Regulatory Analysis

Notice of Intended Action to be published: 281—Chapter 120
"Early ACCESS Integrated System of Early Intervention Services"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 256B.3(23)
State or federal law(s) implemented by the rulemaking: 34 CFR Part 303 (2025)

Public Hearing

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

February 10, 2026 8:30 to 9 a.m.	Room B100 Grimes State Office Building Des Moines, Iowa Via videoconference: meet.google.com/sgp-ipwb-ixo

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Education no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Thomas A. Mayes
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Purpose and Summary

This proposed rulemaking eliminates a potential source of confusion by removing unnecessary and confusing cross-references to the dispute resolution procedures under Part B of the Individuals with Disabilities Education Act (IDEA). Some, but not all, of the procedures under Part B apply to Part C of IDEA (Early ACCESS). This proposed rulemaking removes references to procedures that do not.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs noted for this proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Families and Early ACCESS providers will benefit from the clarity provided by this proposed rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There is no known quantitative impact.

- **Qualitative description of impact:**

There is no known qualitative impact.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no known costs.

- **Anticipated effect on State revenues:**

There is no effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Rulemaking is required to conform to the terms of IDEA.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly alternatives. Rulemaking is required to conform to IDEA.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

There are no plausible alternatives to rulemaking.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Rulemaking is required to conform to the terms of IDEA.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend rule 281—120.811(34CFR303) as follows:

281—120.811(34CFR303) Dispute resolution: practice before mediators and administrative law judges. Unless otherwise provided by this chapter, any mediation conference or due process hearing under Division VI of this chapter shall be conducted according to rules ~~281—41.1000(256B,34CFR300)~~ 281—41.1002(256B,34CFR300), 281—41.1009(17A,256B) through 281—41.1012(17A,256B), and 281—41.1014(17A,256B) through 281—41.1016(~~256B,34CFR300~~ 17A).