

**EDUCATION DEPARTMENT[281]**

**Notice of Intended Action**

**Proposing rulemaking related to practice before mediators and administrative law judges and providing an opportunity for public comment**

The State Board of Education hereby proposes to amend Chapter 120, “Early ACCESS Integrated System of Early Intervention Services,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code section 256B.3(23).

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, 34 CFR Part 303 (2025).

*Purpose and Summary*

This proposed rulemaking eliminates a potential source of confusion by removing unnecessary and confusing cross-references to the dispute resolution procedures under Part B of the Individuals with Disabilities Education Act (IDEA). Some, but not all, of the procedures under Part B apply to Part C of IDEA (Early ACCESS). This proposed rulemaking removes references to procedures that do not.

*Regulatory Analysis*

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on January 21, 2026. A public hearing was held on the following date(s):

- February 10, 2026

No one attended the public hearing. No public comments were received.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the State Board no later than 4:30 p.m. on March 24, 2026. Comments should be directed to:

Thomas Mayes  
Iowa Department of Education  
Grimes State Office Building  
400 East 14th Street  
Des Moines, Iowa 50319  
Phone: 515.281.8661  
Email: [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov)

*Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 24, 2026                      Room B50  
8 to 8:30 a.m.                      Grimes State Office Building  
   Des Moines, Iowa  
   Via videoconference: [meet.google.com/nzv-eaed-ttz](https://meet.google.com/nzv-eaed-ttz)

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the State Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule 281—120.811(34CFR303) as follows:

**281—120.811(34CFR303) Dispute resolution: practice before mediators and administrative law judges.** Unless otherwise provided by this chapter, any mediation conference or due process hearing under Division VI of this chapter shall be conducted according to rules ~~281—41.1000(256B,34CFR300)~~ ~~281—41.1002(256B,34CFR300)~~, ~~281—41.1009(17A,256B)~~ through ~~281—41.1012(17A,256B)~~, and ~~281—41.1014(17A,256B)~~ through ~~281—41.1016(256B,34CFR300)~~ 17A).