ARC 0747D

EDUCATIONAL EXAMINERS BOARD[282]

Notice of Intended Action

Proposing rulemaking related to complaints and providing an opportunity for public comment

The Educational Examiners Board hereby proposes to amend Chapter 11, "Complaints, Investigations, Contested Case Hearings," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 256.146.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 17A and section 256.146.

Purpose and Summary

This proposed rulemaking allows unlicensed administrators in nonpublic and charter schools to file complaints against licensees. The proposed rulemaking also clarifies that the Executive Director of the Board may file a complaint if no other complaint has been filed pursuant to Iowa Code section 256.160 or if directed to do so by the Board.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on September 16, 2026. A public hearing was held on the following date(s):

- October 6, 2026

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 Board for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on December 15, 2026. Comments should be directed to:

Beth Myers
Board of Educational Examiners, Department of Education
Grimes State Office Building, Second Floor
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.419.3679
Email: beth.myers@iowa.gov

Public Hearing

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

December 15, 2026	Second Floor
12 noon to 1 p.m.	Grimes State Office Building
	Des Moines, Iowa

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 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 subrule 11.4(1) as follows:

11.4(1) *Who may initiate.* The following entities may initiate a complaint:

a. Licensed practitioners.

b. School human resource directors.

c. Recognized educational entities or local or state professional organizations.

d. Local boards of education.

e. Parents or guardians of students involved in the alleged complaint.

f. Administrators or directors of nonaccredited or independently accredited Iowa nonpublic schools.

~~*f.*~~ *g.* The executive director of the board of educational examiners if the following circumstances have been met:

(1) and (2) No change.

(3) No other complaint has been filed regarding Iowa Code section 256.160, or at the direction of the board.

~~*g.*~~ *h.* The department of transportation if the licensee named in the complaint holds a behind-the-wheel instructor's certification issued by the department and the complaint relates to an incident or incidents arising during the course of driver's education instruction.

~~*h.*~~ *i.* An employee of the department of education who, while performing official duties, becomes aware of any alleged misconduct by an individual licensed under Iowa Code section 256.146.