

EDUCATIONAL EXAMINERS BOARD[282]

Adopted and Filed

Pursuant to the authority of Iowa Code section 272.2, the Board of Educational Examiners hereby amends Chapter 11, "Complaints, Investigation, Contested Case Hearings," Iowa Administrative Code.

The amendment removes first-class mail as an option for delivery of a notice of hearing. First-class mail is not sufficient under Iowa Code chapter 17A. The amendment does not change agency practice because the Board of Educational Examiners does not use first-class mail alone to deliver notices of hearing.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0494C** on December 12, 2012.

A public hearing was held on January 9, 2013, with written comment accepted until 4 p.m. on January 11, 2013. No one attended the public hearing, and no written comments were received.

This amendment is identical to that published under Notice.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code section 272.13(1).

This amendment will become effective March 27, 2013.

The following amendment is adopted.

Amend subrule 11.7(1) as follows:

11.7(1) Delivery. Delivery of the notice of hearing constitutes the commencement of the contested case proceeding. Delivery may be executed by:

- a.* Personal service as provided in the Iowa Rules of Civil Procedure; or
- b.* Certified mail, return receipt requested; or
- ~~*c.* First class mail; or~~
- d.* *c.* Publication, as provided in the Iowa Rules of Civil Procedure.

[Filed 1/29/13, effective 3/27/13]

[Published 2/20/13]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/20/13.