

House File 295 - Introduced

HOUSE FILE 295
BY COMMITTEE ON HIGHER
EDUCATION

(SUCCESSOR TO HSB 57)

A BILL FOR

1 An Act relating to accreditation of postsecondary educational
2 institutions, prohibiting adverse action by accrediting
3 agencies against certain postsecondary educational
4 institutions for compliance with state law, providing
5 remedies, and including effective date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. SHORT TITLE. This Act shall be known and may be
2 cited as the "Accreditation Autonomy Act".

3 Sec. 2. Section 147A.1, subsection 13, Code 2025, is amended
4 to read as follows:

5 13. "*Training program*" means an Iowa college approved by the
6 ~~higher learning commission~~ any federally recognized accreditor
7 of postsecondary educational institutions, an Iowa hospital
8 authorized by the department, or a medical care ambulance
9 service or nontransport service that has received authorization
10 from the department to conduct emergency medical care services
11 training.

12 Sec. 3. Section 147A.17, subsection 1, Code 2025, is amended
13 to read as follows:

14 1. An Iowa college approved by the ~~higher learning~~
15 ~~commission~~ any federally recognized accreditor of postsecondary
16 educational institutions, an Iowa hospital in this state, or
17 a medical care ambulance service or nontransport service that
18 desires to provide emergency medical care services training
19 leading to certification as an emergency medical care provider
20 shall apply to the department for authorization to establish a
21 training program.

22 Sec. 4. Section 256.183, subsection 1, paragraphs a, b, and
23 c, Code 2025, are amended to read as follows:

24 a. Is accredited by the ~~higher learning commission~~ any
25 federally recognized accreditor of postsecondary educational
26 institutions.

27 b. Is accredited by the ~~higher learning commission~~ any
28 federally recognized accreditor of postsecondary educational
29 institutions, is exempt from taxation under section 501(c)(3)
30 of the Internal Revenue Code, and annually provides a matching
31 aggregate amount of institutional financial aid equal to at
32 least seventy-five percent of the amount received in a fiscal
33 year by the institution's students for Iowa tuition grant
34 assistance under [this part](#). Commencing with the fiscal year
35 beginning July 1, 2006, the matching aggregate amount of

1 institutional financial aid shall increase by the percentage
 2 of increase each fiscal year of funds appropriated for Iowa
 3 tuition grants under [section 256.194, subsection 1](#), to a
 4 maximum match of one hundred percent. The institution shall
 5 file annual reports with the commission prior to receipt of
 6 tuition grant moneys under [this part](#). An institution whose
 7 income is not exempt from taxation under section 501(c) of
 8 the Internal Revenue Code and whose students were eligible to
 9 receive Iowa tuition grant money in the fiscal year beginning
 10 July 1, 2003, shall meet the match requirements of this
 11 paragraph no later than June 30, 2005.

12 *c.* Is a specialized college that is accredited by ~~the higher~~
 13 ~~learning commission~~ any federally recognized accreditor of
 14 postsecondary educational institutions, and which offers health
 15 professional programs that are affiliated with health care
 16 systems located in Iowa.

17 Sec. 5. Section 260C.47, subsection 1, unnumbered paragraph
 18 1, Code 2025, is amended to read as follows:

19 The state board of education shall establish an
 20 accreditation process for community college programs. The
 21 process shall be jointly developed and agreed upon by the
 22 department of education and the community colleges. The
 23 state accreditation process shall be integrated with the
 24 accreditation process of ~~the higher learning commission a~~
 25 federally recognized accreditor of postsecondary educational
 26 institutions selected by the board, including the evaluation
 27 ~~cycle, the self study process, and the criteria for evaluation,~~
 28 which shall incorporate the standards for community colleges
 29 developed under [section 260C.48](#); and shall identify and make
 30 provision for the needs of the state that are not met by
 31 the ~~commission's~~ accreditor's accreditation process. The
 32 department of education shall use a two-component process for
 33 the continued accreditation of community college programs.

34 Sec. 6. NEW SECTION. 261K.1 Definitions.

35 For purposes of this chapter, unless the context otherwise

1 requires:

2 1. "*Accrediting agency*" means an entity that provides
3 accreditation of public institutions of higher education and
4 that is not a government agency.

5 2. "*Public institution of higher education*" means an
6 institution of higher learning governed by the state board of
7 regents or a community college.

8 Sec. 7. NEW SECTION. 261K.2 Accrediting agencies —
9 adverse action against institutions for compliance with state law
10 prohibited.

11 1. An accrediting agency shall not take any adverse action
12 against a public institution of higher education for complying
13 with a state law or refusing to violate a state law.

14 2. Any adverse action taken by an accrediting agency against
15 a public institution of higher education based, in whole or
16 in part, on the institution's compliance with a state law or
17 refusal to violate a state law constitutes a violation of this
18 section that is subject to section 261K.3.

19 Sec. 8. NEW SECTION. 261K.3 Civil action.

20 A public institution of higher education that is negatively
21 affected by adverse action taken against the institution by an
22 accrediting agency in violation of section 261K.2 may bring a
23 civil action against the accrediting agency in this state if
24 authorized by the attorney general. The attorney general may
25 bring the action on behalf of the institution. The institution
26 or attorney general may obtain injunctive relief and liquidated
27 damages in the amount of the federal financial aid received by
28 the institution in the academic year preceding the violation,
29 as well as court costs and reasonable attorney fees.

30 Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate
31 importance, takes effect upon enactment.

32 EXPLANATION

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

35 This bill prohibits an accrediting agency from taking

1 any adverse action against a public institution of higher
2 education for complying with a state law or refusing to violate
3 a state law. The bill defines "accrediting agency" as an
4 entity that provides accreditation of public institutions of
5 higher education and that is not a government agency. The
6 bill defines "public institution of higher education" as an
7 institution of higher learning governed by the state board of
8 regents or a community college.

9 Any adverse action taken by an accrediting agency against
10 a public institution of higher education based, in whole or
11 in part, on the institution's compliance with a state law or
12 refusal to violate a state law constitutes a violation of the
13 prohibition.

14 The bill provides that a public institution of higher
15 education that is negatively affected by adverse action taken
16 against the institution by an accrediting agency in this manner
17 may bring a civil action against the accrediting agency in this
18 state if authorized by the attorney general. The attorney
19 general may bring the action on behalf of the institution. The
20 institution or attorney general may obtain injunctive relief
21 and liquidated damages in the amount of the federal financial
22 aid received by the institution in the academic year preceding
23 the violation, as well as court costs and reasonable attorney
24 fees.

25 The bill also strikes references in the Iowa Code to
26 the higher learning commission, a nongovernmental entity
27 that provides an accreditation process for postsecondary
28 institutions that grant degrees. The bill instead provides
29 references to federally recognized accreditors of postsecondary
30 educational institutions.

31 The bill takes effect upon enactment.