

EDUCATIONAL EXAMINERS BOARD[282]

Regulatory Analysis

Notice of Intended Action to be published: 282—Chapter 7
“Proof of Legal Presence”

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:

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 change complies with changes made during the 2026 Legislative Session. 2026 Iowa Acts, Senate File 2218, creates different requirements for applicants to prove legal authorization to work in the United States.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
 - **Classes of persons that will bear the costs of the proposed rulemaking:**
The Board of Educational Examiners bears the cost of compliance.
 - **Classes of persons that will benefit from the proposed rulemaking:**
Iowans in general will benefit from 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:**

Implementation costs will be 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:**

The underlying legislation requires rulemaking.

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

The underlying legislation requires rulemaking.

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 underlying legislation requires rulemaking.

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

Alternative methods were rejected. The underlying legislation requires 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 impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind subrule 7.2(3).

ITEM 2. Amend rule 282—7.3(256) as follows:

282—7.3(256) Acceptable evidence. The board will ~~accept as proof of~~ verify lawful presence in the United States ~~any acceptable document that establishes a U.S. place of birth or indicates U.S. citizenship or naturalization, or any documentation acceptable under the Immigration and Naturalization Act as amended to November 1, 2023, to establish alien status. Legible copies of documents will be accepted. Original documents will not be required unless a question arises concerning the documentation submitted by accessing the Systematic Alien Verification for Entitlements (SAVE) program. Applicants for initial licensure, applicants for renewal, and all~~

practitioners who are not subject to renewal requirements are required to send to the board a document that establishes employment authorization and identity, as described in 8 U.S.C. §1324a(b)(1)(B) as amended to November 1, 2023, or employment.

ITEM 3. Amend **282—Chapter 7**, implementation sentence, as follows:

These rules are intended to implement the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. §1621) and 2026 Iowa Acts, Senate File 2218.