

**EDUCATION DEPARTMENT[281]**

**Notice of Intended Action**

**Proposing rule making related to paraeducator preparation programs and providing an opportunity for public comment**

The State Board of Education hereby proposes to amend Chapter 80, “Standards for Paraeducator Preparation Programs,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 256.7(22).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 256.7(22).

*Purpose and Summary*

The Department of Education’s educator preparation team approved nine new programs in the fall of 2022. Due to state initiatives to expand alternative programs to teacher licensure, it is expected that the demand for and interest in offering paraeducator preparation programs will continue to grow. Many of these new programs are offered by higher education institutions, which require additional rigorous standards. Due to the added number of programs, it will be challenging to administer high-quality reviews that provide meaningful feedback for program change and growth within the required five-year cycle. Therefore, this proposed rule making changes the review timeline to every seven years. This change will additionally allow the educator preparation team to align the paraeducator preparation review with the educator preparation review. This will make the process more efficient for the programs and the Department consultants due to close alignment of other preparation standards with paraeducator standards.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*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 January 10, 2023. Comments should be directed to:

Thomas Mayes  
Department of Education  
Grimes State Office Building, Second Floor  
400 East 14th Street  
Des Moines, Iowa 50319-0146  
Phone: 515.242.5614  
Email: [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov)

*Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

*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).

The following rule-making actions are proposed:

ITEM 1. Amend rule 281—80.5(272) as follows:

**281—80.5(272) Application; approval of programs.** Approval of paraeducator preparation programs by the state board shall be based on the recommendation of the director after study of the factual and evaluative evidence of record about each program in terms of the standards contained in this chapter. Approval, if granted, shall be for a term of ~~five~~ seven years; however, approval for a shorter term may be granted by the state board if it determines conditions so warrant. If approval is not granted, the applicant institution will be advised concerning the areas in which improvement or changes appear to be essential for approval. In this case, the institution shall be given the opportunity to present factual information concerning its programs at the next regularly scheduled meeting of the state board. The institution may also reapply at its discretion to provide evidence of the actions taken toward suggested improvement. Any application submitted under this rule shall be submitted by the authorized official.

ITEM 2. Amend rule 281—80.7(272) as follows:

**281—80.7(272) Reevaluation of paraeducator preparation programs.** Each paraeducator preparation program shall be reviewed and reevaluated at least once every ~~five~~ seven years, at a shorter interval specified pursuant to rule 281—80.5(272), or at any time deemed necessary by the director. Recommendations as to whether to grant continued approval shall be governed by rule 281—80.5(272).