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The Iowa Administrative Code Supplement is published biweekly pursuant to Iowa Code section 17A.6. The Supplement contains replacement chapters to be inserted in the loose-leaf Iowa Administrative Code (IAC) according to instructions included with each Supplement. The replacement chapters incorporate rule changes which have been adopted by the agencies and filed with the Administrative Rules Coordinator as provided in Iowa Code sections 7.17 and 17A.4 to 17A.6. To determine the specific changes in the rules, refer to the Iowa Administrative Bulletin bearing the same publication date.

In addition to the changes adopted by agencies, the replacement chapters may reflect objection to a rule or a portion of a rule filed by the Administrative Rules Review Committee (ARRC), the Governor, or the Attorney General pursuant to Iowa Code section 17A.4(6); an effective date delay imposed by the ARRC pursuant to section 17A.4(7) or 17A.8(9); rescission of a rule by the Governor pursuant to section 17A.4(8); or nullification of a rule by the General Assembly pursuant to Article III, section 40, of the Constitution of the State of Iowa.

The Supplement may also contain replacement pages for the IAC Index or the Uniform Rules on Agency Procedure.

# INSTRUCTIONS

## FOR UPDATING THE

# IOWA ADMINISTRATIVE CODE

Agency names and numbers in bold below correspond to the divider tabs in the IAC binders. New and replacement chapters included in this Supplement are listed below. Carefully remove and insert chapters accordingly.

Editor's telephone (515)281-3355 or (515)242-6873

### **Aging, Department on[17]**

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### **Educational Examiners Board[282]**

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CHAPTER 6  
AREA AGENCY ON AGING PLANNING AND ADMINISTRATION

[Prior to 5/20/87, see Aging, Commission on the[20] Ch 5]

[Prior to 1/27/10, see Elder Affairs Department[321] Ch 6]

**17—6.1(231) Definitions.** Words and phrases as used in this chapter are as defined in 17—Chapter 1 unless the context indicates otherwise. The following definitions also apply to this chapter:

“*Access*” or “*access services*” means case management, transportation, outreach, information and assistance.

“*Entrepreneurial activities*” means the manufacturing, processing, selling, offering for sale, renting, leasing, delivering, dispensing, distributing or advertising of goods or services for profit; or a contract or agreement that an AAA will provide specific named service(s) for third-party payees.

“*Priority services*” means access, in-home and legal assistance services.

[ARC 8489B, IAB 1/27/10, effective 1/7/10]

**17—6.2(231) Area plan.**

**6.2(1) *Area plan.*** Each AAA shall develop and administer an area plan.

**6.2(2) *Duration and format of the area plan.***

*a.* The area plan shall be for a minimum of a two-year and a maximum of a four-year period specified by the department, with annual updates.

*b.* Uniform area plan format. All AAA shall submit an area plan or plan amendment to the department in accordance with the uniform area plan format, other instructions issued by the department, this chapter, and the federal Act.

**6.2(3) *Comprehensive and coordinated delivery system.*** The multiyear area plan shall provide for the development of a comprehensive and coordinated service delivery system for all supportive and nutrition services needed by older individuals in the planning and service area to:

*a.* Facilitate access to and utilization of all existing services; and

*b.* Develop supportive and nutrition services effectively and efficiently to meet the needs of older individuals.

**6.2(4) *Requirements.*** An area plan shall provide for a comprehensive and coordinated service delivery system as defined in:

*a.* The federal Act;

*b.* Older Americans Act Title III Regulations; Code of Federal Regulations, Title 45, Volume 4, Part 1200 (45 CFR 117);

*c.* This chapter.

**6.2(5) *Plan content.*** The area plan shall, at a minimum, contain the following information:

*a.* Assurance that the AAA agrees to abide by the requirements of the federal Act and all other applicable laws and rules; and

*b.* Objectives and budget for each year of the designated period and methods to obtain those objectives; and

*c.* Client projections. Area agencies shall project, on forms or in a format prescribed by the department, the number of older individuals who will be served within each PSA.

**6.2(6) *Area plan amendments and revisions.***

*a.* *Amendments.* The AAA shall amend the area plan and submit it to the commission for approval when:

(1) A new or amended state or federal statute, rule or regulation requires new information or conflicts with any existing plan provisions;

(2) A United States Supreme Court decision changes the interpretation of a statute or rule;

(3) Local law, organization, policy or agency operations change and are no longer accurately reflected in the area plan;

(4) The department requires amendments;

(5) The grantee proposes to change the designation of the single organizational unit or component unit responsible for programs under the federal Act or state law; or

(6) The area agency proposes to add or delete a service category.

*b. Revision.* The AAA may be required to revise the plan and submit it to the department for approval if:

(1) A department funding source to the area agency changes; or

(2) A program requirement changes.

**6.2(7) Procedures for area plans, plan amendments and revisions.**

*a. Public hearing(s).* The AAA shall hold at least one public hearing on the area plan and all plan amendments as required in this chapter. Priority services and direct service requests shall appear as distinct agenda items for any hearing.

(1) The public hearing(s) shall be held prior to submission of the area plan or amendment(s) at a time which permits older individuals, public officials, and other interested parties reasonable opportunity to participate. The hearing(s) shall be held at a barrier-free, fully accessible location.

(2) The AAA shall provide notice, in accordance with Iowa Code section 21.4(1), of the hearing by sending notice to all known groups of older individuals, PSA public officials, and other interested parties. The notice shall be issued 14 business days prior to the public hearing and include the time, date, and location of the public hearing. The AAA shall comply with any applicable state or federal laws and regulations governing public hearing processes and procedures.

(3) The AAA shall prepare and submit to the department a written record of the public hearing in accordance with instructions issued by the department.

*b. Review and comment by the advisory council.*

(1) The AAA shall submit the area plan, amendments and revisions for review and comment to the AAA advisory council.

(2) The official representative of the AAA shall sign the plan, amendment or revision to signify that the AAA has completed all of the requirements of this chapter. The AAA shall then submit the area plan, amendment or revision to the department for review.

**6.2(8) Commission review.** Plans and plan amendments may be approved by the commission after they have been processed in accordance with the process given in this chapter. Revisions may be approved by the department after they have been processed in accordance with the process given in this chapter.

**6.2(9) Appeals.** Any person may appeal a denial of approval of an area plan, plan amendment or revision as provided in 17—Chapter 4.

**6.2(10) Area profile.** Each AAA shall submit to the department a profile in accordance with the time frame and procedures as issued by the department. The profile shall contain, but not be limited to, the following AAA information:

*a.* Affirmative action plan;

*b.* Table of organizational structure;

*c.* Inventory of nutrition sites and senior centers;

*d.* Listing of the area agency's designated community focal points; and

*e.* Listing of the officers of the AAA board of directors.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 0744C, IAB 5/15/13, effective 6/19/13; ARC 1534C, IAB 7/9/14, effective 8/13/14; ARC 2522C, IAB 5/11/16, effective 6/15/16]

## 17—6.3(231) Area agency administration.

**6.3(1) Director.** The AAA shall employ a qualified director and may employ other staff as necessary to manage and monitor the area plan.

**6.3(2) Director's responsibility.** It is the responsibility of the AAA director to:

*a.* Ensure that all AAA duties as outlined in the federal Act, state law, this chapter and other rules promulgated by any agency having jurisdiction are performed;

*b.* Develop the area plan;

*c.* Implement organizational operations;

*d.* Budget for services and operations;

*e.* Coordinate implementation of services; and

*f.* Monitor and evaluate services.

**6.3(3) *Discrimination.*** The AAA shall offer equal opportunities for employment or promotion to all employees and to applicants who meet the qualifications of the open position. Discrimination against any person because of gender, race, national origin, age, political affiliation, creed, color, religion, physical or mental disability, or other nonmerit factors is prohibited during any aspect of personnel administration and during employment.

**6.3(4) *Affirmative action plans.*** Each AAA shall develop an affirmative action plan which shall be available for review by the department.

**6.3(5) *Training and development requirements.*** Each AAA shall have a plan and procedures that will support a broad program of staff development activities to ensure training of volunteers, paid personnel and providers of services to Iowa's older individual population.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 0744C, IAB 5/15/13, effective 6/19/13; ARC 1534C, IAB 7/9/14, effective 8/13/14]

#### **17—6.4(231) Confidentiality and disclosure of AAA information.**

**6.4(1) *Confidentiality.*** AAA shall implement procedures to ensure that no information in possession of an AAA, or an entity providing services under programs funded by the department, is disclosed in a form identifiable with an individual without that individual's informed consent regardless of the source of the information.

**6.4(2) *Public accessibility to manuals, guidelines, and standards.*** Copies of all manuals, guidelines, and standards referred to by these rules shall be maintained by the AAA and available for public inspection.

[ARC 8489B, IAB 1/27/10, effective 1/7/10]

**17—6.5(231) AAA contact information.** Information on how to contact the appropriate AAA office may be obtained by sending a request to the Department on Aging, Jessie Parker Building, 510 East 12th Street, Suite 2, Des Moines, Iowa 50319; or by telephone at (515)725-3333; or by visiting the department's Web site, [www.iowaaging.gov](http://www.iowaaging.gov).

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 2522C, IAB 5/11/16, effective 6/15/16]

#### **17—6.6(231) Duties of AAA.**

**6.6(1) General.** Each AAA shall fulfill the AAA duties specified in the federal Act, Iowa Code section 231.33 and this chapter. AAA shall:

*a.* Carry out functions related to advocacy, planning, coordination, interagency linkages, information sharing, brokering, monitoring and evaluation designed to lead to and maintain a comprehensive and coordinated community-based system. This system shall serve the PSA so that older individuals may lead independent, meaningful and dignified lives in their own homes and communities for as long as possible;

*b.* Strive to offer a range of services which are readily accessible to all older individuals by utilizing public, private and voluntary entities and personal resources of the client;

*c.* Encourage collaborative decision making among public, private, voluntary, religious and fraternal organizations, as well as older individuals;

*d.* Assist in determining and providing special assistance or resources to the most vulnerable older individuals who are in danger of losing their independence; and

*e.* Perform all functions as delineated in the area plan.

**6.6(2) Additional duties include:**

*a.* Attempt to involve the private bar and legal services corporation in the PSA in legal assistance activities;

*b.* Submit all reports in accordance with the department-prescribed form or format and due dates;

*c.* Coordinate AAA activities with mental health services provided by community health centers and other nonprofit private or public organizations;

*d.* Compile and summarize information on institutions of higher education in the PSA which offer courses of study to older individuals at a no- or reduced-tuition rate and disseminate the information to older individuals at their gathering places;

*e.* Seek out older individuals who may be eligible to receive Supplemental Security Income benefits under Title XVI of the Social Security Act, medical assistance under Titles XVIII and XIX of the Social Security Act, and benefits under the Food Stamp Act of 1977. The AAA shall provide information on the requirements for eligibility to receive these benefits and assist in applying for appropriate assistance and benefits;

*f.* Coordinate planning by individuals, agencies and organizations interested in the prevention of abuse, neglect and exploitation of older individuals and assist in implementation of educational and awareness activities, in coordination with the office of the state long-term care ombudsman program;

*g.* Coordinate planning with other agencies and organizations to provide health promotion activities for older individuals.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 1534C, IAB 7/9/14, effective 8/13/14; ARC 2522C, IAB 5/11/16, effective 6/15/16]

#### **17—6.7(231) AAA board of directors.**

**6.7(1)** Each designated AAA shall establish a board of directors in accordance with its individual articles of incorporation and bylaws.

**6.7(2)** The AAA board membership shall be representative of the geographic planning and service area.

**6.7(3)** Each AAA board of directors shall have board nominating and election procedures specified in its bylaws.

**6.7(4)** Each AAA shall specify in its bylaws the scope, function and responsibilities of the board, board committees and individual board members.

**6.7(5)** Each AAA shall provide an orientation process for newly elected board members that includes, at a minimum, the scope, function and responsibilities of the AAA and the responsibilities of the board, board committees and individual board members.

**6.7(6)** The department shall provide a minimum of four hours of training annually to AAA board members.

**6.7(7)** The AAA board of directors shall comply with Iowa Code chapter 504, “Revised Iowa Nonprofit Corporation Act.”

[ARC 8489B, IAB 1/27/10, effective 1/7/10]

#### **17—6.8(231) AAA advisory council.**

**6.8(1) *Member requirements.*** The AAA shall establish an advisory council composed of members, at least one-half of whom are aged 60 and older, which shall include:

*a.* Recipients of services under the Act, including minority older individuals and older individuals residing in rural areas;

*b.* Representatives of older individuals;

*c.* Current local elected officials;

*d.* The general public;

*e.* Representatives of health care provider organizations, including providers of veterans’ health care, if appropriate;

*f.* Representatives of supportive and nutrition service providers; and

*g.* Persons with leadership experience in private and volunteer sectors.

**6.8(2) *Duties.*** It shall be the specific responsibility of the advisory council to advise the AAA and:

*a.* Advocate for older individuals in the PSA by keeping informed of all activities and proposals concerning the older individuals;

*b.* Review and make recommendations on the content, formulation, administration and priorities of the area plan and participate in public hearings on the area plan;

*c.* Serve as an information link between the AAA and providers of services to older individuals in the PSA;

*d.* Review and comment on community policies, programs and actions which affect older individuals;

*e.* Assist in generating local support for development of programs for older individuals in the area.

**6.8(3) *Frequency of meetings.*** The AAA advisory council shall meet at least quarterly.



**6.8(4) Staff support.** The AAA shall provide staff and assistance to the AAA advisory council.

**6.8(5) Bylaws.** The AAA advisory council bylaws shall contain at least the basic bylaws: name, purpose, members, officers, meetings, committees, parliamentary authority and procedure for amendment of bylaws. The bylaw on membership shall include, but is not limited to, the number of, selection process and length of terms for members.

[ARC 8489B, IAB 1/27/10, effective 1/7/10]

#### **17—6.9(231) Emergency situations.**

**6.9(1)** Prior to and after a natural disaster or other safety-threatening situation, each AAA shall plan and coordinate with other public and private entities for safe and timely continuity of service and the restoration of normal living conditions for older individuals. This shall include:

- a. Alerting older individuals of the impending danger;
- b. Assessing the needs of older individuals after the event occurs; and
- c. Ensuring that identified needs are met through collaboration with other agencies.

**6.9(2)** To further this purpose, each AAA shall:

- a. Include in the procedures manual established as required in this chapter procedures to respond to emergency or disaster situations;
- b. Include in the development and training plan methods of training for staff, contractors, and other interested parties in response to emergency or disaster situations; and
- c. Include in subgrants or contracts provisions for responding to emergency or disaster situations including, but not limited to, shifting funds from one activity to another or from one contractor to another.

**6.9(3) Services.** As a part of emergency response, the AAA may plan, coordinate and provide services funded under other programs consistent with responsibilities of an AAA.

[ARC 8489B, IAB 1/27/10, effective 1/7/10]

**17—6.10(231) AAA procedures manual.** A procedures manual shall be developed and kept current by the AAA. The manual shall, at a minimum, establish procedures to be followed in:

**6.10(1)** Establishing and maintaining information and assistance availability to ensure that older individuals within the PSA will have convenient access to services;

**6.10(2)** Conducting periodic evaluations, which may include participant satisfaction surveys of activities carried out under the area plan;

**6.10(3)** Furnishing appropriate technical assistance to providers of supportive services, nutrition services, or multipurpose senior centers;

**6.10(4)** Establishment of a request for proposal process that includes methods of selection of providers and methods for award of grants or contracts under the area plan, including stipulations that all subcontractors or subgrantees comply with all applicable local, state and federal laws, rules or regulations, and, if applicable, all requirements for nonprofit entities;

**6.10(5)** Resolving complaints by any aggrieved party directly affected by an action or omission of the AAA. AAA appeal procedures shall be in compliance with the relevant federal and state statutes, regulations and rules and shall contain at least the following procedures and time frames for complaint resolution:

- a. Acknowledgment of the complaint;
- b. Process for attempting to informally resolve the complaint;
- c. Time frame for sending a hearing notice;
- d. Process for holding a hearing;
- e. Notification of the outcome of the hearing;
- f. Appeal to the next higher authority;

**6.10(6)** Ensuring confidentiality, so that no information about or obtained from an older individual is disclosed in a form that identifies the person without the person's informed consent;

**6.10(7)** The assessment and monitoring methods for programs and subcontracts funded by the AAA. This shall include documentation of quarterly monitoring of performance and on-site assessment and report at least annually;

**6.10(8)** Response to emergency or disaster situations;

- 6.10(9)** Development of methods by which priority for delivery of services is determined;
  - 6.10(10)** Obtaining comments or suggestions from recipients about services provided by the AAA;
  - 6.10(11)** Determination of an individual's eligibility for home-delivered nutrition services, including specific criteria established by the AAA for:
    - a.* Initial and subsequent six-month assessments of the individual's eligibility for home-delivered meals;
    - b.* Determination of the number of days per week the individual has a need for home-delivered meals;
    - c.* Determination of the individual's need for other home-delivered nutrition services;
  - 6.10(12)** Assurance that any facility housing a service will fully comply with all current federal, state or local health, fire, safety, sanitation, accessibility and licensure requirements;
  - 6.10(13)** Methods of monitoring service providers to ensure their performance is in accordance with terms, conditions and specifications for funding, including length of funding period, and the use of project income and methods of providing service;
  - 6.10(14)** If appropriate, offering a meal to individuals providing volunteer services during meal times on the same basis as meals are offered to eligible individuals;
  - 6.10(15)** Offering a meal to nonelderly individuals with disabilities who reside at home with and accompany eligible older individuals to a meal site;
  - 6.10(16)** Offering home-delivered meals to nonelderly individuals with disabilities when their elderly caregiver is eligible for a home-delivered meal;
  - 6.10(17)** Increasing public education and awareness in the prevention of abuse, neglect and exploitation of older individuals;
  - 6.10(18)** Identifying the public and private nonprofit entities involved in the prevention, identification, and treatment of abuse, neglect, and exploitation of older individuals and determining methods to respond to the needs of older individuals at risk; and
  - 6.10(19)** Offering health promotion activities and information to eligible individuals.
- [ARC 8489B, IAB 1/27/10, effective 1/7/10]

#### **17—6.11(231) Contracts and subgrants.**

- 6.11(1)** A contract or agreement between an AAA and a provider of a specific service in the PSA shall not restrict the AAA from contracting with other provider(s) of similar services.
  - 6.11(2)** Contract file. AAA shall maintain a file of all current contracts with service-providing agencies or organizations. These files shall be made available for monitoring and assessment by the department.
  - 6.11(3)** Contracts with for-profit organizations. An AAA must request prior approval from the department of any proposed service contracts with for-profit organizations under an area plan.
    - a.* A separate approval request, using the request form provided by the department, shall be filed for each contract between the AAA and a provider for a service that is proposed to be delivered by a for-profit organization.
      - (1) The request for approval shall be submitted to the department at least 30 days prior to the signing of the contract.
      - (2) All applicants to provide services for which the contract is proposed shall be listed on the request form.
    - b.* The department may approve the contracts only if the AAA demonstrates that the for-profit organization can provide services that are consistent with the goals of the AAA as stated in the area plan.
- [ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 1534C, IAB 7/9/14, effective 8/13/14]

#### **17—6.12(231) Direct service.**

- 6.12(1)** An AAA must submit a request to provide direct service as part of the area plan. The request may be approved by the department based on documentation of the criteria given in subrule 6.12(2). The following services may be furnished directly by the AAA and are exempt from the requirements in subrule 6.12(2):
  - a.* Information and assistance;

- b. Outreach;
- c. Case management;
- d. Advocacy representation;
- e. Public education;
- f. Employment services;
- g. Mental health outreach;
- h. Coordination of efforts concerning the prevention of elder abuse;
- i. Options counseling.

**6.12(2) Criteria.** The commission may approve an AAA request to provide direct service.

a. Approval will be based upon documentation of the following as submitted by the AAA:

- (1) Direct provision of service is necessary to ensure an adequate supply of the service, and no potential provider was identified during the public hearing process; or
  - (2) The proposed service will be of comparable quality in the view of the AAA advisory council, and will meet or exceed service standards developed by the AAA; and
  - (3) The AAA can provide a service of equal quality at lower cost than another provider.
- b. The department may consider other factors including:
- (1) The demonstrated capacity of the AAA to deliver services consistently and reliably;
  - (2) The economic impact of transition from a contract provider to the AAA;
  - (3) Consideration of any possible disruption of service;
  - (4) Input from the AAA advisory council; and
  - (5) Comments from the public.

**6.12(3) Conditional approval.** If the criteria for approval of a request to provide direct services are not met, a condition may be placed on the area plan approval.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 2522C, IAB 5/11/16, effective 6/15/16]

#### **17—6.13(231) Waivers of priority service expenditures.**

**6.13(1)** An AAA shall request a waiver from the priority service expenditures in rule 17—5.5(231) if it does not propose sufficient funding to allow older individuals to have convenient access to a service. The waiver request shall be submitted with the plan or plan amendment pursuant to applicable procedures under 17—Chapter 11.

