RA 26-285

EDUCATIONAL EXAMINERS BOARD[282]

Regulatory Analysis

Notice of Intended Action to be published: subrule 11.4(1)
"Complaints, Investigations, and Contested Case Hearings"

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

Public Hearing

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

October 6, 2026 9 a.m.	Room B50 Grimes State Office Building Also via Google Meet Video call link: meet.google.com/hcw-cnqi-ifz Or dial: 1.405.356.8095 PIN: 528 469 374#

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:

Beth Myers
Bureau of Educational Examiners, Iowa Department of Education
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.419.3679
Email: beth.myers@iowa.gov

Purpose and Summary

This proposed rulemaking allows unlicensed administrators in nonpublic and charter schools to file complaints against licensees.

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 of this proposed rulemaking.

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

Iowans seeking to protect students will benefit from 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:**

The qualitative impact is that there will be fewer barriers for people seeking to uphold professional standards of educators.

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:**

This rulemaking provides the required procedures for filing a complaint.

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

A pathway for administrators of nonpublic schools and charter schools to file a complaint was necessary.

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

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

If the administrator of a nonpublic school or charter school does not hold a license from the Board of Educational Examiners, the administrator would not currently be able to file a complaint.

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

No other methods were considered since unlicensed nonpublic and charter school administrators do not have any other alternative to file a complaint.

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 subrule 11.4(1) as follows:

11.4(1) *Who may initiate.* The following entities may initiate a complaint:

a. Licensed practitioners.

b. School human resource directors.

c. Recognized educational entities or local or state professional organizations.

d. Local boards of education.

e. Parents or guardians of students involved in the alleged complaint.

f. Administrators or directors of nonaccredited or independently accredited Iowa nonpublic schools.

~~*f.*~~ *g.* The executive director of the board of educational examiners if the following circumstances have been met:

(1) and (2) No change.

(3) No other complaint has been filed regarding Iowa Code section 256.160, or at the direction of the board.

~~*g.*~~ *h.* The department of transportation if the licensee named in the complaint holds a behind-the-wheel instructor's certification issued by the department and the complaint relates to an incident or incidents arising during the course of driver's education instruction.

~~*h.*~~ *i.* An employee of the department of education who, while performing official duties, becomes aware of any alleged misconduct by an individual licensed under Iowa Code section 256.146.