Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 282—Chapter 21
"Conditional Endorsements"

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

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:

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Board of Educational Examiners
701 East Court Avenue, Suite A
Des Moines, Iowa 50309
Phone: 515.242.6506
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Purpose and Summary

This proposed chapter provides procedures for the issuance of conditional licenses.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

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

Required fees are paid by applicants.

- 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:

Required fees are paid by applicants. Fees are required for all Board operations.

- 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:

The Board bears the cost of compliance.

- 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:

This proposed chapter provides required procedures for the issuance of conditional licenses.

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

The Board bears the cost of compliance. Rules for licensure are required.

6. Alternative methods considered by the agency:

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

The Board determined that the chapter is required in order to reduce duplicative language in other chapters.

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

The public benefits from having information about licensure requirements.

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. Adopt the following **new** 282—Chapter 21:

CHAPTER 21
CONDITIONAL ENDORSEMENTS

282—21.1(256) Specific requirements for a Class B license. A Class B license, which is valid for two academic years and is nonrenewable, may be issued under the following conditions:

21.1(1) *Endorsement in progress.* The individual has a valid teaching license other than a teacher intern license, a professional administrator license, or a professional service license and is seeking to obtain another endorsement. A Class B license may be issued if requested by an employer and if the individual has completed at least one-half of the content requirements for a teaching or professional service license endorsement or 75 percent of the content requirements and experience requirement for an administrator endorsement. A Class B license may not be issued for the driver's education endorsement.

21.1(2) *Program of study or transcripts.* The applicant will submit a program of study or transcripts showing that the minimum coursework requirements have been met.

21.1(3) *Expiration.* The Class B license will expire on June 30 of the second academic year after issuance.

282—21.2(256) Request for executive director decision. If the minimum content requirements have not been met for the Class B license for a teaching endorsement, an executive director decision license may be issued for one academic year if requested by the employer and if the employer can demonstrate that a candidate with the proper endorsement was not found after a diligent search. The executive director decision license may not be renewed or extended and will expire on June 30.

282—21.3(256) Adding, removing or reinstating an endorsement.

21.3(1) *Adding an endorsement.* To add an endorsement to an existing license, the applicant will follow one of these options:

a. Option 1. Receive the Iowa education institution's recommendation that the current approved program requirements or state minimum requirements for the endorsement have been met.

b. Option 2. Apply for a review of transcripts, out-of-state licensure, or approved assessment score reports by the board of educational examiners' staff to determine whether Iowa requirements have been met. Applicants will have achieved a C- grade or higher in the courses that will be considered for an endorsement. The methods course can be waived if the practitioner holds an endorsement in the same content area at a different level and teaches in the new content area successfully while holding a Class B license.

21.3(2) *Removal of an endorsement; reinstatement of removed endorsement.*

a. Removal of an endorsement. A practitioner may remove an endorsement from the practitioner's license as follows:

(1) To remove an endorsement, the practitioner will meet the following conditions:

1. A practitioner who holds a standard or master educator license is eligible to request removal of an endorsement from the license if the practitioner has not taught in the subject or assignment area of the endorsement in the five years prior to the request for removal of the endorsement, and

2. The practitioner will submit a notarized written application form furnished by the board of educational examiners to remove an endorsement at the time of licensure renewal (licensure renewal is limited to one calendar year prior to the expiration date of the current license), and

3. The application may be signed by the superintendent or designee in the district in which the practitioner is under contract. The superintendent's signature will serve as notification and acknowledgment of the practitioner's intent to remove an endorsement from the practitioner's license. The absence of the superintendent's or designee's signature does not impede the removal process.

(2) The endorsement will be removed from the license at the time of application.

(3) If a practitioner is not employed and submits an application, the provisions of this rule will not be required.

(4) If a practitioner submits an application that does not meet the criteria listed in this rule, the application will be rendered void and the practitioner will forfeit the processing fee.

(5) The executive director has the authority to approve or deny the request for removal. Any denial is subject to the appeal process set forth in rule 282—11.35(256).

b. Reinstatement of a removed endorsement.

(1) If the practitioner wants to add the removed endorsement at a future date, all coursework for the endorsement will have been completed within the five years preceding the application to add the endorsement.

(2) The practitioner will meet the current endorsement requirements upon application.

These rules are intended to implement Iowa Code chapter 256.