**6.13(2)** The commission, in approving an area plan or a plan amendment, may, upon recommendation of the director, waive the requirement of rule 17—5.5(231) for any category of service for which the AAA demonstrates the following:

- a. That the services being furnished by other providers meet the needs of older individuals in the PSA for that category of service; or
- b. That the AAA has made every reasonable effort to meet the need for a specific category of service.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 0744C, IAB 5/15/13, effective 6/19/13]

#### **17—6.14(231) Requirements for service providers.**

**6.14(1) Contributions.** The AAA shall consult with the relevant service providers and older individuals in the PSA to determine the best method for accepting voluntary contributions. As established by contract with the AAA, each service provider, including an AAA providing direct service, shall:

- a. Provide each older individual with a voluntary opportunity to contribute to the cost of the service by displaying a suggested contribution schedule that takes into consideration income ranges of eligible individuals in local communities;
- b. Clearly inform each recipient that there is no obligation to contribute and that the contribution is purely voluntary;
- c. Protect the privacy and confidentiality of each older individual with respect to the person's contributions;
- d. Utilize appropriate procedures to safeguard and account for all contributions against loss, mishandling or theft by obtaining bonding for all employees and volunteers;

*e.* Use all contributions to expand the service for which such contribution is given. Nutrition service providers shall use all contributions to increase the number of meals served.

**6.14(2) *Failure to contribute.*** A provider that receives department funds may not deny any older individual a service because the person will not or cannot contribute to the cost.

**6.14(3) *Obtain views of older individuals.*** Each provider shall utilize procedures determined by the AAA for obtaining the views of participants about the services they receive. A report of procedures utilized and findings shall be issued by the AAA within six months of the signing of the contract.

**6.14(4) *Seek other sources of funding.*** Prior to requesting Title III funding, service providers shall demonstrate efforts to seek funds from other federal, state, and local sources.

**6.14(5) *Compliance by service providers.*** The AAA shall incorporate in its contract with each service provider an assurance that funds are used in compliance with federal guidelines.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 0744C, IAB 5/15/13, effective 6/19/13; ARC 1534C, IAB 7/9/14, effective 8/13/14]

**17—6.15(231) Entrepreneurial activities of AAA.** An AAA considering entrepreneurial activities must carefully examine the activity to ensure compatibility with its designation as an AAA. The following shall apply to all AAA, unless otherwise prohibited by statute, rule or order:

**6.15(1) *Demonstrated need—use of funds.*** An AAA may engage in entrepreneurial activities if the activity is in response to a demonstrated need and the funds raised by such activities are used for one of the following purposes:

*a.* To further extend services and opportunities for older individuals; or

*b.* To fund new services and opportunities for older individuals provided that these services or opportunities are compatible with the AAA functions and goals.

**6.15(2) *Restrictions.*** The following restrictions shall apply to an AAA's engagement in entrepreneurial activities:

*a.* Entrepreneurial activities shall not be undertaken until they have been reviewed by the advisory council and approved by the AAA governing board.

*b.* An AAA that engages in entrepreneurial activities shall not create the impression that the activity is being carried on under governmental authority.

*c.* Funds received as a result of entrepreneurial activities shall be monitored and accounted for according to generally accepted accounting and auditing practices commensurate with the activities.

*d.* Entrepreneurial activities shall be pursued only if the duties and responsibilities required of AAA in this chapter are consistently provided by the AAA in a capable manner.

*e.* Entrepreneurial activities pursued by an AAA and groups or organizations funded by an AAA shall not have, nor present the appearance of, a conflict of interest.

*f.* Entrepreneurial activities shall not utilize funds received from the department for direct costs.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 0744C, IAB 5/15/13, effective 6/19/13]

**17—6.16(231) Severability.** Should any rule, subrule, paragraph, phrase, sentence or clause of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

[ARC 8489B, IAB 1/27/10, effective 1/7/10; ARC 0744C, IAB 5/15/13, effective 6/19/13]

These rules are intended to implement Iowa Code chapter 231.

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[Filed 5/1/87, Notice 2/25/87—published 5/20/87, effective 6/24/87]<sup>1</sup>

[Filed emergency 8/20/87—published 9/9/87, effective 9/2/87]

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[Filed 6/26/92, Notice 4/1/92—published 7/22/92, effective 8/26/92]

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[Filed 2/21/06, Notice 11/23/05—published 3/15/06, effective 5/1/06]

[Filed 8/9/06, Notice 6/7/06—published 8/30/06, effective 10/4/06]

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[Filed Emergency ARC 8489B, IAB 1/27/10, effective 1/7/10]

[Filed ARC 0744C (Notice ARC 0640C, IAB 3/6/13), IAB 5/15/13, effective 6/19/13]

[Filed ARC 1534C (Notice ARC 1426C, IAB 4/16/14), IAB 7/9/14, effective 8/13/14]

[Filed ARC 2522C (Notice ARC 2365C, IAB 1/20/16), IAB 5/11/16, effective 6/15/16]

<sup>1</sup> Effective date of Ch 6 delayed 70 days by the Administrative Rules Review Committee.



CHAPTER 13  
ISSUANCE OF TEACHER LICENSES AND ENDORSEMENTS

[Prior to 1/14/09, see Educational Examiners Board[282] Ch 14]

**282—13.1(272) All applicants desiring Iowa licensure.**

**13.1(1) Licenses, authorizations, certificates, and statements of professional recognition.** Licenses, authorizations, certificates, and statements of professional recognition are issued upon application filed on a form provided by the board of educational examiners and upon completion of the following:

*a. National criminal history background check.* An initial applicant will be required to submit a completed fingerprint packet that accompanies the application to facilitate a national criminal history background check. The fee for the evaluation of the fingerprint packet will be assessed to the applicant.

*b. Iowa division of criminal investigation background check.* An Iowa division of criminal investigation (DCI) background check will be conducted on initial applicants. The fee for the evaluation of the DCI background check will be assessed to the applicant.

*c. Registries and records check.* A check of the following registries and records will be conducted on initial applicants: the sex offender registry under Iowa Code section 692A.121, the central registry for child abuse information established under Iowa Code chapter 235A, the central registry for dependent adult abuse information maintained under Iowa Code chapter 235B, and the information in the Iowa court information system available to the general public. The fee for checks of these registries and records will be assessed to the applicant.

**13.1(2) Temporary permits.** The executive director may issue a temporary permit to an applicant for any type of license, certification, or authorization issued by the board, after receipt of a fully completed application; determination that the applicant meets all applicable prerequisites for issuance of the license, certification, or authorization; and satisfactory evaluation of the Iowa criminal history background check. The temporary permit shall serve as evidence of the applicant's authorization to hold a position in Iowa schools, pending the satisfactory completion of the national criminal history background check. The temporary permit shall expire upon issuance of the requested license, certification, or authorization or 90 days from the date of issuance of the permit, whichever occurs first, unless the temporary permit is extended upon a finding of good cause by the executive director.

[ARC 0563C, IAB 1/23/13, effective 1/1/13; ARC 2230C, IAB 11/11/15, effective 12/16/15]

**282—13.2(272) Applicants from recognized Iowa institutions.** Rescinded ARC 2016C, IAB 6/10/15, effective 7/15/15.

**282—13.3(272) Applicants from non-Iowa institutions.** Rescinded ARC 2016C, IAB 6/10/15, effective 7/15/15.

**282—13.4(272) Applicants from foreign institutions.** Rescinded ARC 2016C, IAB 6/10/15, effective 7/15/15.

**282—13.5(272) Teacher licenses.** A license may be issued to applicants who fulfill the general requirements set out in subrule 13.5(1) and the specific requirements set out for each license.

**13.5(1) General requirements.** The applicant shall:

*a.* Have a baccalaureate degree from a regionally accredited institution.

*b.* Have completed a state-approved teacher education program.

*c.* Have completed the teacher preparation coursework set forth in 281—subrules 79.15(2) to 79.15(5).

*d.* Have completed student teaching in the subject area and grade level endorsement desired.

*e.* Have completed the requirements for one of the basic teaching endorsements.

*f.* Provide a recommendation for the specific license and endorsement(s) from the designated recommending official at the recognized institution where the preparation was completed.

**13.5(2) Applicants from non-Iowa institutions.**

*a.* Definitions.

“*Nontraditional*” means any method of teacher preparation that falls outside the traditional method of preparing teachers, that provides at least a one- or two-year sequenced program of instruction taught at regionally accredited and state-approved colleges or universities, that includes commonly recognized pedagogy classes being taught for course credit, and that requires a student teaching component.

“*Proficiency*,” for the purposes of paragraph 13.5(2) “*e*,” means that an applicant has passed all parts of the standard.

“*Recognized non-Iowa teacher preparation institution*” means an institution that is state-approved and is accredited by the regional accrediting agency for the territory in which the institution is located.

b. In addition to the requirements set forth in subrule 13.5(1), applicants from non-Iowa institutions:

(1) Shall submit a copy of a valid or expired regular teaching certificate or license exclusive of a temporary, emergency or substitute license or certificate.

(2) Shall provide verification of successfully passing the Iowa-mandated assessment(s) by meeting the minimum score set by the Iowa department of education if the teacher preparation program was completed on or after January 1, 2013. If the teacher preparation program was completed prior to January 1, 2013, the applicant must provide verification of successfully passing the mandated assessment(s) in the state in which the applicant is currently licensed (or verify highly qualified status) or must provide verification of successfully passing the Iowa-mandated assessment(s) by meeting the minimum score set by the Iowa department of education.

(3) Shall provide an official institutional transcript(s) to be analyzed for the requirements necessary for Iowa licensure. An applicant must have completed at least 75 percent of the coursework as outlined in 281—subrules 79.15(2) to 79.15(5) and an endorsement requirement through a two- or four-year institution in order for the endorsement to be included on the license. An applicant who has not completed at least 75 percent of the coursework for at least one of the basic Iowa teaching endorsements completed will not be issued a license.

(4) Shall demonstrate recency of experience by providing verification of either one year of teaching experience or six semester hours of college credit during the five-year period immediately preceding the date of application.

(5) Shall not be subject to any pending disciplinary proceedings in any state or country.

(6) Shall comply with all requirements with regard to application processes and payment of licensure fees.

c. If through a transcript analysis, the teacher preparation coursework as outlined in 281—subrules 79.15(2) to 79.15(5) or one of the basic teaching endorsement requirements for Iowa is not met, the applicant may be eligible for the equivalent Iowa endorsement areas, as designated by the Iowa board of educational examiners, based on current and valid National Board Certification.

d. If the teacher preparation program was considered nontraditional, candidates will be asked to verify the following:

(1) That the program was for secondary education;

(2) A cumulative grade point average of 2.50 on a 4.0 scale from a regionally accredited institution; and

(3) The completion of a student teaching or internship experience or three years of teaching experience.

e. If the teacher preparation coursework as outlined in 281—subrules 79.15(2) to 79.15(5) cannot be reviewed through a traditional transcript evaluation, a portfolio review and evaluation process may be utilized.

(1) An applicant must demonstrate proficiency in a minimum of at least 75 percent of the teacher preparation coursework as outlined in 281—subrules 79.15(2) to 79.15(5).

(2) An applicant must meet with the board of educational examiners to answer any of the board’s questions concerning the portfolio.

**13.5(3) *Applicants from foreign institutions.*** An applicant for initial licensure whose preparation was completed in a foreign institution must obtain a course-by-course credential evaluation report completed by one of the board-approved credential evaluation services and then file this report with the Iowa board



of educational examiners for a determination of eligibility for licensure. After receiving the notification of eligibility by the Iowa board of educational examiners, the applicant must provide verification of successfully passing the Iowa-mandated assessment(s) by meeting the minimum score set by the Iowa department of education.

[ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.6(272) Specific requirements for an initial license.** An initial license valid for two years may be issued to an applicant who meets the general requirements set forth in rule 282—13.5(272).

[ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.7(272) Specific requirements for a standard license.** A standard license valid for five years may be issued to an applicant who:

1. Meets the general requirements set forth in rule 282—13.5(272), and
2. Shows evidence of successful completion of a state-approved mentoring and induction program by meeting the Iowa teaching standards as determined by a comprehensive evaluation and two years' successful teaching experience. In lieu of completion of an Iowa state-approved mentoring and induction program, the applicant must provide evidence of three years' successful teaching experience in an Iowa nonpublic school or three years' successful teaching experience in an out-of-state K-12 educational setting.

[ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.8(272) Specific requirements for a master educator's license.** A master educator's license is valid for five years and may be issued to an applicant who:

1. Is the holder of or is eligible for a standard license as set out in rule 282—13.7(272), and
2. Verifies five years of successful teaching experience, and
3. Completes one of the following options:
  - Master's degree from a regionally accredited college or university in a recognized endorsement area, or
  - Master's degree from a regionally accredited college or university in curriculum, effective teaching, or a similar degree program which has a focus on school curriculum or instruction.

[ARC 1168C, IAB 11/13/13, effective 12/18/13]

**282—13.9(272) Teacher intern license.**

**13.9(1) Authorization.** The teacher intern is authorized to teach in grades 7 to 12.

**13.9(2) Term.** The term of the teacher intern license will be one school year. This license is nonrenewable.

**13.9(3) Teacher intern requirements.** A teacher intern license may be issued to an applicant who has been recommended by an institution with a state-approved intern program and who has met the background check requirements set forth in rule 282—13.1(272).

**13.9(4) Requirements to convert the teacher intern license to the initial license.** An initial license shall be issued upon application provided that the teacher intern has met the requirements as verified by the recommendation from the state-approved program.

**13.9(5) Requirements to extend the teacher intern license if the teacher intern does not complete all of the education coursework during the term of the teacher intern license.**

a. A one-year extension of the teacher intern license may be issued upon application provided that the teacher intern has met both of the following requirements:

- (1) Successful completion of one year of teaching experience during the teacher internship.
- (2) Verification by the recommending official at the approved teacher intern program that the teacher intern has not completed all of the coursework required for the initial license.

*b.* Only one year of teaching experience during the term of the teacher intern license or the extension of a teacher intern license may be used to convert the teacher intern license to a standard teaching license.

[ARC 8688B, IAB 4/7/10, effective 5/12/10; ARC 9925B, IAB 12/14/11, effective 1/18/12; ARC 0698C, IAB 5/1/13, effective 6/5/13; ARC 0865C, IAB 7/24/13, effective 8/28/13; ARC 1374C, IAB 3/19/14, effective 4/23/14; ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.10(272) Specific requirements for a Class A extension license.** A nonrenewable Class A extension license valid for one year may be issued to an individual under one of the following conditions:

**13.10(1)** *Based on an expired Iowa certificate or license, exclusive of a Class A extension or Class B license.*

*a.* The holder of an expired license, exclusive of a Class A extension or Class B license, shall be eligible to receive a Class A extension license upon application. This license shall be endorsed for the type of service authorized by the expired license on which it is based.

*b.* The holder of an expired license who is currently under contract with an Iowa educational unit (area education agency/local education agency/local school district) and who does not meet the renewal requirements for the license held shall be required to secure the signature of the superintendent or designee before the license will be issued.

**13.10(2)** *Based on a mentoring and induction program.* An applicant may be eligible for a Class A extension license if the school district, after conducting a comprehensive evaluation, recommends and verifies that the applicant shall participate in the mentoring program for a third year. No further extensions are available for this type of Class A extension license.

[ARC 7987B, IAB 7/29/09, effective 9/2/09; ARC 8134B, IAB 9/9/09, effective 10/14/09; ARC 8957B, IAB 7/28/10, effective 9/1/10; ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.11(272) Specific requirements for a Class B license.** A Class B license, which is valid for two years and which is nonrenewable, may be issued to an individual under the following conditions:

**13.11(1)** *Endorsement in progress.* The individual has a valid initial, standard, master educator, permanent professional, Class A extension, exchange, or professional service license and one or more endorsements but is seeking to obtain some other endorsement. A Class B license may be issued if requested by an employer and if the individual seeking to obtain some other endorsement has completed at least two-thirds of the requirements, or one-half of the content requirements in a state-designated shortage area, leading to completion of all requirements for the endorsement. A Class B license may not be issued for the driver's education endorsement.

**13.11(2)** *Program of study for special education endorsement.* The college or university must outline the program of study necessary to meet the special education endorsement requirements. This program of study must be attached to the application.

**13.11(3)** *Request for executive director decision.* If the minimum content requirements have not been met for the Class B license, a one-year executive director decision license may be issued if requested by the school district and if the school district 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 and will expire on June 30 of the fiscal year in which it was issued.

**13.11(4)** *Expiration.* The Class B license will expire on June 30 of the fiscal year in which it was issued plus one year.

[ARC 7987B, IAB 7/29/09, effective 9/2/09; ARC 8133B, IAB 9/9/09, effective 10/14/09; ARC 9207B, IAB 11/3/10, effective 12/8/10; ARC 9573B, IAB 6/29/11, effective 8/3/11; ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.12(272) Specific requirements for a Class C license.** Rescinded IAB 7/29/09, effective 9/2/09.

**282—13.13(272) Specific requirements for a Class D occupational license.** Rescinded IAB 7/29/09, effective 9/2/09.

**282—13.14(272) Specific requirements for a Class E emergency extension license.** A nonrenewable license valid for one year may be issued to an individual as follows:

**13.14(1) Expired license.** Based on an expired Class A or Class B license, the holder of the expired license shall be eligible to receive a Class E emergency extension license upon application and submission of all required materials.

**13.14(2) Application.** The application process will require transcripts of coursework completed during the term of the expired license, a program of study indicating the coursework necessary to obtain full licensure, and registration for coursework to be completed during the term of the Class E emergency extension license. The Class E emergency extension license will be denied if the applicant has not completed any coursework during the term of the Class A or Class B license unless extenuating circumstances are verified.

[ARC 7987B, IAB 7/29/09, effective 9/2/09; ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.15(272) Specific requirements for a Class G license.** A nonrenewable Class G license valid for one year may be issued to an individual who must complete a school counseling practicum or internship in an approved program in preparation for the professional school counselor endorsement. The Class G license may be issued under the following limited conditions:

1. Verification of a baccalaureate degree from a regionally accredited institution.
2. Verification from the institution that the individual is admitted and enrolled in a school counseling program.
3. Verification that the individual has completed the coursework and competencies required prior to the practicum or internship.
4. Written documentation of the requirements listed in “1” to “3” above, provided by the official at the institution where the individual is completing the approved school counseling program and forwarded to the Iowa board of educational examiners with the application form for licensure.

[ARC 1328C, IAB 2/19/14, effective 3/26/14]

**282—13.16(272) Specific requirements for a substitute teacher’s license.**

**13.16(1) Substitute teacher requirements.** A substitute teacher’s license may be issued to an individual who provides verification of successfully passing the Iowa-mandated assessment(s) by meeting the minimum score set by the Iowa department of education if the teacher preparation program was completed on or after January 1, 2013, and who:

- a. Has completed a traditional teacher preparation program and been the holder of, or presently holds, or is eligible to hold, a license in Iowa; or
- b. Holds a valid or expired teaching certificate based on a nontraditional teacher preparation program, is able to verify three years of teaching experience, and provides passing scores on tests mandated by the state that issued the certificate. The license issued will contain a disclaimer stating that the holder of this license may not be eligible for full Iowa teaching licensure.

**13.16(2) Validity.** A substitute license is valid for five years and for not more than 90 days of teaching in one assignment during any one school year. A school district administrator may file a written request with the board for an extension of the 90-day limit in one assignment on the basis of documented need and benefit to the instructional program. The board will review the request and provide a written decision either approving or denying the request.

**13.16(3) Authorization.** The holder of a substitute license is authorized to substitute teach in any school system in any position in which a regularly licensed teacher is employed except in the driver’s education classroom. In addition to the authority inherent in the initial, standard, master educator, professional administrator, regional exchange, and permanent professional licenses and the endorsement(s) held, the holder of one of these regular licenses may substitute on the same basis as the holder of a substitute license while the regular license is in effect. The executive director may grant permission for a substitute to serve outside of a substitute’s regular authority under unique circumstances.

[ARC 9205B, IAB 11/3/10, effective 12/8/10; ARC 9206B, IAB 11/3/10, effective 12/8/10; ARC 0605C, IAB 2/20/13, effective 3/27/13; ARC 1324C, IAB 2/19/14, effective 3/26/14; ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.17(272) Specific requirements for exchange licenses.****13.17(1) Teacher exchange license.**

a. For an applicant applying under 13.5(2), a one-year nonrenewable exchange license may be issued to the applicant under any of the following conditions:

(1) The applicant has met the minimum coursework requirements for licensure but has some coursework deficiencies. Any coursework deficiencies must be completed for college credit through a regionally accredited institution, with the exception of human relations which may be taken for licensure renewal credit through an approved provider.

(2) The applicant submits verification that the applicant has applied for and will receive the applicant's first teaching license and is waiting for the processing or printing of a valid and current out-of-state license. The lack of a valid and current out-of-state license will be listed as a deficiency.

(3) The applicant has not met the requirement for recency set forth in 13.5(2) "b"(4).

b. After the term of the exchange license has expired, the applicant may apply to be fully licensed if the applicant has completed all requirements and is eligible for full licensure.

**13.17(2) International teacher exchange license.**

a. A nonrenewable international exchange license may be issued to an applicant under the following conditions:

(1) The applicant has completed a teacher education program in another country; and

(2) The applicant is a participant in a teacher exchange program administered through the Iowa department of education, the U.S. Department of Education, or the U.S. Department of State.

b. Each exchange license shall be limited to the area(s) and level(s) of instruction as determined by an analysis of the application and the credential evaluation report.

c. This license shall not exceed one year unless the applicant can verify continued participation in the exchange program beyond one year.

d. After the term of the exchange license has expired, the applicant may apply to be fully licensed if the applicant has completed all requirements and is eligible for full licensure.

**13.17(3) Military exchange license.****a. Definitions.**

"Military service" means honorably serving on federal active duty, state active duty, or national guard duty, as defined in Iowa Code section 29A.1; in the military services of other states, as provided in 10 U.S.C. Section 101(c); or in the organized reserves of the United States, as provided in 10 U.S.C. Section 10101.

