf

The application for filing evidence of financial responsibility under Iowa Code Section 714.18 – or requesting a formal exemption:

https://apps.iowacollegeaid.gov/marketing/docs/ch714_fin_responsibility_app_exempt070709.pdf

- b. Generally, how long does it take to approve applications (assuming that the agency has received all required information from the institution)? Please provide a typical range if appropriate.
At this time – 6 months. By law registration applications must be referred to the agency’s Board of Commissioners for action within 6 months of receipt.
- c. What is the authorization duration?
Four years.
- d. What does an institution need to do to maintain authorization?
Renew every four years.
- e. What kinds of information or data must an institution report to your agency as a condition for continued authorization? How frequently is this reported or updated? Is this information published or shared publicly?
Schools must report any change in the data submitted on the most recent registration application within 90 days of the change. All data submitted by the school on the registration application is public record and posted to the Commission’s web site.
- f. Can an institution lose its authorized status? If so, how?
Yes, by failing to maintain the conditions of registration.

- g. Can a multi-institutional system or college corporation apply to your agency for authorization on behalf of all of its component institutions? If so, please describe the process.

No.

- h. Would multi-institution public systems be treated the same as multi-location for-profit institutions?

Yes. We can't accept multi-institutional registration applications from any sector.

A public institution may be eligible for exemption from the state's financial responsibility requirements. The Commission *will* accept a single *financial responsibility* exemption claim request on behalf of, all institutions in a public college or university system.

- i. What distinctive features in your authorization process would be useful for applicants to know (e.g., certain times during the year that you process applications for authorization, sharing of applications or information about proposed programs with institutions or other stakeholders in your state for comment)?

Not applicable.

- j. Is your agency currently planning to amend its application process by the end of 2011?

In early 2012 we plan to submit proposed changes to Iowa law relative to registration, financial responsibility, and the state tuition refund policy. See web link for a link to commission proposals that are being considered by the Iowa legislature.

<http://www.iowacollegeaid.gov/PostsecondaryRegistration/postsecondaryregistration.html>

- If yes, please provide a brief description of the anticipated change.
- If yes, when does the agency expect the change to be fully implemented?

7. Fees Associated with Authorization

- a. Is there an application fee to initiate the authorization process? If so, what is the fee or fee schedule? Please provide a web link if available.

Yes. Initial application \$4,000

Substantive Change or Amendment \$1,000

- b. Are there any other costs associated with the state authorization process (e.g. site visits, hiring a reviewer, surety bond, tuition recovery fund, agent licensing, etc.)?
Yes, if the school is required to submit evidence of financial responsibility there are costs associated with obtaining a surety bond.
- c. What are the costs, if any, to renew authorization?
Same as initial authorization \$4,000.
- d. What costs are associated with receiving a waiver or exemption to authorization?
None.

8. Interstate Reciprocity

- a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.
Iowa does not allow reciprocal agreements about authorization.
- b. What is the process, if any, to obtain a reciprocal agreement with your state?
Not applicable.
- c. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements.
No.
- d. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate.
Not applicable.

9. Consumer Protection and Student Complaints

- a. Does your agency have a process for handling complaints about postsecondary institutions or programs?
Yes.
 - If yes, please describe the process or provide a web link to the material that describes the complaint process.
<http://www.iowacollegeaid.gov/forms.html>
 - If yes, does this complaint process extend to institutions not authorized by the agency that may enroll residents of the state (such as explicitly distance education programs with no physical presence or exempt institutions)?
Yes.

- If available, please provide a web link to the complaint form.
Constituent Request for Review Form:
<http://www.iowacollegeaid.gov/forms.html>
 - Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available.
See the link above for contact information, or email
info@iowacollegeaid.gov
- b. If your agency has no formal process for handling complaints related to postsecondary institutions, what state agency would handle a complaint?
Not applicable.

10. Enforcement

- a. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action?
Order to show cause why the Commission should not issue a cease and desist order to the school. After the school's response to the show cause order has been reviewed by the Commission, the Commission may issue a cease and desist order to the school.
- b. Can an institution or program appeal a warning or enforcement action? If yes, please describe the process or provide web links to the regulations/policies.
A school may respond to the show cause order. No appeal is provided in response to a cease and desist order.

11. Legislative or Regulatory Changes

- a. Is your agency or state legislature planning to amend its regulations or alter its physical presence policy by the end of 2011?
No, but by July 2012. Proposed changes would not alter but rather codify our physical presence policy for distance education providers. See paragraph "c" below.
- If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?
- b. Is your agency or state legislature making changes in your state regulations or statutes so that institutions with locations in your state would be considered legally authorized in accordance with the federal institutional eligibility regulations?
No.

- If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?
- c. Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization?

In early 2012 we plan to submit proposed changes to Iowa law relative to registration, financial responsibility, and the state tuition refund policy. See the Commission's postsecondary registration web page (below) for a link to commission proposals that will be considered by the Iowa legislature during its 2012 session that begins in January (note that these proposals will not be made available until they are introduced in the Iowa legislature).

<http://www.iowacollegeaid.gov/PostsecondaryRegistration/postsecondaryregistration.html>

- If yes, please provide a brief description of the anticipated change.
- If yes, when does the agency expect the change to be fully implemented?

12. Is there anything else about the authorization process in your state that we and others ought to know about?