ARC 9810C

EDUCATION DEPARTMENT[281]

Adopted and Filed

Rulemaking related to extracurricular athletic activity conference for member schools

The State Board of Education hereby rescinds Chapter 37, "Extracurricular Athletic Activity Conference for Member Schools," Iowa Administrative Code, and adopts a new Chapter 37 with the same title.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in 2025 Iowa Acts, House File 783 (House File 783).

State or Federal Law Implemented

This rulemaking implements, in whole or in part, House File 783.

Purpose and Summary

This rulemaking implements the requirements of House File 783, establishing a committee for alignment and membership of extracurricular activities conferences. The rules add additional operational detail to House File 783.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025, as **ARC 9603C**. A public hearing was held on the following date(s):

- October 21, 2025

Two individuals attended the hearing as observers. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the State Board on November 19, 2025.

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 State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

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).

Effective Date

This rulemaking will become effective on January 14, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 281—Chapter 37 and adopt the following **new** chapter in lieu thereof:

CHAPTER 37
EXTRACURRICULAR ATHLETIC ACTIVITY
CONFERENCE FOR MEMBER SCHOOLS

281—37.1(280) General. It is the policy of the state of Iowa that each school desiring to be a member of a conference providing extracurricular athletic contests and competitions for students is granted this opportunity. For purposes of this chapter, "member school" means a nonpublic school or school district granted such status by any corporation, association, or organization registered with the state department of education pursuant to Iowa Code section 280.13 and includes associate members. For purposes of this chapter, "school district" includes a public charter high school.

37.1(1) *Initial responsibility.* The initial authority and responsibility for conference development, membership, and alignment rests with the board of directors of each public school district and the authorities in charge of each nonpublic school.

37.1(2) *Definitions.* For purposes of this chapter, the definitions in Iowa Code section 280.13D(1) as enacted by 2025 Iowa Acts, House File 783 (House File 783), apply.

37.1(3) *Policies.* Each organization subject to this chapter will establish policies to implement Iowa Code section 280.13D as enacted by House File 783.

281—37.2(280) Conference realignment committee.

37.2(1) *General.* A conference realignment committee (committee) is established pursuant to Iowa Code section 280.13D as enacted by House File 783.

37.2(2) *Duties and powers.* The committee has the duties and powers specified in Iowa Code section 280.13D as enacted by House File 783.

37.2(3) *Membership.* The committee will have the membership described in Iowa Code section 280.13D(2)*"a"*(2) as enacted by House File 783. Members will be selected based on regions established by the two organizations, with each region being guaranteed representation, and may also be selected on an at-large basis. Members serve four-year terms and are eligible for reappointment once.

37.2(4) *Appointment of members.* The executive directors of the two organizations make appointments to the committee, including filling vacancies. The executive directors of the two organizations will initially divide committee memberships into two cohorts and alternate making appointments to each cohort every four-year cycle. Each cohort will contain at least one representative of a nonpublic school.

37.2(5) *Committee operations.*

a. The executive directors of the two organizations will provide recommendations on committee agenda items.

b. A quorum for the committee is ten members.

c. The committee may adopt bylaws consistent with this chapter.

281—37.3(280) Appeal to the director of the Iowa department of education. A member school may appeal a committee's decision to the director of the Iowa department of education within 60 days of the date of the decision. The director will receive the records of the committee, and no new evidence will be permitted, except for good cause shown. The committee's decision is presumed correct, and the appellant has the burden of demonstrating the committee's decision is based on a failure to follow the processes and standards set out in Iowa Code section 280.13D as enacted by House File 783, on factual findings that have no evidentiary basis, or on legal conclusions that are manifestly erroneous.

The director may refer the matter to an administrative law judge for a proposed decision. The director's decision is due within 60 days of the date of the appeal.

These rules are intended to implement Iowa Code section 280.13D as enacted by House File 783.

[Filed 11/19/25, effective 1/14/26]
[Published 12/10/25]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/10/25.