RA 26-225

EDUCATION DEPARTMENT[281]

Regulatory Analysis

Notice of Intended Action to be published: subrule 1.1(5)
"Organization and Operation—Failure to Appeal Proposed Decision"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 256.7
State or federal law(s) implemented by the rulemaking: Iowa Code chapters 17A and 290

Public Hearing

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

September 8, 2026 1 to 2 p.m.	Room B50 Grimes State Office Building meet.google.com/onj-hcyu-sze Or dial: (US) +1 470.705.3905 PIN: 891 715 855#

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:

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Rules Coordinator, Department of Education
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.a.mayes@iowa.gov

Purpose and Summary

This proposed rulemaking clarifies the State Board of Education's role when there is no appeal of a proposed decision in contested cases under its jurisdiction.

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 known costs to this proposed rulemaking.

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

Parties to proceedings before the State Board would benefit from the clarity of this 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:**

Parties to proceedings before the State Board would benefit from the clarity of this rulemaking.

3. **Costs to the State:**

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

Implementation costs are expected to be minimal and absorbed within existing agency resources.

- **Anticipated effect on State revenues:**

The proposed rulemaking is not anticipated to have a direct effect on State revenues.

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

Parties to proceedings before the State Board would benefit from the clarity of this rulemaking. Failure to adopt this proposed rulemaking may needlessly increase the workload of the State Board.

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

The Department determined that rulemaking is the least costly and least intrusive method available to implement statutory requirements and provide statewide consistency.

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

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

No other methods were seriously considered by the Department since the method proposed is the most cost-efficient and seamless for all entities involved.

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

Alternative methods were rejected because they would not provide the clarity and consistency sought.

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?

The proposed rulemaking is not expected to have an impact on small businesses.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** subrule 1.1(5):

1.1(5) *Failure to appeal proposed decision to the state board.* A proposed decision of the presiding officer, if there is no timely appeal under 7—subrule 2506.27(1), is placed on the consent agenda of the next regular board meeting for summary adoption unless the decision is within the province of the director to make.