ARC 0748D

EDUCATIONAL EXAMINERS BOARD[282]

Notice of Intended Action

Proposing rulemaking related to proof of legal presence and providing an opportunity for public comment

The Educational Examiners Board hereby proposes to amend Chapter 7, "Proof of Legal Presence," 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 section 256.146.

Purpose and Summary

These proposed amendments comply with changes made during the 2026 Legislative Session. 2026 Iowa Acts, Senate File 2218, creates different requirements for applicants to prove legal authorization to work in the United States.

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. Rescind subrule **7.2(3)**.

ITEM 2. Amend rule 282—7.3(256) as follows:

282—7.3(256) Acceptable evidence. The board will ~~accept as proof of~~ verify lawful presence in the United States ~~any acceptable document that establishes a U.S. place of birth or indicates U.S. citizenship or naturalization, or any documentation acceptable under the Immigration and Naturalization Act as amended to November 1, 2023, to establish alien status. Legible copies of documents will be accepted. Original documents will not be required unless a question arises concerning the documentation submitted~~ by accessing the Systematic Alien Verification for Entitlements (SAVE) program. Applicants for initial licensure, applicants for renewal, and all practitioners who are not subject to renewal requirements are required to send to the board a document that establishes employment authorization and identity, as described in 8 U.S.C. §1324a(b)(1)(B) as amended to November 1, 2023, or employment.

ITEM 3. Amend **282—Chapter 7**, implementation sentence, as follows:

These rules are intended to implement the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. §1621) and 2026 Iowa Acts, Senate File 2218.