"Veteran" means an individual who meets the definition of "veteran" in Iowa Code section 35.1(2).

b. *Spouses of active duty military service members applying under 13.5(2).* A three-year nonrenewable military exchange license may be issued to the applicant under the following conditions:

(1) The applicant has completed a traditional teacher preparation program at a regionally accredited and state-approved two- or four-year college.

(2) The applicant is the holder of a valid and current or an expired teaching license from another state.

(3) The applicant provides verification of the applicant's connection to or the applicant's spouse's connection to the military by providing a copy of current military orders with either a marriage license or a copy of a military ID card for the applicant's spouse.

(4) This license may be converted to a one-year regional exchange license upon application and payment of fees.

c. *Veterans or their spouses applying under 13.5(2).* A three-year military exchange license may be issued to an applicant who meets the requirements of 13.17(3) "b"(1) and (2). A veteran must provide a copy of the veteran's DD 214. A spouse must provide a copy of the veteran spouse's DD 214 and the couple's marriage license.

d. *Spouses of active duty military service veterans, or veterans' spouses applying under 13.5(2).* If the applicant has completed a nontraditional teacher preparation program but is not eligible for a teaching license, the applicant will be issued a substitute license, and the initial review for the portfolio review

process will be completed by board staff. An applicant must provide verification of connection to the military outlined in 13.17(3)“b”(3) or 13.17(3)“c.”

*e. Military education, training, and service credit.* An applicant for the military exchange license may apply for credit for verified military education, training, or service toward any experience or educational requirement for licensure by submitting documentation to the board of educational examiners. The applicant shall identify the experience or educational requirement to which the credit would be applied if granted. The board of educational examiners shall promptly determine whether the verified military education, training, or service will satisfy all or any part of the identified experience or educational requirement for licensure.

*f. Fees.* Fees for the background check, evaluation and license issued pursuant to 13.17(3) will be limited to the fee outlined in rule 282—12.1(272) for the issuance of a license.

[ARC 8138B, IAB 9/9/09, effective 10/14/09; ARC 8604B, IAB 3/10/10, effective 4/14/10; ARC 9072B, IAB 9/8/10, effective 10/13/10; ARC 9840B, IAB 11/2/11, effective 12/7/11; ARC 0563C, IAB 1/23/13, effective 1/1/13; ARC 0868C, IAB 7/24/13, effective 8/28/13; ARC 1166C, IAB 11/13/13, effective 12/18/13; ARC 1323C, IAB 2/19/14, effective 3/26/14; ARC 1454C, IAB 5/14/14, effective 6/18/14; ARC 1878C, IAB 2/18/15, effective 3/25/15; ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.18(272) General requirements for an original teaching subject area endorsement.** Rescinded ARC 2016C, IAB 6/10/15, effective 7/15/15.

**282—13.19(272) NCATE-accredited programs.** Rescinded IAB 6/17/09, effective 7/22/09.

**282—13.20** Reserved.

**282—13.21(272) Human relations requirements for practitioner licensure.** Rescinded ARC 2016C, IAB 6/10/15, effective 7/15/15.

**282—13.22(272) Development of human relations components.** Rescinded ARC 2016C, IAB 6/10/15, effective 7/15/15.

**282—13.23 to 13.25** Reserved.

**282—13.26(272) Requirements for elementary endorsements.**

**13.26(1) Teacher—prekindergarten-kindergarten.**

*a. Authorization.* The holder of this endorsement is authorized to teach at the prekindergarten-kindergarten level. Applicants for this endorsement must also hold the teacher—elementary classroom endorsement set forth in subrule 13.26(5) or the early childhood special education endorsement set forth in 282—subrule 14.2(1).

*b. Content.* Coursework must total a minimum of 18 semester hours and shall include the following:

(1) Child development and learning to include young children’s characteristics and needs, with an emphasis on cognitive, language, physical, social, and emotional development, both typical and atypical, the multiple interacting influences on early development, and the creation of environments that are healthy, respectful, supportive, and challenging for each and every child.

(2) Building family and community relationships to include understanding that successful early childhood education depends upon reciprocal and respectful partnerships with families, communities, and agencies, that these partnerships have complex and diverse characteristics, and that all families should be involved in their children’s development and learning.

(3) Assessment in early childhood to include child observation, documentation, and data collection, the development of appropriate goals, the benefits and uses of assessment for curriculum and instructional strategies, the use of technology when appropriate for assessment and adaptations, and building assessment partnerships with families to positively influence the development of each child.

(4) Developmentally effective approaches to include understanding how positive relationships and supportive interactions are the foundation of working with young children and families; knowing and understanding a wide array of developmentally appropriate approaches, including play and creativity,

instructional strategies, and tools to connect with children and families; and reflecting on the teacher's own practice to promote positive outcomes for each child.

(5) Content knowledge to build a meaningful curriculum through the use of academic disciplines, including language and literacy, the arts (music, drama, dance, and visual arts), mathematics, science, social studies, physical activity, and health, for designing, implementing, and evaluating inquiry-based experiences that promote positive development and learning for each child.

(6) Collaboration and professionalism to include involvement in the early childhood field, knowledge about ethical and early childhood professional standards, engagement in continuous collaborative learning to inform practice, reflective and critical perspectives on early childhood education, and informed advocacy for young children and the profession.

(7) Field experiences and opportunities to observe and practice in a variety of early childhood settings, which include, at a minimum, 40 hours of observation and practice in a variety of preschool settings such as urban, rural, socioeconomic status, cultural diversity, program types, and program sponsorship.

(8) Historical, philosophical, and social foundations of early childhood education.

(9) Student teaching in a prekindergarten setting as required in rule 281—79.14(256).

**13.26(2) Teacher—birth through grade three, inclusive settings.**

*a. Authorization.* The holder of this endorsement is authorized to teach children from birth through grade three in inclusive settings.

*b. Content.*

(1) Promoting child development and learning and individual learning differences.

1. Understand the nature of child growth and development for infants and toddlers (birth through age 2), preprimary (age 3 through age 5) and primary school children (age 6 through age 8), both typical and atypical, in areas of cognition, language development, physical motor, social-emotional, mental health, aesthetics, and adaptive behavior and how these impact development and learning in the first years of life, including the etiology, characteristics, and classifications of common disabilities in infants and young children and specific implications for development and learning.

2. Recognize that children are best understood in the contexts of family, culture and society and that cultural and linguistic diversity, stress, risk factors, biological and environmental factors, family strengths, and trauma influence development and learning at all stages, including pre-, peri-, and postnatal development and learning. Communicate the importance of responsive care to a child's development of identity and sense of self.

3. Use developmental knowledge to create learning environments and classroom procedures that promote positive social interaction, active engagement, high expectations for learning, mutual respect, and self-regulation through individually appropriate expectations and positive guidance techniques for each child to meet the child's optimum potential regardless of proficiency. Implement and evaluate preventative and reductive strategies to address challenging behaviors. Use motivational and instructional interventions to teach individuals with exceptionalities how to adapt to different environments. Know how to intervene safely and appropriately with individuals in crisis.

4. Use both child-initiated and teacher-facilitated instructional methods, including strategies such as small and large group projects, play, systematic instruction, group discussion and cooperative decision making. Organize space, time, materials, peers, and adults to maximize progress in natural and structured environments. Embed learning opportunities in everyday routines, relationships, activities, and places. Understand the impact of social and physical environments on development and learning.

5. Engage in intentional practices and implement learning experiences that value diversity and demonstrate understanding that bias and discrimination impact development. Understand how language, culture, and family background influence and support the learning of each child.

(2) Building family and community relationships.

1. Build family and community relationships to include understanding that successful early childhood education depends upon reciprocal and respectful partnerships with families, communities, and agencies, that these partnerships have complex and diverse characteristics, and that all families should be involved in their children's development and learning.

2. Understand diverse family and community characteristics and how language, culture, and family background influence and support children's learning, and apply that knowledge to develop, implement, and evaluate learning experience and strategies that respect and reflect the diversity of children and their families.

3. Understand how to apply theories and knowledge of dynamic roles and relationships within and between families, schools, and communities. Recognize how to adapt consistently to the expressed and observed strengths and needs of the family, including two-way communication, and how to support families' choices and priorities in the development of goals and intervention strategies.

4. Understand how to coordinate with all (caregivers, professionals, and agencies) who provide care and learning opportunities for each child by developing a community of support for children and families through interagency collaboration to include agreements, referrals, and consultation.

(3) Observing, documenting, and assessing to support young children and families.

1. Use technically sound formal and informal assessments that minimize bias and evaluation results to adapt and guide instruction. Demonstrate a range of appropriate assessment and evaluation strategies (e.g., family interview, observation, documentation, assessment instrument) to support individual strengths, interests, and needs.

2. Design curricula, assessments, and teaching and intervention strategies that align with learner and program goals, including the development of individualized family service plans (IFSPs) and individualized education plans (IEPs). Assist families in identifying resources, priorities, and concerns in relation to the child's development. Understand and utilize assessment partnerships with families and with professional colleagues to build effective learning environments. Understand the role of the families in the assessment process and support the choices they make (e.g., observer, participant). Participate as a team member to integrate assessment results in the development and implementation of individualized plans.

3. Understand and utilize observation, documentation, and other appropriate assessment tools and approaches, including the use of technology in documentation, assessment and data collection. Implement authentic assessment based on observation of spontaneous play. Demonstrate knowledge of alignment of assessment with curriculum, content standards, and local, state, and federal requirements. Assess progress in the developmental domains, play, and temperament.

4. Understand and utilize responsible assessments to promote positive outcomes for each child, including the use of assistive technology for children with disabilities. Use a variety of materials and contexts to maintain the interest of infants and young children in the assessment process.

5. Implement current educational, legal, and ethical guidelines when using assessment practices to support children's individual strengths, interests, and needs (e.g., cultural, linguistic, ability diversity).

(4) Using developmentally and individually effective approaches to connect with children and families.

1. Understand positive relationships and supportive interactions as the foundation of the teacher's work with young children. Reflect on the teacher's own practice to promote positive outcomes for each child and family.

2. Develop, implement, and evaluate individualized plans, including IFSPs and IEPs, as a team leader with families and other professionals. Demonstrate appropriate and effective supports for children and families transitioning into and out of programs or classrooms. Seek and use additional resources and agencies outside the program/school when needed to effectively facilitate the learning and social/emotional development of each child.

3. Plan, develop, implement, and evaluate integrated learning experiences for home-, center- and school-based environments for infants, toddlers, preprimary and primary children, their families, and other care providers based on knowledge of individual children, the family, and the community. Select, develop, and evaluate developmentally and functionally appropriate materials, equipment, and environments. Develop adaptations and accommodations for infants, toddlers, preprimary, and primary children to meet their individual needs. Use a broad repertoire of developmentally and individually appropriate teaching/learning approaches and effective strategies and tools for early education, including appropriate uses of technology. Facilitate child-initiated development and learning.

4. Consider an individual's abilities, interests, learning environments, and cultural and linguistic factors in the selection, development, and adaptation of learning experiences for individuals with exceptionalities. Use teacher-scaffolded and -initiated instruction to complement child-initiated learning. Link development, learning experiences, and instruction to promote educational transitions. Use individual and group guidance and problem-solving techniques to develop supportive relationships with and among children. Use strategies to teach social skills and conflict resolution.

5. Implement basic health, nutrition, and safety management procedures, including the design of physically and psychologically safe and healthy indoor and outdoor environments to promote development and learning. Recognize signs of emotional distress, physical and mental abuse and neglect in young children and understand mandatory reporting procedures. Demonstrate proficiency in infant-child cardiopulmonary resuscitation, emergency procedures and first aid.

6. Understand principles of administration, organization, and operation of programs for children from birth to age 8 and their families, including staff and program development, supervision, evaluation of staff, and continuing improvement of programs and services. Employ adult learning principles in consulting with and training family members and service providers.

7. Demonstrate the ability to collaborate with general educators and other colleagues to create safe, inclusive, culturally responsive learning environments to engage individuals with exceptionalities and diverse abilities in meaningful learning activities and social interactions.

(5) Using content knowledge to build a meaningful curriculum.

1. Develop and implement appropriate current research-supported learning experiences with a focus on the developmental domains, play, temperament, language and literacy to include first (home) and second language acquisition, mathematics, science, the arts (music, visual art, and drama), physical activity, health and safety, social studies, social skills, higher-thinking skills, and developmentally and individually appropriate methodology. Methods courses are required for the following areas: literacy, mathematics, social studies, science, physical education and wellness, and visual and performing arts.

2. Use the Iowa Early Learning Standards and the Iowa core with information from ongoing child observations and assessments to plan, implement, and evaluate appropriate instruction that improves academic and developmental progress of each child, including those with IFSPs/IEPs.

3. Understand the central concepts, structures of the discipline, and tools of inquiry of content areas taught, and demonstrate the ability to organize this knowledge, integrate cross-disciplinary skills, and develop meaningful learning progressions for individuals with exceptionalities (diverse abilities).

4. Modify general and specialized curricula to make them accessible to individuals with exceptionalities (diverse abilities). Develop adaptations and accommodations for infants, toddlers, preprimary, and primary children to meet their individual needs.

(6) Professional responsibilities.

1. Demonstrate awareness of early childhood program criteria, including the following: National Association for the Education of Young Children (NAEYC), Iowa Early Learning Standards, Head Start Performance Standards, and Iowa Quality Preschool Program Standards (IQPPS).

2. Collaborate with supervisors, mentors, and colleagues to enhance professional growth within and across disciplines to inform practice, including the use of data for decision making, and understand how to design and implement a professional development plan based on student achievement, self, peer, and supervisory evaluations and recommended practices.

3. Understand the significance of lifelong learning and participate in professional activities and learning communities. Participate in activities of professional organizations relevant to early childhood regular education, special education, and early intervention.

4. Use relevant national and state professional guidelines (national, state, or local), state curriculum standards, and current trends for content and outcomes and to inform and improve practices for young children and their families.

5. Adhere to state and national professional and ethical principles, practices, and codes.

6. Advocate for developmentally and individually appropriate practice, demonstrate awareness of issues that affect the lives of each child, and demonstrate necessary communication skills.



7. Understand historical, philosophical and foundational knowledge and how current issues and the legal bases of services influence professional practice in early childhood, early intervention, early childhood special education, and general and regular education in the K-3 age groups. Understand trends and issues in early childhood education, early childhood special education, and early intervention.

8. Provide guidance and direction to paraeducators, tutors, and volunteers.

(7) Early childhood field experiences.

1. Pre-student teaching field experiences, which must comprise a minimum of 100 clock hours, to include at least 20 hours of working with each age group (infants and toddlers, preprimary, and primary).

2. Experiences working in at least three settings that offer early childhood education, such as approved child care centers and registered child development homes, school-based preschool, community agencies, or home visiting programs.

3. Experiences working with children who have a range of abilities and disabilities and who reflect diverse family systems and other differentiating factors, such as urban and rural, socioeconomic status, and cultural and linguistic diversity.

4. Completion of supervised student teaching experience in at least two different settings including registered child development homes, home visiting programs, state-accredited child care centers, or classrooms which include both children with and without disabilities in two of three age levels: infant and toddler, preprimary, and primary.

**13.26(3)** *Teacher—prekindergarten through grade three, including special education.*

a. *Authorization.* The holder of this endorsement is authorized to teach children from birth through grade three.

b. *Content.*

(1) Child growth and development.

1. Understand the nature of child growth and development for infants and toddlers (birth through age 2), preprimary (age 3 through age 5) and primary school children (age 6 through age 8), both typical and atypical, in areas of cognition, language development, physical motor, social-emotional, aesthetics, and adaptive behavior.

2. Understand individual differences in development and learning including risk factors, developmental variations and developmental patterns of specific disabilities and special abilities.

3. Recognize that children are best understood in the contexts of family, culture and society and that cultural and linguistic diversity influences development and learning.

(2) Developmentally appropriate learning environment and curriculum implementation.

1. Establish learning environments with social support, from the teacher and from other students, for all children to meet their optimal potential, with a climate characterized by mutual respect, encouraging and valuing the efforts of all regardless of proficiency.

2. Appropriately use informal and formal assessment to monitor development of children and to plan and evaluate curriculum and teaching practices to meet individual needs of children and families.

3. Plan, implement, and continuously evaluate developmentally and individually appropriate curriculum goals, content, and teaching practices for infants, toddlers, preprimary and primary children based on the needs and interests of individual children, their families and community.

4. Use both child-initiated and teacher-directed instructional methods, including strategies such as small and large group projects, unstructured and structured play, systematic instruction, group discussion and cooperative decision making.

5. Develop and implement integrated learning experiences for home-, center- and school-based environments for infants, toddlers, preprimary and primary children.

6. Develop and implement integrated learning experiences that facilitate cognition, communication, social and physical development of infants and toddlers within the context of parent-child and caregiver-child relationships.

7. Develop and implement learning experiences for preprimary and primary children with focus on multicultural and nonsexist content that includes development of responsibility, aesthetic and artistic development, physical development and well-being, cognitive development, and emotional and social development.

8. Develop and implement learning experiences for infants, toddlers, preprimary, and primary children with a focus on language, mathematics, science, social studies, visual and expressive arts, social skills, higher-thinking skills, and developmentally appropriate methodology.

9. Develop adaptations and accommodations for infants, toddlers, preprimary, and primary children to meet their individual needs.

10. Adapt materials, equipment, the environment, programs and use of human resources to meet social, cognitive, physical motor, communication, and medical needs of children and diverse learning needs.

(3) Health, safety and nutrition.

1. Design and implement physically and psychologically safe and healthy indoor and outdoor environments to promote development and learning.

2. Promote nutritional practices that support cognitive, social, cultural and physical development of young children.

3. Implement appropriate appraisal and management of health concerns of young children including procedures for children with special health care needs.

4. Recognize signs of emotional distress, physical and mental abuse and neglect in young children and understand mandatory reporting procedures.

5. Demonstrate proficiency in infant-child cardiopulmonary resuscitation, emergency procedures and first aid.

(4) Family and community collaboration.

1. Apply theories and knowledge of dynamic roles and relationships within and between families, schools, and communities.

2. Assist families in identifying resources, priorities, and concerns in relation to the child's development.

3. Link families, based on identified needs, priorities and concerns, with a variety of resources.

4. Use communication, problem-solving and help-giving skills in collaboration with families and other professionals to support the development, learning and well-being of young children.

5. Participate as an effective member of a team with other professionals and families to develop and implement learning plans and environments for young children.

(5) Professionalism.

1. Understand legislation and public policy that affect all young children, with and without disabilities, and their families.

2. Understand legal aspects, historical, philosophical, and social foundations of early childhood education and special education.

3. Understand principles of administration, organization and operation of programs for children from birth to age 8 and their families, including staff and program development, supervision and evaluation of staff, and continuing improvement of programs and services.

4. Identify current trends and issues of the profession to inform and improve practices and advocate for quality programs for young children and their families.

5. Adhere to professional and ethical codes.

6. Engage in reflective inquiry and demonstration of professional self-knowledge.

(6) Pre-student teaching field experiences. Complete 100 clock hours of pre-student teaching field experience with three age levels in infant and toddler, preprimary, and primary programs and in different settings, such as rural and urban, encompassing differing socioeconomic status, ability levels, cultural and linguistic diversity and program types and sponsorship.

(7) Student teaching. Complete a supervised student teaching experience of a total of at least 12 weeks in at least two different classrooms which include children with and without disabilities in two of three age levels: infant and toddler, preprimary, and primary.

**13.26(4) Teacher—elementary classroom.** These requirements will sunset on August 31, 2015.

a. *Authorization.* The holder of this endorsement is authorized to teach in kindergarten and grades one through six.

b. *Content.*

- (1) Child growth and development with emphasis on the emotional, physical and mental characteristics of elementary age children, unless completed as part of the professional education core.
- (2) Methods and materials of teaching elementary language arts.
- (3) Methods and materials of teaching elementary reading.
- (4) Elementary curriculum (methods and materials).
- (5) Methods and materials of teaching elementary mathematics.
- (6) Methods and materials of teaching elementary science.
- (7) Children's literature.
- (8) Methods and materials of teaching elementary social studies.
- (9) Methods and materials in two of the following areas:
  1. Methods and materials of teaching elementary health.
  2. Methods and materials of teaching elementary physical education.
  3. Methods and materials of teaching elementary art.
  4. Methods and materials of teaching elementary music.
- (10) Pre-student teaching field experience in at least two different grades.
- (11) A field of specialization in a single discipline or a formal interdisciplinary program of at least 12 semester hours.

**13.26(5) Teacher—elementary classroom.** Effective September 1, 2015, the following requirements apply to persons who wish to teach in the elementary classroom:

*a. Authorization.* The holder of this endorsement is authorized to teach in kindergarten and grades one through six.

