**Regulatory Analysis**

Notice of Intended Action to be published: 284—Chapter 3
"Declaratory Orders"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 261A.7
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 261A, subchapter I

*Public Hearing*

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

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| November 18, 2025<br>9:30 a.m. | Via Zoom:<br>us06web.zoom.us/j/87133458123?pwd=y0LH6z71ov0s3YJ4Sd3KvzYsT7ctSz.1<br>Meeting ID: 871 3345 8123<br>Passcode: 735526<br>Or dial: +1 312.626.6799 |

*Public Comment*

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Iowa Higher Education Loan Authority no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Dr. Maribeth Wright, Executive Director
1105 High Road, Box 214
Norwalk, Iowa 50211
Phone: 515.282.3769
Email: maribeth.wright@ihela.org

*Purpose and Summary*

The Authority serves Iowa's independent not-for-profit colleges and universities by providing affordable financing of facilities and working capital through the issuance of tax-exempt debt on the colleges' and universities' behalf. This rulemaking repromulgates Chapter 3, which contains rules related to declaratory orders.

*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 costs to the general public; this chapter is mostly procedural and descriptive in nature.

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

Iowa's independent not-for-profit colleges and universities benefit from utilizing these financings for campus facilities and working capital.

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 are no costs associated with this proposed rulemaking.

- **Qualitative description of impact:**

The Authority plays a significant role in enabling Iowa's independent not-for-profit colleges and universities to remain competitive by providing low-cost capital and working capital financings.

3. **Costs to the State:**

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

The only cost to the Authority is the employment of the Executive Director who manages and administers the financings, the cost of which is paid for through fees attributed to each individual financing.

- **Anticipated effect on State revenues:**

The rules have no anticipated impact on State revenues.

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

Only the entities that utilize the Authority's funding programs will bear the costs of the rulemaking through the payment of fees, which indirectly pay the staff salary. The groups benefiting include both Iowa's independent not-for-profit colleges and universities and the students who receive lower tuition due to the lower costs of financings through the Authority's programs.

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

The Authority has not identified any less costly methods or less intrusive methods for administering the program.

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

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

The Authority did not consider any other methods.

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

The rulemaking is consistent with the provisions of Iowa Code chapter 261A.

*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?**

This rulemaking has no impact on small business.

*Text of Proposed Rulemaking*

ITEM 1. Rescind 284—Chapter 3 and adopt the following **new** chapter in lieu thereof:

CHAPTER 3
DECLARATORY ORDERS

The Iowa higher education loan authority hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to declaratory orders, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website.

**284—3.1(261A) Petition for declaratory orders.** In lieu of the words "(AGENCY NAME)", the heading on the petition form should read:

IOWA HIGHER EDUCATION LOAN AUTHORITY

**284—3.5(261A) Inquiries.** Inquiries concerning the status of a petition for a declaratory order may be made to the Executive Director, 1105 High Road, Box 214, Norwalk, Iowa 50211.

These rules are intended to implement Iowa Code section 17A.24 and chapter 261A.