Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 282—Chapter 2
"Agency Procedures and Petitions for Rulemaking"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 256.146 and 17A

State or federal law(s) implemented by the rulemaking: Iowa Code section 256.146 and chapter 17A

Public Hearing

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

September 11, 2024 9 a.m.	Board Room, Suite A 701 East Court Avenue Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis. Written or oral comments in response to this Regulatory Analysis must be received by the Board of Educational Examiners no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Beth Myers, Attorney
Board of Educational Examiners
701 East Court Avenue, Suite A
Des Moines, Iowa 50309
Phone: 515.242.6506
Email: beth.myers@iowa.gov

Purpose and Summary

This proposed chapter provides procedures for rulemaking. The Board proposes removing duplicative statutory language.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

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

No costs are known to be associated with this proposed rulemaking.

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

Iowans in general will benefit from the 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:

The Board discerns no quantitative impact.

- Qualitative description of impact:

The Board discerns no 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:

The proposed chapter is streamlined and reduces duplicative language.

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

There are no known costs or effects on state revenue.

6. Alternative methods considered by the agency:

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

The Board considered removing the chapter.

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

There is a benefit for the public to have information about the process for rulemaking.

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 effect on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 282—Chapter 2 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2
AGENCY PROCEDURES AND PETITIONS FOR RULEMAKING

282—2.1(17A) Incorporation by reference. The Iowa board of educational examiners (board) incorporates by this reference all such matters in Iowa Code chapter 17A that deal with rulemaking or petitions for rulemaking.

282—2.2(17A) Contact information.

2.2(1) *General.* Petitions for rulemaking and inquiries about board rules and the rulemaking process may be directed to Legal Consultant, Iowa Board of Educational Examiners, 701 East Court Avenue, Suite A, Des Moines, Iowa 50309.

2.2(2) *Comments on proposed rules.* Any public comment on a notice of intended action or similar document may be directed to Legal Consultant, Iowa Board of Educational Examiners, 701 East Court Avenue, Suite A, Des Moines, Iowa 50309, or as directed in the notice of intended action or similar document.

2.2(3) *Petitions for rulemaking.* A petition for rulemaking that substantially conforms to the following form will be considered by the board:

BOARD OF EDUCATIONAL EXAMINERS

Petition by (Name of Petitioner) for the Adoption/Amendment/ Repeal of (Cite rule involved).	PETITION FOR RULEMAKING

282—2.3(17A) Electronic submissions. The board encourages electronic submissions of documents under this chapter, including documents bearing electronic signatures.

These rules are intended to implement Iowa Code section 256.146 and chapter 17A.