*b. Content.*

- (1) Child growth and development with emphasis on the emotional, physical and mental characteristics of elementary age children, unless completed as part of the professional education core.
- (2) At least 9 semester hours in literacy which must include:
  1. Content:
    - Children's literature;
    - Oral and written communication skills for the twenty-first century.
  2. Methods:
    - Assessment, diagnosis and evaluation of student learning in literacy;
    - Integration of the language arts (to include reading, writing, speaking, viewing, and listening);
    - Integration of technology in teaching and student learning in literacy;
    - Current best-practice, research-based approaches of literacy instruction;
    - Classroom management as it applies to literacy methods;
    - Pre-student teaching clinical experience in teaching literacy.
- (3) At least 9 semester hours in mathematics which must include:
  1. Content:
    - Numbers and operations;
    - Algebra/number patterns;
    - Geometry;
    - Measurement;
    - Data analysis/probability.
  2. Methods:
    - Assessment, diagnosis and evaluation of student learning in mathematics;
    - Current best-practice, research-based instructional methods in mathematical processes (to include problem solving; reasoning; communication; the ability to recognize, make and apply connections; integration of manipulatives; the ability to construct and to apply multiple connected representations; and the application of content to real world experiences);
      - Integration of technology in teaching and student learning in mathematics;
      - Classroom management as it applies to mathematics methods;
      - Pre-student teaching clinical experience in teaching mathematics.
- (4) At least 9 semester hours in social sciences which must include:

1. Content:
    - History;
    - Geography;
    - Political science/civic literacy;
    - Economics;
    - Behavioral sciences.
  2. Methods:
    - Current best-practice, research-based approaches to the teaching and learning of social sciences;
    - Integration of technology in teaching and student learning in social sciences;
    - Classroom management as it applies to social science methods.
  - (5) At least 9 semester hours in science which must include:
    1. Content:
      - Physical science;
      - Earth/space science;
      - Life science.
    2. Methods:
      - Current best-practice, research-based methods of inquiry-based teaching and learning of science;
      - Integration of technology in teaching and student learning in science;
      - Classroom management as it applies to science methods.
  - (6) At least 3 semester hours to include all of the following:
    1. Methods of teaching elementary physical education, health, and wellness;
    2. Methods of teaching visual arts for the elementary classroom;
    3. Methods of teaching performance arts for the elementary classroom.
  - (7) Pre-student teaching field experience in at least two different grade levels to include one primary and one intermediate placement.
  - (8) A field of specialization in a single discipline or a formal interdisciplinary program of at least 12 semester hours.
- [ARC 8400B, IAB 12/16/09, effective 1/20/10; ARC 8401B, IAB 12/16/09, effective 1/20/10; ARC 8402B, IAB 12/16/09, effective 1/20/10; ARC 8607B, IAB 3/10/10, effective 4/14/10; ARC 0446C, IAB 11/14/12, effective 12/19/12; ARC 2016C, IAB 6/10/15, effective 7/15/15; ARC 2527C, IAB 5/11/16, effective 6/15/16]

### **282—13.27(272) Requirements for middle school endorsements.**

**13.27(1) Authorization.** The holder of this endorsement is authorized to teach in the two concentration areas in which the specific requirements have been completed as well as in other subject areas in grades five through eight which are not the core content areas. The holder is not authorized to teach art, industrial arts, music, reading, physical education, talented and gifted, English as a second language, and special education.

#### **13.27(2) Program requirements.**

*a.* Be the holder of a currently valid Iowa teacher's license with either the general elementary endorsement or one of the subject matter secondary level endorsements set out in rule 282—13.28(272).

*b.* A minimum of 9 semester hours of required coursework in the following:

(1) Coursework in the growth and development of the middle school age child, specifically addressing the social, emotional, physical and cognitive characteristics and needs of middle school age children in addition to related studies completed as part of the professional education core.

(2) Coursework in middle school design, curriculum, instruction, and assessment including, but not limited to, interdisciplinary instruction, teaming, and differentiated instruction in addition to related studies completed as part of the professional education core.

(3) Coursework to prepare middle school teachers in literacy (reading, writing, listening and speaking) strategies for students in grades five through eight and in methods to include these strategies throughout the curriculum.

c. Thirty hours of middle school field experiences included in the coursework requirements listed in 13.27(2)“b”(1) to (3).

**13.27(3) Concentration areas.** To obtain this endorsement, the applicant must complete the coursework requirements in two of the following content areas:

a. *Social studies concentration.* The social studies concentration requires 12 semester hours of coursework in social studies to include coursework in United States history, world history, government and geography.

b. *Mathematics concentration.* The mathematics concentration requires 12 semester hours in mathematics to include coursework in algebra.

c. *Science concentration.* The science concentration requires 12 semester hours in science to include coursework in life science, earth science, and physical science.

d. *Language arts concentration.* The language arts concentration requires 12 semester hours in language arts to include coursework in composition, language usage, speech, young adult literature, and literature across cultures.

[ARC 2016C, IAB 6/10/15, effective 7/15/15]

**282—13.28(272) Minimum content requirements for teaching endorsements.**

**13.28(1) Agriculture.** 5-12. Completion of 24 semester credit hours in agriculture and agriculture education to include:

- a. Foundations of vocational and career education.
- b. Planning and implementing courses and curriculum.
- c. Methods and techniques of instruction to include evaluation of programs and students.
- d. Coordination of cooperative education programs.
- e. Coursework in each of the following areas and at least three semester credit hours in five of the following areas:

- (1) Agribusiness systems.
- (2) Power, structural, and technical systems.
- (3) Plant systems.
- (4) Animal systems.
- (5) Natural resources systems.
- (6) Environmental service systems.
- (7) Food products and processing systems.

**13.28(2) Art.** K-8 or 5-12. Completion of 24 semester hours in art to include coursework in art history, studio art, and two- and three-dimensional art.

**13.28(3) Business—all.** 5-12. Completion of 30 semester hours in business to include 6 semester hours in accounting, 3 semester hours in business law to include contract law, 3 semester hours in computer and technical applications in business, 6 semester hours in marketing to include consumer studies, 3 semester hours in management, 6 semester hours in economics, and 3 semester hours in business communications to include formatting, language usage, and oral presentation. Coursework in entrepreneurship and in financial literacy may be a part of, or in addition to, the coursework listed above.

**13.28(4) Driver education.** 5-12. Completion of 9 semester hours in driver education to include coursework in accident prevention that includes drug and alcohol abuse; vehicle safety; and behind-the-wheel driving.

**13.28(5) English/language arts.**

a. K-8. Completion of 24 semester hours in English and language arts to include coursework in oral communication, written communication, language development, reading, children’s literature, creative drama or oral interpretation of literature, and American literature.

b. 5-12. Completion of 24 semester hours in English to include coursework in oral communication, written communication, language development, reading, American literature, English literature and adolescent literature.

**13.28(6) Language arts.** 5-12. Completion of 40 semester hours in language arts to include coursework in the following areas:

a. *Written communication.*

(1) Develops a wide range of strategies and appropriately uses writing process elements (e.g., brainstorming, free-writing, first draft, group response, continued drafting, editing, and self-reflection) to communicate with different audiences for a variety of purposes.

(2) Develops knowledge of language structure (e.g., grammar), language conventions (e.g., spelling and punctuation), media techniques, figurative language and genre to create, critique, and discuss print and nonprint texts.

b. *Oral communication.*

(1) Understands oral language, listening, and nonverbal communication skills; knows how to analyze communication interactions; and applies related knowledge and skills to teach students to become competent communicators in varied contexts.

(2) Understands the communication process and related theories, knows the purpose and function of communication and understands how to apply this knowledge to teach students to make appropriate and effective choices as senders and receivers of messages in varied contexts.

c. *Language development.*

(1) Understands inclusive and appropriate language, patterns and dialects across cultures, ethnic groups, geographic regions and social roles.

(2) Develops strategies to improve competency in the English language arts and understanding of content across the curriculum for students whose first language is not English.

d. *Young adult literature, American literature, and world literature.*

(1) Reads, comprehends, and analyzes a wide range of texts to build an understanding of self as well as the cultures of the United States and the world in order to acquire new information, to respond to the needs and demands of society and the workplace, and for personal fulfillment. Among these texts are fiction and nonfiction, graphic novels, classic and contemporary works, young adult literature, and nonprint texts.

(2) Reads a wide range of literature from many periods in many genres to build an understanding of the many dimensions (e.g., philosophical, ethical, aesthetic) of human experience.

(3) Applies a wide range of strategies to comprehend, interpret, evaluate, and appreciate texts. Draws on prior experience, interactions with other readers and writers, knowledge of word meaning and of other texts, word identification strategies, and an understanding of textual features (e.g., sound-letter correspondence, sentence structure, context, graphics).

(4) Participates as a knowledgeable, reflective, creative, and critical member of a variety of literacy communities.

e. *Creative voice.*

(1) Understands the art of oral interpretation and how to provide opportunities for students to develop and apply oral interpretation skills in individual and group performances for a variety of audiences, purposes and occasions.

(2) Understands the basic skills of theatre production including acting, stage movement, and basic stage design.

f. *Argumentation/debate.*

(1) Understands concepts and principles of classical and contemporary rhetoric and is able to plan, prepare, organize, deliver and evaluate speeches and presentations.

(2) Understands argumentation and debate and how to provide students with opportunities to apply skills and strategies for argumentation and debate in a variety of formats and contexts.

g. *Journalism.*

(1) Understands ethical standards and major legal issues including First Amendment rights and responsibilities relevant to varied communication content. Utilizes strategies to teach students about

the importance of freedom of speech in a democratic society and the rights and responsibilities of communicators.

(2) Understands the writing process as it relates to journalism (e.g., brainstorming, questioning, reporting, gathering and synthesizing information, writing, editing, and evaluating the final media product).

(3) Understands a variety of forms of journalistic writing (e.g., news, sports, features, opinion, Web-based) and the appropriate styles (e.g., Associated Press, multiple sources with attribution, punctuation) and additional forms unique to journalism (e.g., headlines, cutlines, and/or visual presentations).

*h. Mass media production.*

(1) Understands the role of the media in a democracy and the importance of preserving that role.

(2) Understands how to interpret and analyze various types of mass media messages in order for students to become critical consumers.

(3) Develops the technological skills needed to package media products effectively using various forms of journalistic design with a range of visual and auditory methods.

*i. Reading strategies (if not completed as part of the professional education core requirements).*

(1) Uses a variety of skills and strategies to comprehend and interpret complex fiction, nonfiction and informational text.

(2) Reads for a variety of purposes and across content areas.

**13.28(7) Foreign language.** K-8 and 5-12. Completion of 24 semester hours in each foreign language for which endorsement is sought.

**13.28(8) Health.** K-8 and 5-12. Completion of 24 semester hours in health to include coursework in public or community health, personal wellness, substance abuse, family life education, mental/emotional health, and human nutrition. A current certificate of CPR training is required in addition to the coursework requirements.

For holders of physical education or family and consumer science endorsements, completion of 18 credit hours in health to include coursework in public or community health, personal wellness, substance abuse, family life education, mental/emotional health, and human nutrition. A current certificate of CPR training is required in addition to the coursework requirements.

**13.28(9) Family and consumer sciences—general.** 5-12. Completion of 24 semester hours in family and consumer sciences to include coursework in lifespan development, parenting and child development education, family studies, consumer resource management, textiles or apparel design and merchandising, housing, foods and nutrition, and foundations of career and technical education as related to family and consumer sciences.

**13.28(10) Industrial technology.** 5-12. Completion of 24 semester hours in industrial technology to include coursework in manufacturing, construction, energy and power, graphic communications and transportation. The coursework is to include at least 6 semester hours in three different areas.

**13.28(11) Journalism.** 5-12. Completion of 15 semester hours in journalism to include coursework in writing, editing, production and visual communications.

**13.28(12) Mathematics.**

*a.* K-8. Completion of 24 semester hours in mathematics to include coursework in algebra, geometry, number theory, measurement, computer programming, and probability and statistics.

*b.* 5-12.

(1) Completion of 24 semester hours in mathematics to include a linear algebra or an abstract (modern) algebra course, a geometry course, a two-course sequence in calculus, a computer programming course, a probability and statistics course, and coursework in discrete mathematics.

(2) For holders of the physics 5-12 endorsement, completion of 17 semester hours in mathematics to include a geometry course, a two-course sequence in calculus, a probability and statistics course, and coursework in discrete mathematics.

(3) For holders of the all science 9-12 endorsement, completion of 17 semester hours in mathematics to include a geometry course, a two-course sequence in calculus, a probability and statistics course, and coursework in discrete mathematics.

*c. 5-8 algebra for high school credit.* For a 5-8 algebra for high school credit endorsement, hold either the K-8 mathematics or middle school mathematics endorsement and complete a college algebra or linear algebra class. This endorsement allows the holder to teach algebra to grades 5-8 for high school credit.

**13.28(13) Music.**

*a. K-8.* Completion of 24 semester hours in music to include coursework in music theory (at least two courses), music history, and applied music, and a methods course in each of the following: general, choral, and instrumental music.

*b. 5-12.* Completion of 24 semester hours in music to include coursework in music theory (at least two courses), music history (at least two courses), applied music, and conducting, and a methods course in each of the following: general, choral, and instrumental music.

**13.28(14) Physical education.**

*a. K-8.* Completion of 24 semester hours in physical education to include coursework in human anatomy, human physiology, movement education, adaptive physical education, personal wellness, human growth and development of children related to physical education, and first aid and emergency care. A current certificate of CPR training is required in addition to the coursework requirements.

*b. 5-12.* Completion of 24 semester hours in physical education to include coursework in human anatomy, kinesiology, human physiology, human growth and development related to maturational and motor learning, adaptive physical education, curriculum and administration of physical education, personal wellness, and first aid and emergency care. A current certificate of CPR training is required in addition to the coursework requirements.

**13.28(15) Reading.**

*a. K-8 requirements.* Completion of 24 semester hours in reading to include all of the following requirements:

(1) Foundations of reading. This requirement includes the following competencies:

1. The practitioner demonstrates knowledge of the psychological, sociocultural, and linguistic foundations of reading and writing processes and instruction.

2. The practitioner demonstrates knowledge of a range of research pertaining to reading, writing, and learning, including scientifically based reading research, and knowledge of histories of reading. The range of research encompasses research traditions from the fields of the social sciences and other paradigms appropriate for informing practice.

3. The practitioner demonstrates knowledge of the major components of reading, such as phonemic awareness, word identification, phonics, vocabulary, fluency, and comprehension, and effectively integrates curricular standards with student interests, motivation, and background knowledge.

(2) Reading in the content areas. This requirement includes the following competencies:

1. The practitioner demonstrates knowledge of text structure and the dimensions of content area vocabulary and comprehension, including literal, interpretive, critical, and evaluative.

2. The practitioner provides content area instruction in reading and writing that effectively uses a variety of research-based strategies and practices.

(3) Practicum. This requirement includes the following competencies:

1. The practitioner works with licensed professionals who observe, evaluate, and provide feedback on the practitioner's knowledge, dispositions, and performance of the teaching of reading and writing.

2. The practitioner effectively uses reading and writing strategies, materials, and assessments based upon appropriate reading and writing research and works with colleagues and families in the support of children's reading and writing development.

(4) Language development. This requirement includes the following competency: The practitioner uses knowledge of language development and acquisition of reading skills (birth through sixth grade), and the variations related to cultural and linguistic diversity to provide effective instruction in reading and writing.

(5) Oral communication. This requirement includes the following competencies:

1. The practitioner has knowledge of the unique needs and backgrounds of students with language differences and delays.



2. The practitioner uses effective strategies for facilitating the learning of Standard English by all learners.

(6) Written communication. This requirement includes the following competency: The practitioner uses knowledge of reading-writing-speaking connections; the writing process; the stages of spelling development; the different types of writing, such as narrative, expressive, persuasive, informational and descriptive; and the connections between oral and written language development to effectively teach writing as communication.

(7) Reading assessment, diagnosis and evaluation. This requirement includes the following competencies:

1. The practitioner uses knowledge of a variety of instruments, procedures, and practices that range from individual to group and from formal to informal to alternative for the identification of students' reading proficiencies and needs, for planning and revising instruction for all students, and for communicating the results of ongoing assessments to all stakeholders.

2. The practitioner demonstrates awareness of policies and procedures related to special programs, including Title I.

(8) Children's nonfiction and fiction. This requirement includes the following competency: The practitioner uses knowledge of children's literature for:

1. Modeling the reading and writing of varied genres, including fiction and nonfiction; technology- and media-based information; and nonprint materials;

2. Motivating through the use of texts at multiple levels, representing broad interests, and reflecting varied cultures, linguistic backgrounds, and perspectives; and

3. Matching text complexities to the proficiencies and needs of readers.

(9) Reading instructional strategies. This requirement includes the following competency: The practitioner uses knowledge of a range of research-based strategies and instructional technology for designing and delivering effective instruction across the curriculum, for grouping students, and for selecting materials appropriate for learners at various stages of reading and writing development and from varied cultural and linguistic backgrounds.

*b. 5-12 requirements.* Completion of 24 semester hours in reading to include all of the following requirements:

(1) Foundations of reading. This requirement includes the following competencies:

1. The practitioner demonstrates knowledge of the psychological, sociocultural, and linguistic foundations of reading and writing processes and instruction.

2. The practitioner demonstrates knowledge of a range of research pertaining to reading, writing, and learning, including scientifically based reading research, and knowledge of histories of reading. The range of research encompasses research traditions from the fields of the social sciences and other paradigms appropriate for informing practice.

3. The practitioner demonstrates knowledge of the major components of reading such as phonemic awareness, word identification, phonics, vocabulary, fluency, and comprehension, and integrates curricular standards with student interests, motivation, and background knowledge.

(2) Reading in the content areas. This requirement includes the following competencies:

1. The practitioner demonstrates knowledge of text structure and the dimensions of content area vocabulary and comprehension, including literal, interpretive, critical, and evaluative.

2. The practitioner provides content area instruction in reading and writing that effectively uses a variety of research-based strategies and practices.

(3) Practicum. This requirement includes the following competencies:

1. The practitioner works with licensed professionals who observe, evaluate, and provide feedback on the practitioner's knowledge, dispositions, and performance of the teaching of reading and writing.

2. The practitioner effectively uses reading and writing strategies, materials, and assessments based upon appropriate reading and writing research, and works with colleagues and families in the support of students' reading and writing development.

(4) Language development. This requirement includes the following competency: The practitioner uses knowledge of the relationship of language acquisition and language development with the

acquisition and development of reading skills, and the variations related to cultural and linguistic diversity to provide effective instruction in reading and writing.

(5) Oral communication. This requirement includes the following competency: The practitioner demonstrates knowledge of the unique needs and backgrounds of students with language differences and uses effective strategies for facilitating the learning of Standard English by all learners.

(6) Written communication. This requirement includes the following competency: The practitioner uses knowledge of reading-writing-speaking connections to teach the skills and processes necessary for writing narrative, expressive, persuasive, informational, and descriptive texts, including text structures and mechanics such as grammar, usage, and spelling.

(7) Reading assessment, diagnosis and evaluation. This requirement includes the following competencies:

1. The practitioner uses knowledge of a variety of instruments, procedures, and practices that range from individual to group and from formal to informal to alternative for the identification of students' reading proficiencies and needs, for planning and revising instruction for all students, and for communicating the results of ongoing assessments to all stakeholders.

2. The practitioner demonstrates awareness of policies and procedures related to special programs.

(8) Adolescent or young adult nonfiction and fiction. This requirement includes the following competency: The practitioner uses knowledge of adolescent or young adult literature for:

1. Modeling the reading and writing of varied genres, including fiction and nonfiction; technology and media-based information; and nonprint materials;

2. Motivating through the use of texts at multiple levels, representing broad interests, and reflecting varied cultures, linguistic backgrounds and perspectives; and

3. Matching text complexities to the proficiencies and needs of readers.

(9) Reading instructional strategies. This requirement includes the following competency: The practitioner uses knowledge of a range of research-based strategies and instructional technology for designing and delivering instruction across the curriculum, for grouping students, and for selecting materials appropriate for learners at various stages of reading and writing development and from varied cultural and linguistic backgrounds.

**13.28(16) Reading specialist. K-12.** The applicant must have met the requirements for the standard license and a teaching endorsement, and present evidence of at least one year of experience which included the teaching of reading as a significant part of the responsibility.

*a. Authorization.* The holder of this endorsement is authorized to serve as a reading specialist in kindergarten and grades one through twelve.

*b. Program requirements.* Degree—master's.

*c. Content.* Completion of a sequence of courses and experiences which may have been a part of, or in addition to, the degree requirements. This sequence is to be at least 27 semester hours to include the following:

(1) Educational psychology/human growth and development.

(2) Educational measurement and evaluation.

(3) Foundations of reading.

(4) Diagnosis of reading problems.

(5) Remedial reading.

(6) Psychology of reading.

(7) Language learning and reading disabilities.

(8) Practicum in reading.

(9) Administration and supervision of reading programs at the elementary and secondary levels.

**13.28(17) Science.**

*a. Science—basic. K-8.*

(1) Required coursework. Completion of at least 24 semester hours in science to include 12 hours in physical sciences, 6 hours in biology, and 6 hours in earth/space sciences.

(2) Pedagogy competencies.

