

EDUCATION DEPARTMENT[281]

Notice of Intended Action

**Proposing rule making related to open enrollment
and providing an opportunity for public comment**

The State Board of Education hereby proposes to amend Chapter 6, “Appeal Procedures,” Chapter 17, “Open Enrollment,” and Chapter 36, “Extracurricular Interscholastic Competition,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 256.7(5) and 2022 Iowa Acts, House File 2589.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 282.18 and 290.1 as amended by 2022 Iowa Acts, House File 2589.

Purpose and Summary

2022 Iowa Acts, House File 2589, division VI, eliminates open enrollment deadlines, eliminates remaining open enrollment appeal rights to the Iowa State Board of Education, and makes conforming changes, including changes to athletic eligibility. The division is effective upon enactment. This proposed rule making reflects the changes made by House File 2589.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. According to the Notes on Bills and Amendments for 2022 Iowa Acts, House File 2589, “Open enrollment applications and transportation reimbursements are expected to increase; however, the extent to which each district may experience a fiscal impact cannot be estimated at this time.”

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making 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 rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on September 13, 2022. Comments should be directed to:

Thomas Mayes
Department of Education
Grimes State Office Building, Second Floor
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: 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:

September 13, 2022
9:30 to 10 a.m.

State Board Room, Second Floor
Grimes State Office Building
Des Moines, Iowa
Via videoconference:
idoe.zoom.us/j/97073620964?pwd=Q1MvVDVCNmZQZWZFczErSzNBcWxsUT09

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 rule making.

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 Department and advise of specific needs by calling 515.281.5295.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making 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).

Emergency Rule Making Adopted by Reference

This proposed rule making is also published herein as an Adopted and Filed Emergency rule making (see **ARC 6483C**, IAB 8/24/22). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rule making, whose subject matter is hereby adopted by reference.