1. Understand the nature of scientific inquiry, its central role in science, and how to use the skills and processes of scientific inquiry.
  2. Understand the fundamental facts and concepts in major science disciplines.
  3. Be able to make conceptual connections within and across science disciplines, as well as to mathematics, technology, and other school subjects.
  4. Be able to use scientific understanding when dealing with personal and societal issues.
- b. Biological science.* 5-12. Completion of 24 semester hours in biological science or 30 semester hours in the broad area of science to include 15 semester hours in biological science.
- c. Chemistry.* 5-12. Completion of 24 semester hours in chemistry or 30 semester hours in the broad area of science to include 15 semester hours in chemistry.
- d. Earth science.* 5-12. Completion of 24 semester hours in earth science or 30 semester hours in the broad area of science to include 15 semester hours in earth science.
- e. Basic science.* 5-12. Completion of 24 semester hours of credit in science to include the following:
- (1) Six semester hours of credit in earth and space science to include the following essential concepts and skills:
    1. Understand and apply knowledge of energy in the earth system.
    2. Understand and apply knowledge of geochemical cycles.
  - (2) Six semester hours of credit in life science/biological science to include the following essential concepts and skills:
    1. Understand and apply knowledge of the cell.
    2. Understand and apply knowledge of the molecular basis of heredity.
    3. Understand and apply knowledge of the interdependence of organisms.
    4. Understand and apply knowledge of matter, energy, and organization in living systems.
    5. Understand and apply knowledge of the behavior of organisms.
  - (3) Six semester hours of credit in physics/physical science to include the following essential concepts and skills:
    1. Understand and apply knowledge of the structure of atoms.
    2. Understand and apply knowledge of the structure and properties of matter.
    3. Understand and apply knowledge of motions and forces.
    4. Understand and apply knowledge of interactions of energy and matter.
  - (4) Six semester hours of credit in chemistry to include the following essential concepts and skills:
    1. Understand and apply knowledge of chemical reactions.
    2. Be able to design and conduct scientific investigations.
- f. Physical science.* Rescinded IAB 11/14/12, effective 12/19/12.
- g. Physics.*
- (1) 5-12. Completion of 24 semester hours in physics or 30 semester hours in the broad area of science to include 15 semester hours in physics.
  - (2) For holders of the mathematics 5-12 endorsement, completion of:
    1. 12 credits of physics to include coursework in mechanics, electricity, and magnetism; and
    2. A methods class that includes inquiry-based instruction, resource management, and laboratory safety.
  - (3) For holders of the chemistry 5-12 endorsement, completion of 12 credits of physics to include coursework in mechanics, electricity, and magnetism.
- h. All science I.* Rescinded IAB 11/14/12, effective 12/19/12.
- i. All science.* 5-12.
- (1) Completion of 36 semester hours of credit in science to include the following:
    1. Nine semester hours of credit in earth and space science to include the following essential concepts and skills:
      - Understand and apply knowledge of energy in the earth system.
      - Understand and apply knowledge of geochemical cycles.
      - Understand and apply knowledge of the origin and evolution of the earth system.

- Understand and apply knowledge of the origin and evolution of the universe.
2. Nine semester hours of credit in life science/biological science to include the following essential concepts and skills:
    - Understand and apply knowledge of the cell.
    - Understand and apply knowledge of the molecular basis of heredity.
    - Understand and apply knowledge of the interdependence of organisms.
    - Understand and apply knowledge of matter, energy, and organization in living systems.
    - Understand and apply knowledge of the behavior of organisms.
    - Understand and apply knowledge of biological evolution.
  3. Nine semester hours of credit in physics/physical science to include the following essential concepts and skills:
    - Understand and apply knowledge of the structure of atoms.
    - Understand and apply knowledge of the structure and properties of matter.
    - Understand and apply knowledge of motions and forces.
    - Understand and apply knowledge of interactions of energy and matter.
    - Understand and apply knowledge of conservation of energy and increase in disorder.
  4. Nine semester hours of credit in chemistry to include the following essential concepts and skills:
    - Understand and apply knowledge of chemical reactions.
    - Be able to design and conduct scientific investigations.
- (2) Pedagogy competencies.
1. Understand the nature of scientific inquiry, its central role in science, and how to use the skills and processes of scientific inquiry.
  2. Understand the fundamental facts and concepts in major science disciplines.
  3. Be able to make conceptual connections within and across science disciplines, as well as to mathematics, technology, and other school subjects.
  4. Be able to use scientific understanding when dealing with personal and societal issues.
- 13.28(18) Social sciences.**
- a. *American government.* 5-12. Completion of 24 semester hours in American government or 30 semester hours in the broad area of social sciences to include 15 semester hours in American government.
  - b. *American history.* 5-12. Completion of 24 semester hours in American history or 30 semester hours in the broad area of social sciences to include 15 semester hours in American history.
  - c. *Anthropology.* 5-12. Completion of 24 semester hours in anthropology or 30 semester hours in the broad area of social sciences to include 15 semester hours in anthropology.
  - d. *Economics.* 5-12. Completion of 24 semester hours in economics or 30 semester hours in the broad area of social sciences to include 15 semester hours in economics, or 30 semester hours in the broad area of business to include 15 semester hours in economics.
  - e. *Geography.* 5-12. Completion of 24 semester hours in geography or 30 semester hours in the broad area of social sciences to include 15 semester hours in geography.
  - f. *History.* K-8. Completion of 24 semester hours in history to include at least 9 semester hours in American history and 9 semester hours in world history.
  - g. *Psychology.* 5-12. Completion of 24 semester hours in psychology or 30 semester hours in the broad area of social sciences to include 15 semester hours in psychology.
  - h. *Social studies.* K-8. Completion of 24 semester hours in social studies, to include coursework from at least three of these areas: history, sociology, economics, American government, psychology and geography.
  - i. *Sociology.* 5-12. Completion of 24 semester hours in sociology or 30 semester hours in the broad area of social sciences to include 15 semester hours in sociology.
  - j. *World history.* 5-12. Completion of 24 semester hours in world history or 30 semester hours in the broad area of social sciences to include 15 semester hours in world history.
  - k. *All social sciences.* 5-12. Completion of 51 semester hours in the social sciences to include 9 semester hours in each of American and world history, 9 semester hours in government, 6 semester

hours in sociology, 6 semester hours in psychology other than educational psychology, 6 semester hours in geography, and 6 semester hours in economics.

**13.28(19) *Speech communication/theatre.***

*a. K-8.* Completion of 20 semester hours in speech communication/theatre to include coursework in speech communication, creative drama or theatre, and oral interpretation.

*b. 5-12.* Completion of 24 semester hours in speech communication/theatre to include coursework in speech communication, oral interpretation, creative drama or theatre, argumentation and debate, and mass media communication.

**13.28(20) *English as a second language (ESL). K-12.***

*a. Authorization.* The holder of this endorsement is authorized to teach English as a second language in kindergarten and grades one through twelve.

*b. Content.* Completion of 18 semester hours of coursework in English as a second language to include the following:

(1) Knowledge of pedagogy to include the following:

1. Methods and curriculum to include the following:

- Bilingual and ESL methods.
  - Literacy in native and second language.
  - Methods for subject matter content.
  - Adaptation and modification of curriculum.
2. Assessment to include language proficiency and academic content.

(2) Knowledge of linguistics to include the following:

1. Psycholinguistics and sociolinguistics.
2. Language acquisition and proficiency to include the following:
- Knowledge of first and second language proficiency.
  - Knowledge of first and second language acquisition.
  - Language to include structure and grammar of English.

(3) Knowledge of cultural and linguistic diversity to include the following:

1. History.
2. Theory, models, and research.
3. Policy and legislation.

(4) Current issues with transient populations.

**13.28(21) *Elementary school teacher librarian.***

*a. Authorization.* The holder of this endorsement is authorized to serve as a teacher librarian in prekindergarten through grade eight.

*b. Content.* Completion of 24 semester hours in school library coursework to include the following:

(1) Literacy and reading. This requirement includes the following competencies:

1. Practitioners collaborate with other teachers to integrate developmentally appropriate literature in multiple formats to support literacy in children.

2. Practitioners demonstrate knowledge of resources and strategies to foster leisure reading and model personal enjoyment of reading among children, based on familiarity with selection tools and current trends in literature for children.

(2) Information and knowledge. This requirement includes the following competencies:

1. Practitioners teach multiple strategies to locate, analyze, evaluate, and ethically use information in the context of inquiry-based learning.

2. Practitioners advocate for flexible and open access to library resources, both physical and virtual.

3. Practitioners uphold and promote the legal and ethical codes of their profession, including privacy, confidentiality, freedom and equity of access to information.

4. Practitioners use skills and knowledge to assess reference sources, services, and tools in order to mediate between information needs and resources to assist learners in determining what they need.

5. Practitioners model and facilitate authentic learning with current and emerging digital tools for locating, analyzing, evaluating and ethically using information resources to support research, learning, creating, and communicating in a digital society.

6. Practitioners demonstrate knowledge of creative and innovative uses of technologies to engage students and facilitate higher-level thinking.

7. Practitioners develop an articulated information literacy curriculum grounded in research related to the information search process.

(3) Program administration and leadership. This requirement includes the following competencies:

1. Practitioners evaluate and select print, nonprint, and digital resources using professional selection tools and evaluation criteria to develop and manage a quality collection designed to meet the diverse curricular, personal, and professional needs of the educational community.

2. Practitioners demonstrate knowledge necessary to organize the library collections according to current standard library cataloging and classification principles.

3. Practitioners develop policies and procedures to support ethical use of information, intellectual freedom, selection and reconsideration of library materials, and the privacy of users.

4. Practitioners develop strategies for working with regular classroom teachers, support services personnel, paraprofessionals, and other individuals involved in the educational program.

(4) Practicum. This requirement includes the following competencies:

1. Practitioners apply knowledge of learning styles, stages of human growth and development, and cultural influences of learning at the elementary level.

2. Practitioners implement the principles of effective teaching and learning that contribute to an active, inquiry-based approach to learning in a digital environment at the elementary level.

3. Practitioners understand the teacher librarian role in curriculum development and the school improvement process at the elementary level.

4. Practitioners collaborate to integrate information literacy and emerging technologies into content area curricula at the elementary level.

**13.28(22) Secondary school teacher librarian.**

*a. Authorization.* The holder of this endorsement is authorized to serve as a teacher librarian in grades five through twelve.

*b. Content.* Completion of 24 semester hours in school library coursework to include the following:

(1) Literacy and reading. This requirement includes the following competencies:

1. Practitioners collaborate with other teachers to integrate developmentally appropriate literature in multiple formats to support literacy in young adults.

2. Practitioners demonstrate knowledge of resources and strategies to foster leisure reading and model personal enjoyment of reading among young adults, based on familiarity with selection tools and current trends in literature for young adults.

(2) Information and knowledge. This requirement includes the following competencies:

1. Practitioners teach multiple strategies to locate, analyze, evaluate, and ethically use information in the context of inquiry-based learning.

2. Practitioners advocate for flexible and open access to library resources, both physical and virtual.

3. Practitioners uphold and promote the legal and ethical codes of their profession, including privacy, confidentiality, freedom and equity of access to information.

4. Practitioners use skills and knowledge to assess reference sources, services, and tools in order to mediate between information needs and resources to assist learners in determining what they need.

5. Practitioners model and facilitate authentic learning with current and emerging digital tools for locating, analyzing, evaluating and ethically using information resources to support research, learning, creating, and communicating in a digital society.

6. Practitioners demonstrate knowledge of creative and innovative uses of technologies to engage students and facilitate higher-level thinking.

7. Practitioners develop an articulated information literacy curriculum grounded in research related to the information search process.

(3) Program administration and leadership. This requirement includes the following competencies:

1. Practitioners evaluate and select print, nonprint, and digital resources using professional selection tools and evaluation criteria to develop and manage a quality collection designed to meet the diverse curricular, personal, and professional needs of the educational community.

2. Practitioners demonstrate knowledge necessary to organize the library collections according to current standard library cataloging and classification principles.

3. Practitioners develop policies and procedures to support ethical use of information, intellectual freedom, selection and reconsideration of library materials, and the privacy of users.

4. Practitioners develop strategies for working with regular classroom teachers, support services personnel, paraprofessionals, and other individuals involved in the educational program.

(4) Practicum. This requirement includes the following competencies:

1. Practitioners apply knowledge of learning styles, stages of human growth and development, and cultural influences of learning at the secondary level.

2. Practitioners implement the principles of effective teaching and learning that contribute to an active, inquiry-based approach to learning in a digital environment at the secondary level.

3. Practitioners understand the teacher librarian role in curriculum development and the school improvement process at the secondary level.

4. Practitioners collaborate to integrate information literacy and emerging technologies into content area curricula at the secondary level.

**13.28(23) School teacher librarian.** PK-12.

*a. Authorization.* The holder of this endorsement is authorized to serve as a teacher librarian in prekindergarten through grade twelve. The applicant must be the holder of or eligible for the initial license.

*b. Program requirements.* Degree—master's.

*c. Content.* Completion of a sequence of courses and experiences which may have been part of, or in addition to, the degree requirements. This sequence is to be at least 30 semester hours in school library coursework, to include the following:

(1) Literacy and reading. This requirement includes the following competencies:

1. Practitioners collaborate with other teachers to integrate developmentally appropriate literature in multiple formats to support literacy for youth of all ages.

2. Practitioners demonstrate knowledge of resources and strategies to foster leisure reading and model personal enjoyment of reading, based on familiarity with selection tools and current trends in literature for youth of all ages.

3. Practitioners understand how to develop a collection of reading and informational materials in print and digital formats that supports the diverse developmental, cultural, social and linguistic needs of all learners and their communities.

4. Practitioners model and teach reading comprehension strategies to create meaning from text for youth of all ages.

(2) Information and knowledge. This requirement includes the following competencies:

1. Practitioners teach multiple strategies to locate, analyze, evaluate, and ethically use information in the context of inquiry-based learning.

2. Practitioners advocate for flexible and open access to library resources, both physical and virtual.

3. Practitioners uphold and promote the legal and ethical codes of their profession, including privacy, confidentiality, freedom and equity of access to information.

4. Practitioners use skills and knowledge to assess reference sources, services, and tools in order to mediate between information needs and resources to assist learners in determining what they need.

5. Practitioners model and facilitate authentic learning with current and emerging digital tools for locating, analyzing, evaluating and ethically using information resources to support research, learning, creating, and communicating in a digital society.

6. Practitioners demonstrate knowledge of creative and innovative uses of technologies to engage students and facilitate higher-level thinking.

7. Practitioners develop an articulated information literacy curriculum grounded in research related to the information search process.

8. Practitioners understand the process of collecting, interpreting, and using data to develop new knowledge to improve the school library program.

9. Practitioners employ the methods of research in library and information science.

(3) Program administration and leadership. This requirement includes the following competencies:

1. Practitioners evaluate and select print, nonprint, and digital resources using professional selection tools and evaluation criteria to develop and manage a quality collection designed to meet the diverse curricular, personal, and professional needs of the educational community.

2. Practitioners demonstrate knowledge necessary to organize the library collections according to current standard library cataloging and classification principles.

3. Practitioners develop policies and procedures to support ethical use of information, intellectual freedom, selection and reconsideration of library materials, and the privacy of users of all ages.

4. Practitioners develop strategies for working with regular classroom teachers, support services personnel, paraprofessionals, and other individuals involved in the educational program.

5. Practitioners demonstrate knowledge of best practices related to planning, budgeting (including alternative funding), organizing, and evaluating human and information resources and facilities to ensure equitable access.

6. Practitioners understand strategic planning to ensure that the school library program addresses the needs of diverse communities.

7. Practitioners advocate for school library and information programs, resources, and services among stakeholders.

8. Practitioners promote initiatives and partnerships to further the mission and goals of the school library program.

(4) Practicum. This requirement includes the following competencies:

1. Practitioners apply knowledge of learning styles, stages of human growth and development, and cultural influences of learning at the elementary and secondary levels.

2. Practitioners implement the principles of effective teaching and learning that contribute to an active, inquiry-based approach to learning in a digital environment at the elementary and secondary levels.

3. Practitioners understand the teacher librarian role in curriculum development and the school improvement process at the elementary and secondary levels.

4. Practitioners collaborate to integrate information literacy and emerging technologies into content area curricula.

**13.28(24) Talented and gifted teacher.**

*a. Authorization.* The holder of this endorsement is authorized to serve as a teacher or a coordinator of programs for the talented and gifted from the prekindergarten level through grade twelve. This authorization does not permit general classroom teaching at any level except that level or area for which the holder is eligible or holds the specific endorsement.

*b. Program requirements—content.* Completion of 12 undergraduate or graduate semester hours of coursework in the area of the talented and gifted to include the following:

(1) Psychology of the gifted.

1. Social needs.

2. Emotional needs.

(2) Programming for the gifted.

1. Prekindergarten-12 identification.

2. Differentiation strategies.

3. Collaborative teaching skills.

4. Program goals and performance measures.

5. Program evaluation.



- (3) Practicum experience in gifted programs.

NOTE: Teachers in specific subject areas will not be required to hold this endorsement if they teach gifted students in their respective endorsement areas.

**13.28(25) American Sign Language endorsement.**

*a. Authorization.* The holder of this endorsement is authorized to teach American Sign Language in kindergarten and grades one through twelve.

*b. Content.* Completion of 18 semester hours of coursework in American Sign Language to include the following:

- (1) Second language acquisition.
  - (2) Sociology of the deaf community.
  - (3) Linguistic structure of American Sign Language.
  - (4) Language teaching methodology specific to American Sign Language.
  - (5) Teaching the culture of deaf people.
  - (6) Assessment of students in an American Sign Language program.
- c. Other.* Be the holder of or be eligible for one other teaching endorsement.

**13.28(26) Elementary professional school counselor.**

*a. Authorization.* The holder of this endorsement is authorized to serve as a professional school counselor in kindergarten and grades one through eight.

*b. Program requirements.* Master's degree from an accredited institution of higher education.

*c. Content.* Completion of a sequence of courses and experiences which may have been a part of, or in addition to, the degree requirements to include the following:

- (1) Nature and needs of individuals at all developmental levels.
  1. Develop strategies for facilitating development through the transition from childhood to adolescence and from adolescence to young adulthood.
  2. Apply knowledge of learning and personality development to assist students in developing their full potential.
- (2) Social and cultural foundations.
  1. Demonstrate awareness of and sensitivity to the unique social, cultural, and economic circumstances of students and their racial/ethnic, gender, age, physical, and learning differences.
  2. Demonstrate sensitivity to the nature and the functioning of the student within the family, school and community contexts.
  3. Demonstrate the counseling and consultation skills needed to facilitate informed and appropriate action in response to the needs of students.
- (3) Fostering of relationships.
  1. Employ effective counseling and consultation skills with students, parents, colleagues, administrators, and others.
  2. Communicate effectively with parents, colleagues, students and administrators.
  3. Counsel students in the areas of personal, social, academic, and career development.
  4. Assist families in helping their children address the personal, social, and emotional concerns and problems that may impede educational progress.
  5. Implement developmentally appropriate counseling interventions with children and adolescents.
  6. Demonstrate the ability to negotiate and move individuals and groups toward consensus or conflict resolution or both.
  7. Refer students for specialized help when appropriate.
  8. Value the well-being of the students as paramount in the counseling relationship.
- (4) Group work.
  1. Implement developmentally appropriate interventions involving group dynamics, counseling theories, group counseling methods and skills, and other group work approaches.
  2. Apply knowledge of group counseling in implementing appropriate group processes for elementary, middle school, and secondary students.
- (5) Career development, education, and postsecondary planning.

1. Assist students in the assessment of their individual strengths, weaknesses, and differences, including those that relate to academic achievement and future plans.
  2. Apply knowledge of career assessment and career choice programs.
  3. Implement occupational and educational placement, follow-up and evaluation.
  4. Develop a counseling network and provide resources for use by students in personalizing the exploration of postsecondary educational opportunities.
- (6) Assessment and evaluation.
1. Demonstrate individual and group approaches to assessment and evaluation.
  2. Demonstrate an understanding of the proper administration and uses of standardized tests.
  3. Apply knowledge of test administration, scoring, and measurement concerns.
  4. Apply evaluation procedures for monitoring student achievement.
  5. Apply assessment information in program design and program modifications to address students' needs.
  6. Apply knowledge of legal and ethical issues related to assessment and student records.
- (7) Professional orientation.
1. Apply knowledge of history, roles, organizational structures, ethics, standards, and credentialing.
  2. Maintain a high level of professional knowledge and skills.
  3. Apply knowledge of professional and ethical standards to the practice of school counseling.
  4. Articulate the professional school counselor role to school personnel, parents, community, and students.
- (8) School counseling skills.
1. Design, implement, and evaluate a comprehensive, developmental school counseling program.
  2. Implement and evaluate specific strategies designed to meet program goals and objectives.
  3. Consult and coordinate efforts with resource persons, specialists, businesses, and agencies outside the school to promote program objectives.
  4. Provide information appropriate to the particular educational transition and assist students in understanding the relationship that their curricular experiences and academic achievements will have on subsequent educational opportunities.
  5. Assist parents and families in order to provide a supportive environment in which students can become effective learners and achieve success in pursuit of appropriate educational goals.
  6. Provide training, orientation, and consultation assistance to faculty, administrators, staff, and school officials to assist them in responding to the social, emotional, and educational development of all students.
  7. Collaborate with teachers, administrators, and other educators in ensuring that appropriate educational experiences are provided that allow all students to achieve success.
  8. Assist in the process of identifying and addressing the needs of the exceptional student.
  9. Apply knowledge of legal and ethical issues related to child abuse and mandatory reporting.
  10. Advocate for the educational needs of students and work to ensure that these needs are addressed at every level of the school experience.
  11. Promote use of school counseling and educational and career planning activities and programs involving the total school community to provide a positive school climate.
- (9) Classroom management.
1. Apply effective classroom management strategies as demonstrated in delivery of classroom and large group school counseling curriculum.
  2. Consult with teachers and parents about effective classroom management and behavior management strategies.
- (10) Curriculum.
1. Write classroom lessons including objectives, learning activities, and discussion questions.
  2. Utilize various methods of evaluating what students have learned in classroom lessons.

3. Demonstrate competency in conducting classroom and other large group activities, utilizing an effective lesson plan design, engaging students in the learning process, and employing age-appropriate classroom management strategies.

4. Design a classroom unit of developmentally appropriate learning experiences.

5. Demonstrate knowledge in writing standards and benchmarks for curriculum.

(11) Learning theory.

1. Identify and consult with teachers about how to create a positive learning environment utilizing such factors as effective classroom management strategies, building a sense of community in the classroom, and cooperative learning experiences.

2. Identify and consult with teachers regarding teaching strategies designed to motivate students using small group learning activities, experiential learning activities, student mentoring programs, and shared decision-making opportunities.

3. Demonstrate knowledge of child and adolescent development and identify developmentally appropriate teaching and learning strategies.

(12) Teaching and counseling practicum. The candidate will complete a preservice supervised practicum of a minimum of 100 hours, and at least 40 of these hours must be direct service. Candidates will complete a supervised internship for a minimum of 600 hours, and at least 240 of these hours must be direct service. For candidates seeking both the K-8 and 5-12 professional school counselor endorsements, a minimum of 100 hours of the practicum or internship experiences listed above must be completed at each of the desired endorsement levels.

**13.28(27) Secondary professional school counselor.**

a. *Authorization.* The holder of this endorsement is authorized to serve as a professional school counselor in grades five through twelve.

b. *Program requirements.* Master's degree from an accredited institution of higher education.

c. *Content.* Completion of a sequence of courses and experiences which may have been a part of, or in addition to, the degree requirements to include:

(1) The competencies listed in subparagraphs 13.28(26) "c"(1) to (11).

(2) The teaching and counseling practicum. The candidate will complete a preservice supervised practicum and an internship that meet the requirements set forth in 13.28(26) "c"(12).

**13.28(28) School nurse endorsement.** The school nurse endorsement does not authorize general classroom teaching, although it does authorize the holder to teach health at all grade levels. Alternatively, a nurse may obtain a statement of professional recognition (SPR) from the board of educational examiners, in accordance with the provisions set out in 282—Chapter 16, Statements of Professional Recognition (SPR).

a. *Authorization.* The holder of this endorsement is authorized to provide service as a school nurse at the prekindergarten and kindergarten levels and in grades one through twelve.

b. *Content.*

(1) Organization and administration of school nurse services including the appraisal of the health needs of children and youth.

(2) School-community relationships and resources/coordination of school and community resources to serve the health needs of children and youth.

(3) Knowledge and understanding of the health needs of exceptional children.

(4) Health education.

c. *Other.* Hold a license as a registered nurse issued by the Iowa board of nursing.

**13.28(29) Athletic coach. K-12.** An applicant for the coaching endorsement must hold a teacher's license with one of the teaching endorsements.

a. *Authorization.* The holder of this endorsement may serve as a head coach or an assistant coach in kindergarten and grades one through twelve.

b. *Program requirements.*

(1) One semester hour college or university course in the structure and function of the human body in relation to physical activity, and

- (2) One semester hour college or university course in human growth and development of children and youth as related to physical activity, and
- (3) Two semester hour college or university course in athletic conditioning, care and prevention of injuries and first aid as related to physical activity, and
- (4) One semester hour college or university course in the theory of coaching interscholastic athletics, and
- (5) Successful completion of the concussion training approved by the Iowa High School Athletic Association or Iowa Girls High School Athletic Union.

**13.28(30) Content specialist endorsement.** The applicant must have met the requirements for the standard license and a teaching endorsement.

*a. Authorization.* The holder of this endorsement is authorized to serve as a content specialist in kindergarten and grades one through twelve in the specific content listed on the authorization.

*b. Requirements.*

(1) Hold a master's degree in the content area or complete 30 semester hours of college course work in the content area.

(2) Complete 15 semester hours of credit in professional development in three or more of the following areas:

- 1. Using research-based content teaching strategies;
- 2. Integrating appropriate technology into the learning experiences for the specific content;
- 3. Engaging the learner in the content through knowledge of learner needs and interests;
- 4. Using reflective thinking to solve problems in the content area;
- 5. Making data-driven decisions in the content area;
- 6. Utilizing project-based learning in the content area;
- 7. Developing critical thinking skills in the content area;
- 8. Forming partnerships to collaborate with content experts within the community;
- 9. Relating content with other content areas;
- 10. Facilitating content learning in large and small teams;
- 11. Implementing response to intervention (RTI) to close achievement gaps in the content area.

(3) Complete an internship, externship, or professional experience for a minimum of 90 contact hours in the content area.

**13.28(31) Engineering. 5-12.**

*a.* Completion of 24 semester hours in engineering coursework.

*b.* Methods and strategies of STEM instruction or methods of teaching science or mathematics.

**13.28(32) STEM.**

*a. K-8.*

(1) Authorization. The holder of this endorsement is authorized to teach science, mathematics, and integrated STEM courses in kindergarten through grade eight.

(2) Program requirements. Be the holder of the teacher—elementary classroom endorsement.

(3) Content.

- 1. Completion of a minimum of 12 semester hours of college-level science.
- 2. Completion of a minimum of 12 semester hours of college-level math (or the completion of Calculus I) to include coursework in computer programming.

3. Completion of a minimum of 3 semester hours of coursework in content or pedagogy of engineering and technological design that includes engineering design processes or programming logic and problem-solving models and that may be met through either of the following:

- Engineering and technological design courses for education majors;
  - Technology or engineering content coursework.
4. Completion of a minimum of 6 semester hours of required coursework in STEM curriculum and methods to include the following essential concepts and skills:
- Comparing and contrasting the nature and goals of each of the STEM disciplines;
  - Promoting learning through purposeful, authentic, real-world connections;
  - Integration of content and context of each of the STEM disciplines;

- Interdisciplinary/transdisciplinary approaches to teaching (including but not limited to problem-based learning and project-based learning);
  - Curriculum and standards mapping;
  - Engaging subject-matter experts (including but not limited to colleagues, parents, higher education faculty/students, business partners, and informal education agencies) in STEM experiences in and out of the classroom;
  - Assessment of integrative learning approaches;
  - Information literacy skills in STEM;
  - Processes of science and scientific inquiry;
  - Mathematical problem-solving models;
  - Communicating to a variety of audiences;
  - Classroom management in project-based classrooms;
  - Instructional strategies for the inclusive classroom;
  - Computational thinking;
  - Mathematical and technological modeling.
5. Completion of a STEM field experience of a minimum of 30 contact hours that may be met through the following:
- Completing a STEM research experience;
  - Participating in a STEM internship at a STEM business or informal education organization; or
  - Leading a STEM extracurricular activity.
- b. 5-8.*
- (1) Authorization. The holder of this endorsement is authorized to teach science, mathematics, and integrated STEM courses in grades five through eight.
- (2) Program requirements. Be the holder of a 5-12 science, mathematics, or industrial technology endorsement or 5-8 middle school mathematics or science endorsement.
- (3) Content.
1. Completion of a minimum of 12 semester hours of college-level science.
  2. Completion of a minimum of 12 semester hours of college-level math (or the completion of Calculus I) to include coursework in computer programming.
  3. Completion of a minimum of 3 semester hours of coursework in content or pedagogy of engineering and technological design that includes engineering design processes or programming logic and problem-solving models and that may be met through either of the following:
    - Engineering and technological design courses for education majors;
    - Technology or engineering content coursework.
  4. Completion of a minimum of 6 semester hours of required coursework in STEM curriculum and methods to include the following essential concepts and skills:
    - Comparing and contrasting the nature and goals of each of the STEM disciplines;
    - Promoting learning through purposeful, authentic, real-world connections;
    - Integration of content and context of each of the STEM disciplines;
    - Interdisciplinary/transdisciplinary approaches to teaching (including but not limited to problem-based learning and project-based learning);
    - Curriculum and standards mapping;
    - Engaging subject-matter experts (including but not limited to colleagues, parents, higher education faculty/students, business partners, and informal education agencies) in STEM experiences in and out of the classroom;
    - Assessment of integrative learning approaches;
    - Information literacy skills in STEM;
    - Processes of science and scientific inquiry;
    - Mathematical problem-solving models;
    - Communicating to a variety of audiences;
    - Classroom management in project-based classrooms;
    - Instructional strategies for the inclusive classroom;

- Computational thinking;
  - Mathematical and technological modeling.
5. Completion of a STEM field experience of a minimum of 30 contact hours that may be met through the following:
- Completing a STEM research experience;
  - Participating in a STEM internship at a STEM business or informal education organization; or
  - Leading a STEM extracurricular activity.
- c. Specialist K-12.*
- (1) Authorization. The holder of this endorsement is authorized to serve as a STEM specialist in kindergarten and grades one through twelve.
- (2) Program requirements.
1. The applicant must have met the requirements for a standard Iowa teaching license and a teaching endorsement in mathematics, science, engineering, industrial technology, or agriculture.
2. The applicant must hold a master's degree from a regionally accredited institution. The master's degree must be in math, science, engineering or technology or another area with at least 12 hours of college-level science and at least 12 hours of college-level math (or completion of Calculus I) to include coursework in computer programming.
- (3) Content.
1. Completion of a minimum of 3 semester hours of coursework in content or pedagogy of engineering and technological design that includes engineering design processes or programming logic and problem-solving models and that may be met through either of the following:
- Engineering and technological design courses for education majors;
  - Technology or engineering content coursework.
2. Completion of 9 semester hours in professional development to include the following essential concepts and skills:
- STEM curriculum and methods:
    - Comparing and contrasting the nature and goals of each of the STEM disciplines;
    - Promoting learning through purposeful, authentic, real-world connections;
    - Integration of content and context of each of the STEM disciplines;
    - Interdisciplinary/transdisciplinary approaches to teaching (including but not limited to problem-based learning and project-based learning);
    - Curriculum/standards mapping;
    - Assessment of integrative learning approaches;
    - Information literacy skills in STEM;
    - Processes of science/scientific inquiry;
    - Mathematical problem-solving models;
    - Classroom management in project-based classrooms;
    - Instructional strategies for the inclusive classroom;
    - Computational thinking;
    - Mathematical and technological modeling.
  - STEM experiential learning:
    - Engaging subject-matter experts (including but not limited to colleagues, parents, higher education faculty/students, business partners, and informal education agencies) in STEM experiences in and out of the classroom;
    - STEM research experiences;
    - STEM internship at a STEM business or informal education organization;
    - STEM extracurricular activity;
    - Communicating to a variety of audiences.
  - Leadership in STEM:
    - STEM curriculum development and assessment;
    - Curriculum mapping;
    - Assessment of student engagement;

- STEM across the curriculum;
- Research on best practices in STEM;
- STEM curriculum accessibility for all students.

3. Completion of an internship/externship professional experience or prior professional experience in STEM for a minimum of 90 contact hours.

**13.28(33) *Multioccupations.*** Completion of any 5-12 endorsement and, in addition thereto, coursework in foundations of career and technical education, coordination of cooperative programs, and competency-based curriculum development. Four thousand hours of career and technical experience in two or more occupations. The multioccupations endorsement also authorizes the holder to supervise students in cooperative programs, school-to-work programs, and similar programs in which the student is placed in school-sponsored, on-the-job situations.

[ARC 7986B, IAB 7/29/09, effective 9/2/09; ARC 8248B, IAB 11/4/09, effective 10/12/09; ARC 8403B, IAB 12/16/09, effective 1/20/10; ARC 9070B, IAB 9/8/10, effective 10/13/10; ARC 9071B, IAB 9/8/10, effective 10/13/10; ARC 9210B, IAB 11/3/10, effective 12/8/10; ARC 9211B, IAB 11/3/10, effective 12/8/10; ARC 9212B, IAB 11/3/10, effective 12/8/10; ARC 9838B, IAB 11/2/11, effective 12/7/11; ARC 9839B, IAB 11/2/11, effective 12/7/11; ARC 0448C, IAB 11/14/12, effective 12/19/12; ARC 0449C, IAB 11/14/12, effective 12/19/12; ARC 0866C, IAB 7/24/13, effective 8/28/13; ARC 0875C, IAB 7/24/13, effective 8/28/13; ARC 0986C, IAB 9/4/13, effective 10/9/13; ARC 1085C, IAB 10/16/13, effective 11/20/13; ARC 1171C, IAB 11/13/13, effective 12/18/13; ARC 1328C, IAB 2/19/14, effective 3/26/14; ARC 1327C, IAB 2/19/14, effective 3/26/14; ARC 2015C, IAB 6/10/15, effective 7/15/15; ARC 2016C, IAB 6/10/15, effective 7/15/15; ARC 2397C, IAB 2/17/16, effective 3/23/16]

## **282—13.29(272) Adding, removing or reinstating a teaching endorsement.**

**13.29(1) *Adding an endorsement.*** After the issuance of a teaching license, an individual may add other endorsements to that license upon proper application, provided current requirements for that endorsement have been met. An updated license with expiration date unchanged from the original or renewed license will be prepared.

*a. Options.* To add an endorsement, the applicant must follow one of these options:

(1) Option 1. Receive the Iowa teacher education institution's recommendation that the current approved program requirements for the endorsement have been met.

(2) Option 2. Receive verification from the Iowa teacher education institution that the minimum state requirements for the endorsement have been met in lieu of the institution's approved program.

(3) Option 3. Apply for a review of the transcripts by the board of educational examiners' staff to determine if all Iowa requirements have been met. The applicant must submit documentation that all of the Iowa requirements have been met by filing transcripts and supporting documentation for review. The fee for the transcript evaluation is in 282—Chapter 12. This fee shall be in addition to the fee for adding the endorsement.

*b. Additional requirements for adding an endorsement.*

(1) In addition to meeting the requirements for Iowa licensure, applicants for endorsements shall have completed a methods class appropriate for teaching the general subject area of the endorsement added.

(2) Practitioners who are adding an elementary or early childhood endorsement and have not student taught on the elementary or early childhood level shall complete a teaching practicum appropriate for teaching at the level of the new endorsement.

(3) Practitioners who are adding a secondary teaching endorsement and have not student taught on the secondary level shall complete a teaching practicum appropriate for teaching at the level of the new endorsement.

(4) Practitioners holding the K-8 endorsement in the content area of the 5-12 endorsement being added may satisfy the requirement for the secondary methods class and the teaching practicum by completing all required coursework and presenting verification of competence. This verification of competence shall be signed by a licensed evaluator who has observed and formally evaluated the performance of the applicant at the secondary level. This verification of competence may be submitted at any time during the term of the Class B license. The practitioner must obtain a Class B license while practicing with the 5-12 endorsement.

**13.29(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 shall 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 must 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 must be signed by the superintendent or designee in the district in which the practitioner is under contract. The superintendent's signature shall 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 shall be removed from the license at the time of application.

(3) If a practitioner is not employed and submits an application, the provisions of 13.29(2) "a"(1)"3" shall not be required.

(4) If a practitioner submits an application that does not meet the criteria listed in 13.29(2) "a"(1)"1" to "3," 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(272).

*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 must be completed within the five years preceding the application to add the endorsement.

(2) The practitioner must meet the current endorsement requirements when making application.

[ARC 8248B, IAB 11/4/09, effective 10/12/09; ARC 2016C, IAB 6/10/15, effective 7/15/15]

## **282—13.30(272) Licenses—issue dates, corrections, duplicates, and fraud.**

**13.30(1) Issue date on original license.** A license is valid only from and after the date of issuance.

**13.30(2) Correcting licenses.** If a licensee notifies board staff of a typographical or clerical error on the license within 30 days of the date of the board's mailing of a license, a corrected license shall be issued without charge to the licensee. If notification of a typographical or clerical error is made more than 30 days after the date of the board's mailing of a license, a corrected license shall be issued upon receipt of the fee for issuance of a duplicate license. For purposes of this rule, typographical or clerical errors include misspellings, errors in the expiration date of a license, errors in the type of license issued, and the omission or misidentification of the endorsements for which application was made. A licensee requesting the addition of an endorsement not included on the initial application must submit a new application and the appropriate application fee.

**13.30(3) Duplicate licenses.** Upon application and payment of the fee set out in 282—Chapter 12, a duplicate license shall be issued.

**13.30(4) Fraud in procurement or renewal of licenses.** Fraud in procurement or renewal of a license or falsifying records for licensure purposes will constitute grounds for filing a complaint with the board of educational examiners.

These rules are intended to implement Iowa Code chapter 272 and 2014 Iowa Acts, chapter 1116, division VI.

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CHAPTER 22  
AUTHORIZATIONS

[Prior to 1/14/09, see Educational Examiners Board[282] Ch 19]

**282—22.1(272) Coaching authorization.** A coaching authorization allows an individual to coach any sport in a middle school, junior high school, or high school.

**22.1(1) Application process.** Any person interested in the coaching authorization shall submit records of credit to the board of educational examiners for an evaluation in terms of the required courses or contact hours. Application materials are available from the office of the board of educational examiners, online at <http://www.boee.iowa.gov/>, or from institutions or agencies offering approved courses or contact hours.

**22.1(2) Requirements.** Applicants for the coaching authorization shall have completed the following requirements:

*a. Credit hours.* Applicants must complete credit hours in the following areas:

(1) Successful completion of 1 semester credit hour or 10 contact hours in a course relating to knowledge and understanding of the structure and function of the human body in relation to physical activity.

(2) Successful completion of 1 semester credit hour or 10 contact hours in a course relating to knowledge and understanding of human growth and development of children and youth in relation to physical activity.

(3) Successful completion of 2 semester credit hours or 20 contact hours in a course relating to knowledge and understanding of the prevention and care of athletic injuries and medical and safety problems relating to physical activity.

(4) Successful completion of 1 semester credit hour or 10 contact hours relating to knowledge and understanding of the techniques and theory of coaching interscholastic athletics.

(5) Beginning on or after July 1, 2000, each applicant for an initial coaching authorization shall have successfully completed 1 semester credit hour or 15 contact hours in a course relating to the theory of coaching which must include at least 5 contact hours relating to the knowledge and understanding of professional ethics and legal responsibilities of coaches.

(6) Successful completion of the concussion training approved by the Iowa High School Athletic Association or Iowa Girls High School Athletic Union.

*b. Minimum age.* Applicants must have attained a minimum age of 18 years.

*c. Background check.* Applicants must complete the background check requirements set forth in rule 282—13.1(272).

**22.1(3) Validity.** The coaching authorization shall be valid for five years.

**22.1(4) Renewal.** The authorization may be renewed upon application and verification of successful completion of:

*a. Renewal activities.* Applicants for renewal of a coaching authorization must:

(1) Successfully complete five planned renewal activities/courses related to athletic coaching approved in accordance with guidelines approved by the board of educational examiners. Additionally, each applicant for the renewal of a coaching authorization shall have completed one renewal activity/course relating to the knowledge and understanding of professional ethics and legal responsibilities of coaches.

(2) Annually complete the concussion training approved by the Iowa High School Athletic Association or the Iowa Girls High School Athletic Union. Completion of the concussion training may be waived if the applicant is not serving as a coach. Attendance at the annual concussion training may be used for a maximum of one planned activity/course required in 22.1(4)“a”(1).

(3) Complete child and dependent adult abuse training. Every renewal applicant must submit documentation of completion of the child and dependent adult abuse training approved by the state abuse education review panel. This certification may be used for a maximum of one planned activity/course required in 22.1(4)“a”(1). A waiver of this requirement may apply if a person is engaged in active duty in the military service of this state or of the United States.

*b.* A one-year extension of the applicant's coaching authorization may be issued if all requirements for the renewal of the coaching authorization have not been met. The applicant must complete the concussion training approved by the Iowa High School Athletic Association or the Iowa Girls High School Athletic Union before serving as a coach. The one-year extension is not renewable. The fee for this extension is found in 282—Chapter 12.

**22.1(5) *Revocation and suspension.*** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the coaching authorization. An ethics complaint may be filed if a practitioner begins coaching a sport without current concussion training.

**22.1(6) *Approval of courses.*** Each institution of higher education, private college or university, merged area school or area education agency wishing to offer the semester credit or contact hours for the coaching authorization must submit course descriptions for each offering to the board of educational examiners for approval. After initial approval, any changes by agencies or institutions in course offerings shall be filed with the board of educational examiners.

[ARC 0865C, IAB 7/24/13, effective 8/28/13; ARC 0866C, IAB 7/24/13, effective 8/28/13; ARC 2230C, IAB 11/11/15, effective 12/16/15]

**282—22.2(272) *Substitute authorization.*** A substitute authorization allows an individual to substitute in grades PK-12 for no more than 5 consecutive days and no more than 10 days in a 30-day period in one job assignment for a regularly assigned teacher who is absent, except in the driver's education classroom. A school district administrator may file a written request with the board for an extension of the 10-day limit in one job assignment on the basis of documented need and benefit to the instructional program. The licensure committee will review the request and provide a written decision either approving or denying the request. An individual who holds a paraeducator certificate without a bachelor's degree and completes the substitute authorization program is authorized to substitute only in the special education classroom in which the individual paraeducator is employed. For these individuals, the authorization will appear on the paraeducator certificate and will not include separate renewal requirements.

**22.2(1) *Application process.*** Any person interested in the substitute authorization shall submit records of credit to the board of educational examiners for an evaluation in terms of the required courses or contact hours. Application materials are available from the office of the board of educational examiners, online at <http://www.boee.iowa.gov/> or from institutions or agencies offering approved courses or contact hours.

*a. Requirements.* Applicants for the substitute authorization shall meet the following requirements:

(1) Authorization program. Applicants must complete a board of educational examiners-approved substitute authorization program consisting of the following components and totaling a minimum of 15 clock hours:

1. Classroom management. This component includes an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning, and self-motivation.

2. Strategies for learning. This component includes understanding and using a variety of learning strategies to encourage students' development of critical thinking, problem solving, and performance skills.

3. Diversity. This component includes understanding how students differ in their approaches to learning and creating learning opportunities that are equitable and are adaptable to diverse learners.

4. Ethics. This component includes fostering relationships with parents, school colleagues, and organizations in the larger community to support students' learning and development and to be aware of the board's rules of professional practice and competent performance.

(2) Degree or certificate. Applicants must have achieved at least one of the following:

1. Hold a baccalaureate degree from a regionally accredited institution.

2. Completed an approved paraeducator certification program and hold a paraeducator certificate.

(3) Minimum age. Applicants must have attained a minimum age of 21 years.

(4) Background check. Applicants must complete the background check requirements set forth in rule 282—13.1(272).

*b. Validity.* The substitute authorization shall be valid for five years.

*c. Renewal.* The authorization may be renewed upon application and verification of successful completion of:

(1) Renewal units. Applicants for renewal of the substitute authorization must provide verification of a minimum of two semester hours of renewal credits.

(2) Child and dependent adult abuse training. Every renewal applicant must submit documentation of completion of the child and dependent adult abuse training approved by the state abuse education review panel. A waiver of this requirement may apply under the following conditions with appropriate documentation of any of the following:

1. A person is engaged in active duty in the military service of this state or of the United States.

2. The application of this requirement would impose an undue hardship on the person for whom the waiver is requested.

3. A person is practicing a licensed profession outside this state.

4. A person is otherwise subject to circumstances that would preclude the person from satisfying the approved child and dependent adult abuse training in this state.

5. The person has previously renewed a license or another authorization issued by the board of educational examiners and, at that time, reported the completion, within the past five years, of child and dependent adult abuse training approved by the state abuse education review panel.

**22.2(2) Revocation and suspension.** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the substitute authorization.

**22.2(3) Approval of courses.** Each institution of higher education, private college or university, merged area school or area education agency wishing to offer the semester credit or contact hours for the substitute authorization must submit course descriptions for each offering to the board of educational examiners for approval. After initial approval, any changes by agencies or institutions in course offerings shall be filed with the board of educational examiners.

[ARC 7745B, IAB 5/6/09, effective 6/10/09; ARC 0865C, IAB 7/24/13, effective 8/28/13; ARC 1087C, IAB 10/16/13, effective 11/20/13; ARC 1720C, IAB 11/12/14, effective 12/17/14; ARC 2230C, IAB 11/11/15, effective 12/16/15; ARC 2528C, IAB 5/11/16, effective 6/15/16]

## **282—22.3(272) School business official authorization.**

**22.3(1) Application for authorization.** Effective July 1, 2012, a person who is interested in a school business official authorization will be required to apply for an authorization.

**22.3(2) Responsibilities.** A school business official authorization allows an individual to perform, supervise, and be responsible for the overall financial operation of a local school district.

**22.3(3) Application process.** Any person interested in the school business official authorization shall submit records of credit to the board of educational examiners for an evaluation in terms of the required courses or contact hours. Application materials are available from the office of the board of educational examiners, online at <http://www.boee.iowa.gov/>, or from institutions or agencies offering approved courses or contact hours.

**22.3(4) Specific requirements for an initial school business official authorization.** Applicants for an initial school business official authorization shall have completed the following requirements:

*a. Education.* Applicants must have a minimum of an associate's degree in business or accounting or 60 semester hours of coursework in business or accounting of which 9 semester hours must be in accounting.

If the applicant has not completed 9 semester hours in accounting but has 6 or more semester hours in accounting, the applicant may be issued a temporary school business official authorization valid for one year.

(1) A temporary initial school business official authorization may be issued if requested by the district. A district administrator may file a written request with the executive director for an exception to the minimum content requirements on the basis of documented need and benefit to the district. The

executive director will review the request and provide a written decision either approving or denying the request.

(2) If the 9 semester hours of accounting are not completed within the time allowed, the applicant will not be eligible for the initial school business official authorization.

(3) If the applicant received a temporary school business official authorization, then the initial school business official authorization shall not exceed one year.

*b. Minimum age.* Applicants must have attained a minimum age of 18 years.

*c. Background check.* Applicants must complete the background check requirements set forth in rule 282—13.1(272).

**22.3(5) Specific requirements for a standard school business official authorization.**

*a.* A standard school business official authorization will be valid for three years and may be issued to an applicant who meets the requirements set forth in subrules 22.3(3) to 22.3(5).

*b.* Requirements.

(1) Applicants must complete 9 semester hours or the equivalent (1 semester hour is equivalent to 15 contact hours) in an approved program in the following areas/competencies:

1. Accounting (GAAP) concepts: fund accounting, account codes, Uniform Financial Accounting.

2. Accounting cycles: budgets, payroll/benefits, purchasing/inventory, cash, receipts, disbursements, financial reporting, investments.

3. Technology: management of accounting systems, proficiency in understanding and use of systems technology and related programs.

4. Regulatory: Uniform Administrative Procedures Manual, school policies and procedures, administrative procedures, public records law, records management, school law, employment law, construction and bidding law.

5. Personal skills: effective communication and interpersonal skills, ethical conduct, information management, ability to analyze and evaluate, ability to recognize and safeguard confidential information, and accurate and timely performance.

(2) Applicants shall demonstrate completion of or competency in the following:

1. A board of educational examiners ethics program.

2. A mentoring program as described in 281—Chapter 81.

3. The promotion of the value of the school business official's fiduciary responsibility to the taxpayer.

**22.3(6) Validity.**

*a.* The initial school business official authorization shall be valid for two years from the date of issuance.

*b.* The standard school business official authorization shall be valid for three years, and it shall expire three years from the date of issuance on the last day of the practitioner's birth month.

**22.3(7) Renewal.** The authorization may be renewed upon application and verification of successful completion of:

*a.* Renewal activities.

(1) In addition to the child and dependent adult abuse mandatory reporter training listed below, the applicant for renewal must complete 4 semester hours of credit or the equivalent contact hours (1 semester hour is equivalent to 15 contact hours) within the three-year licensure period.

(2) Failure to complete requirements for renewal will require a petition for waiver from the board.

*b.* Child and dependent adult abuse mandatory reporter training. Every renewal applicant must submit documentation of completion of the child and dependent adult abuse mandatory reporter training approved by the state abuse education review panel. A waiver of this requirement may apply under any of the following appropriately documented conditions:

(1) The person is engaged in active duty in the military service of this state or of the United States.

(2) The application of this requirement would impose an undue hardship on the person for whom the waiver is requested.

(3) The person is practicing in a licensed profession outside this state.

(4) The person is otherwise subject to circumstances that would preclude the person from satisfying the approved child and dependent adult abuse mandatory reporter training in this state.

(5) The person has previously renewed a license or another authorization issued by the board of educational examiners and, at that time, reported the completion, within the past five years, of child and dependent adult abuse mandatory reporter training approved by the state abuse education review panel.

**22.3(8) *Revocation and suspension.*** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the school business official authorization.

**22.3(9) *Approval of courses.*** Each institution of higher education, private college or university, merged area school or area education agency and professional organization that wishes to offer the semester credit hours or contact hours for the school business official authorization must submit course descriptions for each offering to the board of educational examiners for approval. After initial approval, any changes by agencies or institutions in course offerings shall be filed with the board of educational examiners.

[ARC 9572B, IAB 6/29/11, effective 8/3/11; ARC 0869C, IAB 7/24/13, effective 8/28/13; ARC 1719C, IAB 11/12/14, effective 12/17/14; ARC 2230C, IAB 11/11/15, effective 12/16/15]

## **282—22.4(272) Licenses—issue dates, corrections, duplicates, and fraud.**

**22.4(1) *Issue date on original authorization.*** An authorization is valid only from and after the date of issuance.

**22.4(2) *Correcting authorization.*** If an applicant notifies board staff of a typographical or clerical error on the authorization within 30 days of the date of the board's mailing of an authorization, a corrected authorization shall be issued without charge to the applicant. If notification of a typographical or clerical error is made more than 30 days after the date of the board's mailing of an authorization, a corrected authorization shall be issued upon receipt of the fee for issuance of a duplicate authorization. For purposes of this rule, typographical or clerical errors include misspellings, errors in the expiration date of an authorization, or errors in the type of authorization issued.

**22.4(3) *Duplicate authorization.*** Upon application and payment of the fee set out in 282—Chapter 12, a duplicate authorization shall be issued.

**22.4(4) *Fraud in procurement or renewal of authorization.*** Fraud in procurement or renewal of an authorization or falsifying records for authorization purposes will constitute grounds for filing a complaint with the board of educational examiners.

[ARC 9572B, IAB 6/29/11, effective 8/3/11]

## **282—22.5(272) Preliminary native language teaching authorization.**

**22.5(1) *Authorization.*** The preliminary native language teaching authorization is provided to noneducators entering the education profession to teach their native language as a foreign language in grades K-6 or grades 7-12.

**22.5(2) *Application process.*** Any person interested in the preliminary native language teaching authorization shall submit the application to the board of educational examiners for an evaluation. Application materials are available from the office of the board of educational examiners online at <http://www.boee.iowa.gov/>.

### **22.5(3) *Requirements.***

*a.* The applicant must have completed a baccalaureate degree.

*b.* Background check. The applicant must complete the background check requirements set forth in rule 282—13.1(272).

*c.* The applicant must obtain a recommendation from a school district administrator verifying that the school district wishes to hire the applicant. Before the applicant is hired, the school district administrator must verify that a diligent search was completed to hire a fully licensed teacher for the position.

*d.* During the term of the authorization, the applicant must complete board-approved training in the following:

(1) Methods and techniques of teaching. Develop skills to use a variety of learning strategies that encourage students' development of critical thinking, problem solving, and performance skills. The

methods course must include specific methods and techniques of teaching a foreign language and must be appropriate for the level of endorsement.

(2) Curriculum development. Develop an understanding of how students differ in their approaches to learning and create learning opportunities that are equitable and adaptable to diverse learners.

(3) Measurement and evaluation of programs and students. Develop skills to use a variety of authentic assessments to measure student progress.

(4) Classroom management. Develop an understanding of individual and group motivation and behavior which creates a learning environment that encourages positive social interactions, active engagement in learning, and self-motivation.

(5) Code of ethics. Develop an understanding of how to foster relationships with parents, school colleagues, and organizations in the larger community to support students' learning and development and become aware of the board's rules of professional practice and code of ethics.

(6) Diversity training for educators. Develop an understanding of and sensitivity to the values, beliefs, lifestyles and attitudes of individuals and the diverse groups found in a pluralistic society, including preparation that contributes to the education of individuals with disabilities and the gifted and talented.

e. The applicant must be assigned a mentor by the hiring school district. The mentor must have four years of teaching experience in a related subject area.

f. Assessment of native language. The applicant must provide verification of successfully passing the Iowa-mandated assessment(s) by meeting the minimum score set by the Iowa department of education. The cut score may not be waived by the board.

**22.5(4) Validity.** This authorization is valid for three years. No Class B licenses may be issued to applicants holding the preliminary native language teaching authorization. No additional endorsement areas may be added unless the requirements in 22.5(3) are met.

**22.5(5) Renewal.** The authorization is nonrenewable.

**22.5(6) Conversion.** The preliminary native language teaching authorization may be converted to a native language teaching authorization. The applicant must provide official transcripts verifying the completion of the coursework required in 22.5(3) "d."

**22.5(7) Revocation and suspension.** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the preliminary native language teaching authorization. If a school district hires an applicant without a valid preliminary native language teaching authorization, a complaint may be filed against the teacher and the superintendent of the school district.

**22.5(8) Approval of courses.** Each institution of higher education, private college or university, community college or area education agency wishing to offer the training for the preliminary native language teaching authorization must submit course descriptions for each offering to the board of educational examiners for approval. After initial approval, any changes by agencies or institutions in course offerings shall be filed with the board of educational examiners.

[ARC 0562C, IAB 1/23/13, effective 2/27/13; ARC 2230C, IAB 11/11/15, effective 12/16/15]

## **282—22.6(272) Native language teaching authorization.**

**22.6(1) Authorization.** The native language teaching authorization allows an individual to teach the individual's native language as a foreign language in grades K-8 or grades 5-12.

**22.6(2) Application process.** Any person interested in the native language teaching authorization shall submit an application to the board of educational examiners for an evaluation. Application materials are available from the office of the board of educational examiners online at <http://www.boee.iowa.gov/>.

**22.6(3) Requirements.** Applicants must:

a. Hold a preliminary native language teaching authorization and meet the conversion requirements for the native language teaching authorization, or

b. Hold an Iowa teaching license and provide verification of successfully passing the Iowa-mandated assessment(s) by meeting the minimum score set by the Iowa department of education. The cut score may not be waived by the board. Applicants who hold an Iowa teaching license must also obtain a recommendation from a school district administrator verifying that the school district



wishes to hire the applicant. Before the applicant is hired, the school district administrator must verify that a diligent search was completed to hire a fully licensed teacher with the proper endorsement for the position.

**22.6(4) *Validity.*** This authorization is valid for five years. No Class B licenses may be issued to an applicant holding the native language teaching authorization unless a teaching license is additionally obtained. No additional endorsement areas may be added to the native language teaching authorization.

**22.6(5) *Renewal.***

*a.* Applicants must meet the renewal requirements set forth in rule 282—20.3(272) and 282—subrule 20.5(2).

*b.* A one-year extension may be issued if all requirements for the renewal of the native language teaching authorization have not been met. This one-year extension is not renewable.

**22.6(6) *Revocation and suspension.*** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the native language teaching authorization. If a school district hires an applicant without the proper licensure or endorsement, a complaint may be filed.

[ARC 1721C, IAB 11/12/14, effective 12/17/14]

### **282—22.7(272) School administration manager authorization.**

**22.7(1) *Application for authorization.*** Effective July 1, 2014, a person who is interested in a school administration manager authorization will be required to apply for an authorization. The following persons must obtain an authorization:

*a.* A Model 1 SAM, a person who is hired to be a full-time SAM and who is authorized to assume the responsibilities of a SAM;

*b.* A Model 2 SAM, a person whose position in the school is reconfigured to include the responsibilities of being a SAM and is authorized as a SAM; and

*c.* A Model 3 SAM, a person who is a secretary/administrative assistant and is also authorized as a SAM.

**22.7(2) *Responsibilities.*** A school administration manager authorization allows an individual to assist a school administrator in performing noninstructional, administrative-type duties.

**22.7(3) *Application process.*** Any person interested in the school administration manager authorization shall submit to the board of educational examiners an application which includes a written verification of employment from a school district administrator. Application materials are available from the office of the board of educational examiners online at <http://www.boee.iowa.gov/>.

**22.7(4) *Specific requirements for an initial school administration manager authorization.*** Applicants for an initial school administration manager authorization shall have completed the following requirements:

*a. Education.* Applicants must hold a high school degree or general equivalency diploma.

*b. Minimum age.* Applicants must have attained a minimum age of 18 years.

*c. Background check.* Applicants must complete the background check requirements set forth in rule 282—13.1(272).

**22.7(5) *Specific requirements for a standard school administration manager authorization.*** The initial school administration manager authorization shall be converted to the standard school administration manager authorization provided the following requirements are met.

*a. Training.* A school administration manager shall attend an approved training program at the onset of the individual's hire as a school administration manager. The training for school administration managers is set forth in 281—subrule 82.7(2).

*b. Experience.* An applicant shall complete one year of experience as a school administration manager in an Iowa school. The supervising administrator shall verify this experience and the applicant's completion of the required competencies.

*c. Competencies.* Applicants shall demonstrate completion of or competency in the following:

(1) Each school administration manager shall demonstrate competence in technology appropriate to the school administration manager position. The school administration manager will:

1. Become proficient in the use of the approved time-tracking software tool;
2. Schedule the administrator's time using the approved software, update and reconcile the calendar daily, and attempt to pre-calendar the administrator at or above the administrator's goal; and
3. Regularly schedule, review, and reflect with the administrator on the graphs and data provided through the software.

(2) Each school administration manager shall demonstrate appropriate personal skills. The school administration manager:

1. Is an effective communicator with all stakeholders, including but not limited to colleagues, community members, parents, and students;
  2. Works effectively with employees, students, and stakeholders.
  3. Maintains confidentiality when dealing with student, parent, and staff issues;
  4. Clearly understands the administrator's philosophy of behavior expectations and consequences;
- and
5. Maintains an environment of mutual respect, rapport, and fairness.

**22.7(6) *Validity.***

- a. The initial school administration manager authorization shall be valid for three years.
- b. The standard school administration manager authorization shall be valid for five years.

**22.7(7) *Renewal.***

a. The initial school administration manager authorization may be renewed once if the applicant has not previously had employment as a school administration manager but can at the time of application provide evidence of employment as a school administration manager.

b. The standard school administration manager authorization may be renewed upon application and verification of successful completion of the following:

(1) **Renewal activities.** The applicant for renewal must complete three semester hours of credit through authorized SAM training or online training courses approved by the board of educational examiners in collaboration with the department of education.

(2) **Child and dependent adult abuse mandatory reporter training.** Every renewal applicant must submit documentation of completion of the child and dependent adult abuse mandatory reporter training approved by the state abuse education review panel. A waiver of this requirement may apply under any of the following appropriately documented conditions:

1. The person is engaged in active duty in the military service of this state or of the United States.
2. The person has previously renewed a license or another authorization issued by the board of educational examiners and, at that time, reported the completion, within the past five years, of child and dependent adult abuse mandatory reporter training approved by the state abuse education review panel.

**22.7(8) *Extension.*** A one-year extension of the school administration manager authorization may be issued if the applicant does not meet the renewal requirements. The applicant must secure the signature of the superintendent or designee before the extension will be issued.

**22.7(9) *Revocation and suspension.*** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the school administration manager authorization.

**22.7(10) *Approval of courses.*** Each institution of higher education, private college or university, community college, area education agency and professional organization that wishes to offer the semester credit hours for the school administration manager authorization must submit course descriptions for each offering to the board of educational examiners for approval. After initial approval, any changes by agencies or institutions in course offerings shall be filed with the board of educational examiners.

[ARC 1086C, IAB 10/16/13, effective 11/20/13; ARC 1542C, IAB 7/23/14, effective 8/27/14; ARC 1721C, IAB 11/12/14, effective 12/17/14; ARC 2230C, IAB 11/11/15, effective 12/16/15]

**282—22.8(272) iJAG authorization.**

**22.8(1) *Authorization.*** The Iowa jobs for America's graduates (iJAG) authorization is provided to noneducators entering the education profession to teach iJAG coursework in grades 7-12.

**22.8(2) Application process.** Any person interested in the iJAG authorization shall submit the application to the board of educational examiners for an evaluation. Application materials are available from the office of the board of educational examiners online at <http://www.boee.iowa.gov>.

**22.8(3) Requirements.**

a. The applicant must have completed a baccalaureate degree.

b. Background check. The applicant must complete the background check requirements set forth in rule 282—13.1(272).

c. The applicant must have completed a board of educational examiners-approved iJAG training program consisting of the following components and totaling a minimum of 40 clock hours annually:

(1) Instructional methods. Develop skills to effectively deliver project-based instruction in the iJAG core competencies.

(2) Curriculum. Develop skills to effectively develop curriculum, projects and other educational opportunities consistent with the goals of iJAG.

(3) Measurement and evaluation of programs and students. Analyze student data, administer testing, and monitor the following: basic skills, individualized development plans, attendance, graduation requirements, and course enrollment.

(4) Code of ethics. Develop an understanding of how to foster relationships with parents, students, school colleagues, and organizations in the larger community to support students' learning and development and become aware of the board's rules of professional practice and code of ethics.

(5) Diversity training for educators. Develop an understanding of and sensitivity to the values, beliefs, lifestyles and attitudes of individuals and the diverse groups found in a pluralistic society, including preparation that contributes to the education of individuals with disabilities and the gifted and talented.

d. The applicant must obtain a recommendation from an iJAG administrator verifying that the organization wishes to hire the applicant.

e. The applicant must be assigned a mentor by the hiring school district. The mentor must have four years of teaching experience.

**22.8(4) Validity.** This authorization is valid for five years. No Class B license or license based on administrative decision may be issued to an applicant holding the iJAG authorization unless a teaching license is additionally obtained. No additional endorsement areas may be added to the iJAG authorization.

**22.8(5) Renewal.** An applicant for renewal of the iJAG authorization must provide verification of completion of the following:

a. Required iJAG training as verified through an iJAG administrator.

b. Child and dependent adult abuse training as stated in 282—subrule 20.3(4).

**22.8(6) Revocation and suspension.** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holder of the iJAG authorization.

[ARC 1322C, IAB 2/19/14, effective 3/26/14; ARC 1721C, IAB 11/12/14, effective 12/17/14; ARC 2230C, IAB 11/11/15, effective 12/16/15]

**282—22.9(272) Requirements for the career and technical secondary authorization.**

**22.9(1) Authorization.** This authorization is provided to noneducators entering the education profession to instruct in occupations and specialty fields that are recognized in career and technical service areas and career cluster areas.

**22.9(2) Application process.** Any person interested in the career and technical secondary authorization shall submit the application to the board of educational examiners for an evaluation. Application materials are available from the office of the board of educational examiners online at <http://www.boee.iowa.gov/>.

**22.9(3) Specific requirements for the initial career and technical secondary authorization.**

a. The applicant must meet the background check requirements for licensure set forth in rule 282—13.1(272).

b. The applicant must obtain a recommendation from a school district administrator verifying that the school district wishes to hire the applicant.

c. An applicant for this authorization must have completed 6,000 hours of recent and relevant career and technical experience in the teaching endorsement area sought. If the candidate also holds a bachelor's degree, the experience requirement is 4,000 hours. This experience shall have been accrued within the ten years prior to the date of application. Experience that does not meet these criteria may be considered at the discretion of the executive director. In subjects for which state registration, certification or licensure is required, the applicant must hold the appropriate license, registration or certificate before the initial career and technical secondary authorization or the career and technical secondary authorization will be issued.

d. The applicant must provide documentation of completion of a code of professional conduct and ethics training approved by the board of educational examiners.

e. Coursework requirements.

(1) Applicants must commit to complete the following requirements within the term of the initial authorization. Coursework must be completed for college credit from a regionally accredited institution.

1. A new teachers' workshop of a minimum of 30 clock hours and specified competencies, to be completed during the term of the initial authorization.

2. Coursework in the methods and techniques of career and technical education.

3. Coursework in course and curriculum development.

4. Coursework in the measurement and evaluation of programs and students.

5. An approved human relations course.

6. Coursework in the instruction of exceptional learners to include the education of individuals with disabilities and the gifted and talented.

(2) Applicants who believe that their previous college coursework meets the coursework requirements in 22.9(3)“e”(1) may have the specific requirements waived. Transcripts or other supporting data should be provided to a teacher educator at one of the institutions which has an approved teacher education program. The results of the competency determination shall be forwarded with recommendations to the board of educational examiners. Board personnel will make final determination as to the competencies mastered and cite coursework which yet needs to be completed, if any.

**22.9(4) Validity—initial authorization.** The initial career and technical secondary authorization is valid for three years.

**22.9(5) Renewal.** The initial career and technical secondary authorization may be renewed once if the candidate can demonstrate that coursework progress has been made.

**22.9(6) Conversion.** The initial career and technical secondary authorization may be converted to a career and technical secondary authorization if the applicant has met the following:

a. Completion of the required coursework set forth in paragraph 22.9(3)“e.”

b. Documentation of completion of a code of professional conduct and ethics training approved by the board of educational examiners. The training must be completed after the issuance of the initial authorization and no more than three years prior to the date of application.

**22.9(7) Specific requirements for the career and technical secondary authorization.**

a. This authorization is valid for five years.

b. An applicant for this authorization must first meet the requirements for the initial career and technical secondary authorization.

c. Renewal requirements for the career and technical secondary authorization. Applicants for renewal must meet the requirements set forth in 282—subrule 20.5(1) and 282—paragraphs 20.5(2)“a” to “d.”

**22.9(8) Revocation and suspension.** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the initial career and technical secondary authorization or the career and technical secondary authorization. If a school district hires an applicant without a valid license or authorization, a complaint may be filed against the teacher and the superintendent of the school district.

[ARC 2015C, IAB 6/10/15, effective 7/15/15]

**282—22.10(272) Activities administration authorization.** An activities administration authorization allows an individual to administer any pupil activity program in a K-12 school setting.

**22.10(1) Application process.** Any person interested in the activities administration authorization shall submit an application and records of credit to the board of educational examiners for an evaluation of the required courses or contact hours. Application materials are available from the office of the board of educational examiners online at <http://www.boee.iowa.gov>.

*a. Requirements.* Applicants for the activities administration authorization shall meet the following requirements:

(1) Degree. A baccalaureate degree or higher in athletic administration or related field from a regionally accredited institution is required.

(2) Credit hours. Applicants must complete credit hours or courses offered by the Leadership Training Institute (LTI) from the National Interscholastic Athletic Administrators Association in the following areas:

1. Successful completion of 1 semester credit hour or LTI course relating to knowledge and understanding of risk management, Title IX, sexual harassment, hazing, Americans with Disabilities Act (ADA), and employment law as they pertain to the role of the activities administrator.

2. Successful completion of 1 semester credit hour or LTI course relating to knowledge and understanding of activities administration foundations including philosophy, leadership, professional programs and activities administration principles, strategies and methods.

3. Successful completion of 1 semester credit hour or LTI course relating to knowledge and understanding of the role of the activities director in supporting and developing sports medicine programs, management of athletic player equipment, concussion assessment and proper fitting of athletic protective equipment, and sports field safety.

4. Successful completion of 1 semester credit hour or LTI course relating to knowledge and understanding of the techniques and theory of coaching concepts and strategies for interscholastic budget and concepts and strategies for interscholastic fundraising.

5. Successful completion of 1 semester credit hour or LTI course, approved by the board, relating to the assessment and evaluation of interscholastic athletic programs and personnel, dealing with challenging personalities, and administration of professional growth programs for interscholastic personnel.

6. Successful completion of the concussion training approved by the Iowa High School Athletic Association or Iowa Girls High School Athletic Union.

*b. Minimum age.* Applicants must have attained a minimum age of 21 years.

*c. Background check.* Applicants must complete the background check requirements set forth in rule 282—13.1(272).

**22.10(2) Validity.** The activities administration authorization shall be valid for five years.

**22.10(3) Renewal.**

*a.* The authorization may be renewed upon application and verification of successful completion of the following renewal activities:

(1) Applicants for renewal of an activities administration authorization must complete one of the following professional development options:

1. Document attendance at one state IHSADA convention and one LTI course relating to the knowledge and understanding of professional ethics and legal responsibilities of activities administrators.

2. Complete three LTI courses.

3. Complete 2 semester hours of college credit from a regionally accredited institution.

4. Complete 2 licensure renewal credits from an approved provider.

(2) Applicants for renewal of an activities authorization must complete child and dependent adult abuse training as stated in 282—subrule 20.3(4).

*b.* A one-year extension of the applicant's activities administration authorization may be issued if all requirements for the renewal of the activities administrator authorization have not been met. The one-year extension is nonrenewable.

**22.10(4) Revocation and suspension.** Criteria of professional practice and rules of the board of educational examiners shall be applicable to the holders of the activities administration authorization. [ARC 1718C, IAB 11/12/14, effective 12/17/14; ARC 2230C, IAB 11/11/15, effective 12/16/15]

**282—22.11(272) Extension.** For authorizations established in this chapter, a one-year extension may be issued if the applicant does not meet the requirements for authorization conversion or renewal. The applicant shall secure the signature of the superintendent or designee of the applicant's employer and shall submit all required materials before the extension will be issued. This one-year extension is nonrenewable.

This rule is intended to implement Iowa Code section 272.31. [ARC 2121C, IAB 9/2/15, effective 10/7/15]

These rules are intended to implement Iowa Code chapter 272.

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[Filed ARC 2528C (Notice ARC 2411C, IAB 2/17/16), IAB 5/11/16, effective 6/15/16]

CHAPTER 24  
PARAEDUCATOR CERTIFICATES  
[Prior to 1/14/09, see Educational Examiners Board[282] Ch 22]

**282—24.1(272) Paraeducator certificates.** Iowa paraeducator certificates are issued upon application filed on a form provided by the board of educational examiners. Applicants must complete the background check requirements set forth in rule 282—13.1(272).  
[ARC 2230C, IAB 11/11/15, effective 12/16/15]

**282—24.2(272) Approved paraeducator certificate programs.** An applicant for an initial paraeducator certificate who completes the paraeducator preparation program from a recognized Iowa paraeducator approved program shall have the recommendation from the designated certifying official at the recognized area education agency, local education agency, community college, or institution of higher education where the preparation was completed. A recognized Iowa paraeducator approved program is one which has its program of preparation approved by the state board of education according to standards established by the board of educational examiners.

**282—24.3(272) Prekindergarten through grade 12 paraeducator generalist certificate.**

**24.3(1)** Applicants must possess a minimum of a high school diploma or a graduate equivalent diploma.

**24.3(2)** Qualifications or criteria for the granting or revocation of a certificate or the determination of an individual's professional standing shall not include membership or nonmembership in any teacher or paraeducator organization.

**24.3(3)** Applicants shall have successfully completed at least 90 clock hours of training in the areas of behavior management, exceptional child and at-risk child behavior, collaboration skills, interpersonal relations skills, child and youth development, technology, and ethical responsibilities and behavior.

**24.3(4)** Applicants shall have successfully completed the following list of competencies.

*a. Foundations.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Recognize the different developmental stages of students.
- (2) Believe every student can learn.
- (3) Recognize that each learner has unique learning needs that may require accommodations.
- (4) Demonstrate knowledge of the common core, including competence in reading, writing and math.

(5) Function in a manner that demonstrates a positive regard for the distinction between roles and responsibilities of paraeducators and other professionals, including respecting the teacher as supervisor and seeing the teacher as ultimately responsible for the education and behavior of the students.

*b. Learning environment.* Under the supervision of a licensed education professional, the paraeducator will:

(1) Follow the prescribed health, safety, and emergency school and classroom policy and procedures.

- (2) Organize materials to support teaching and learning.
- (3) Facilitate the integration of students with diverse needs in various settings.
- (4) Assist with special health services, under the supervision of a licensed health care provider.
- (5) Promote a safe and positive learning environment.
- (6) Function in various instructional settings (e.g., large group, small group, tutoring).

*c. Content and instruction.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Assist with learning activities and opportunities to accomplish instructional objectives.
- (2) Support high expectations that are shared, clearly defined and appropriate.
- (3) Monitor progress and document and report objective observations that inform instructional decisions.
- (4) Effectively use verbal and nonverbal forms of communication with students.
- (5) Assist with the implementation and use of instructional and assistive technology.

*d. Emotional and behavioral.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Assist in modeling and teaching specific appropriate behaviors, social skills, and procedures that facilitate safety and learning in various environments.
- (2) Assist in the implementation of individualized behavior management plans.
- (3) Document and report objective observations on student behaviors.
- (4) Assist in modifying the learning environment to manage behavior and social skills.
- (5) Recognize that there is a cause or reason for misbehavior and assist in determining the cause or reason.
- (6) Recognize, address, and report bullying.
- (7) Recognize and report atypical emotional behavior.

*e. Professional relationships.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Demonstrate a commitment to work as an effective team member.
- (2) Foster a professional and caring relationship with each student's family.
- (3) Develop and maintain positive and professional relationships with students.

*f. Ethical and professional practice.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Follow ethical practices for confidential information.
- (2) Participate in ongoing professional development.
- (3) Accept and apply constructive feedback.
- (4) Abide by the Iowa code of ethics and professional practice rules of the board of educational examiners and rules of the Iowa department of education.
- (5) Demonstrate the ability to separate personal issues from one's responsibilities in the workplace.
- (6) Maintain a high level of competency and integrity.
- (7) Share information regarding students' performance, behavior, or program with students' parents or guardians only as directed by the supervising teacher or educator.
- (8) Be aware of personal biases and beliefs and refrain from discriminatory practices based on a student's disability, race, creed, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
- (9) Demonstrate ethical behavior when supporting students with graded activities, quizzes, and tests.
- (10) Abide by Iowa law regarding the use of restraint and seclusion.
- (11) Recognize that the paraeducator may not be given primary responsibility for the education of an individual student(s).
- (12) Recognize that instructional decisions are made by the individualized education program (IEP) team for students with disabilities and that any changes to instruction, accommodations, supports, and services cannot be made outside the IEP team.

**24.3(5)** An applicant for a certificate under these rules shall demonstrate that the requirements of the certificate have been met, and the burden of proof shall be on the applicant.

[ARC 1325C, IAB 2/19/14, effective 3/26/14]

**282—24.4(272) Paraeducator area of concentration.** An area of concentration is not required but optional. Applicants must currently hold or have previously held an Iowa paraeducator generalist certificate. Applicants may complete one or more areas of concentration but must complete at least 45 clock hours in each area of concentration.

**24.4(1) Early childhood—prekindergarten through grade 3.** The paraeducator shall successfully complete the following list of competencies:

*a. Foundations.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Know and understand young children's typical and atypical developmental stages and their needs at each stage.
- (2) Recognize multiple influences on young children's development and learning.



(3) Recognize developmentally appropriate practices for interactions with and the education of young children.

*b. Learning environment.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Describe the elements of environments that support children's learning and well-being.
- (2) Demonstrate skills, strategies, and activities involving an individual child or small groups of children to reinforce instruction from a licensed teacher.
- (3) Set up environments that are safe, inclusive, and responsive to children's developmental strengths, interests and needs.

*c. Content and instruction.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Recognize effective strategies and techniques to stimulate cognitive, physical, social, emotional, and language development for each child in a developmentally appropriate way.
- (2) Demonstrate knowledge and understanding of the Iowa Early Learning Standards by describing what young children know and do in order to provide experiences and interactions to promote learning.
- (3) Gather information, as instructed by the classroom teacher, about an individual child's development, learning and behaviors including observing, recording, and charting.

*d. Emotional and behavioral competencies.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Gather information, as instructed by the classroom teacher, to identify children's skills and provide appropriate levels of support needed for the children to access, participate and engage in activities.
- (2) Implement teacher-designed intervention plans to promote positive social relationships, interactions and behaviors that are age- and developmentally appropriate.

*e. Professional relationships.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Demonstrate the ability to collaborate with an educational team to systematically and regularly exchange information to support problem solving, planning, and the implementing of instruction and individualized interventions.
- (2) Demonstrate the ability to establish relationships with all children and their families that are respectful, supportive and sensitive.
- (3) Demonstrate a collaborative relationship with the teacher to support children's learning.
- (4) Demonstrate knowledge of community services and agencies available to assist families.

*f. Ethical and professional practice.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Demonstrate knowledge of Iowa Early Learning Standards and the preschool program standards being implemented, which may include the Iowa Quality Preschool Program Standards, Head Start Program Performance Standards and National Association for the Education of Young Children (NAEYC) Program Standards and Accreditation Criteria.
- (2) Reserved.

**24.4(2) Special needs—prekindergarten through grade 12.** The paraeducator shall successfully complete the following list of competencies.

*a. Foundations.* Under the supervision of a licensed education professional, the paraeducator will demonstrate an understanding of an IEP.

*b. Learning environment.* Under the supervision of a licensed education professional, the paraeducator will demonstrate an understanding of the value of serving children and youth with disabilities and special needs in inclusive settings.

*c. Content and instruction.* Under the supervision of a licensed education professional, the paraeducator will:

- (1) Implement the activities assigned by a teacher to meet the goals and objectives in an IEP.
- (2) Assist in academic subjects through use of lesson plans and instructional strategies developed by teachers and other professional support staff.

(3) Gather and maintain data about the performance of individual students and confer with special and general education practitioners about student schedules, instructional goals, progress, and performance.

(4) Operate computers and use assistive technology and adaptive equipment that will enable students with special needs to participate more fully in general education.

*d. Emotional and behavioral.* Under the supervision of a licensed education professional, the paraeducator will:

(1) Gather and maintain data about the behavior of individual students and confer with special and general education practitioners about student schedules, instructional goals, progress, and performance.

(2) Use appropriate instructional procedures and reinforcement techniques as specified in the IEP or by the behavior team.

*e. Professional relationships.* Under the supervision of a licensed education professional, the paraeducator will, if asked, participate as a member of the IEP team responsible for developing service plans and educational objectives.

**24.4(3)** *English as a second language—prekindergarten through grade 12.* The paraeducator shall successfully complete the following list of competencies so that, under the direction and supervision of a qualified classroom teacher, the paraeducator will be able to:

*a.* Operate computers and use technology that will enable students to participate effectively in the classroom.

*b.* Work with the classroom teacher as collaborative partners.

*c.* Demonstrate knowledge of the role and use of primary language of instruction in accessing English for academic purposes.

*d.* Demonstrate knowledge of instructional methodologies for second language acquisition.

*e.* Communicate and work effectively with parents or guardians of English as a second language students in their primary language.

*f.* Demonstrate knowledge of appropriate translation and interpretation procedures.

**24.4(4)** *Career and transitional programs—grades 5 through 12.* The paraeducator shall successfully complete the following list of competencies so that, under the direction and supervision of a qualified classroom teacher, the paraeducator will be able to:

*a.* Assist in the implementation of career and transitional programs.

*b.* Assist in the implementation of appropriate behavior management strategies for career and transitional students and those students who may have special needs.

*c.* Assist in the implementation of assigned performance and behavior assessments including observation, recording, and charting for career and transitional students and those students who may have special needs.

*d.* Provide training at job sites using appropriate instructional interventions.

*e.* Participate in preemployment, employment, or transitional training in classrooms or at off-campus sites.

*f.* Communicate effectively with employers and employees at work sites and with personnel or members of the public in other transitional learning environments.

**24.4(5)** *School library media—prekindergarten through grade 12.* The school library media paraeducator shall successfully complete the following list of competencies so that, under the direct supervision and direction of a qualified school library supervisor or school librarian, the paraeducator will be able to:

*a.* Be aware of, implement, and support the goals, objectives, and policies of the school library media program.

*b.* Assist the school library supervisor or school librarian in general operations, such as processing materials, circulating materials, performing clerical tasks, assisting students and staff, and working with volunteers and student helpers, and to understand the role of the paraeducator in the library setting in order to provide efficient, equitable, and effective library services.

*c.* Demonstrate knowledge of library technical services including, but not limited to, cataloging, processing, acquisitions, routine library maintenance, automation and new technologies.

- d. Be aware of and support the integration of literacy initiatives and content area standards, e.g., visual information and technology in support of the curriculum.
- e. Be aware of the role school libraries play in improving student achievement, literacy, and lifelong learning.
- f. Demonstrate an understanding of ethical issues related to school libraries, such as copyright, plagiarism, privacy, diversity, confidentiality, and freedom of speech.
- g. Assist in the daily operations of the school library program, such as shelving, working with volunteers and student helpers, inventory, materials repair and maintenance.
- h. Exhibit welcoming behaviors to all library patrons and visitors to encourage use of the library and its resources.
- i. Demonstrate knowledge of the school library collection and the availability of other resources that will meet individual student information or research needs.
- j. Demonstrate a general knowledge of basic technology skills and assist in troubleshooting basic hardware and software problems.

**24.4(6)** *Speech-language pathology (SLP)—prekindergarten through grade 12.* The speech-language pathology paraeducator shall successfully complete the following list of competencies so that, under the direction and supervision of a qualified speech-language pathologist, the paraeducator will be able to:

- a. Understand the roles and responsibilities of the speech-language pathology paraeducator.
- b. Demonstrate a basic understanding of the four areas of communication, including articulation, language, fluency, and voice, and how they occur through typical development.
- c. Demonstrate an understanding of articulation/phonological disabilities.
- d. Demonstrate an understanding of language disabilities.
- e. Use appropriate instructional procedures and reinforcement techniques when working with children with articulation/phonological disabilities.
- f. Use appropriate instructional procedures and reinforcement techniques when working with children with language disabilities.
- g. Gather information as directed by the speech-language pathologist regarding the performance of children, including recording and charting responses.

**24.4(7)** *Vision impairments—prekindergarten through grade 12.*

- a. Demonstrate knowledge of the impact of vision loss on learning and concept development for students who are blind or visually impaired.
  - (1) Demonstrate introductory knowledge of expanded core curriculum (ECC) and the ability to support ECC skills as directed by the supervising professional.
  - (2) Demonstrate introductory knowledge of functional vision assessments (FVA) and learning media assessments (LMA) of students who have vision impairments.
- b. Demonstrate knowledge of and skills in technology appropriate to the needs of students with vision impairments.
  - (1) Operate and use assistive technology that supports students who have vision impairments.
  - (2) Support and strengthen each student's capability to access and utilize assistive technology.
- c. Demonstrate introductory knowledge of instructional strategies unique to students who have vision impairments.
  - (1) Demonstrate the ability to adapt educational materials by using varied learning media as determined by student needs.
  - (2) Demonstrate an introductory knowledge of Braille in relation to identified or expressed student needs or both.
  - (3) Demonstrate introductory skills in operating transcription software and equipment.
- d. Demonstrate introductory knowledge of motor skills, movement, orientation, and mobility for students with vision impairments.
- e. Demonstrate knowledge of the role of paraeducators in student plans including individualized education programs (IEPs) and individualized family service plans (IFSPs).

*f.* Demonstrate knowledge about and skills in fostering independence, self-determination, social skills, self-advocacy, and appropriate behaviors for students with vision impairments.

*g.* Demonstrate professionalism and ethical practices, including appropriate communication skills in relation to students with vision impairments and the students' service providers and families.

[ARC 8405B, IAB 12/16/09, effective 1/20/10; ARC 9204B, IAB 11/3/10, effective 12/8/10; ARC 1325C, IAB 2/19/14, effective 3/26/14; ARC 2529C, IAB 5/11/16, effective 6/15/16]

**282—24.5(272) Prekindergarten through grade 12 advanced paraeducator certificate.** Applicants for the prekindergarten through grade 12 advanced paraeducator certificate shall have met the following requirements:

**24.5(1)** Currently hold or have previously held an Iowa paraeducator generalist certificate.

**24.5(2)** Possess an associate's degree or have earned 62 semester hours of college coursework from a regionally accredited institution of higher education.

**24.5(3)** Complete a minimum of 2 semester hours of coursework involving at least 100 clock hours of a supervised practicum with children and youth. These 2 semester hours of practicum may be part of an associate's degree or part of the earned 62 semester hours of college coursework.

**282—24.6(272) Renewal requirements.**

**24.6(1)** The paraeducator certificate may be renewed upon application, payment of a renewal fee as established in 282—Chapter 12, and verification of successful completion of coursework totaling three units in any combination listed below.

*a.* One unit may be earned for each semester hour of credit which leads to the completion of the requirements for an area of concentration not currently held.

*b.* One unit may be earned for each hour of credit that will assist a paraeducator to demonstrate the knowledge of and the ability to assist in reading, writing, or mathematics.

*c.* One unit may be earned for each hour of credit completed which supports either the building's or district's career development plan.

*d.* One unit may be earned for each semester hour of college credit.

**24.6(2)** All applicants renewing a paraeducator certificate must submit documentation of completion of the child and dependent adult abuse training approved by the state abuse education review panel. A waiver of this requirement may apply under the following conditions with appropriate documentation of any of the following:

*a.* A person is engaged in active duty in the military service of this state or of the United States.

*b.* The application of this requirement would impose an undue hardship on the person for whom the waiver is requested.

*c.* A person is practicing a licensed profession outside this state.

*d.* A person is otherwise subject to circumstances that would preclude the person from satisfying the approved child and dependent adult abuse training in this state.

**282—24.7(272) Issue date on original certificate.** A certificate is valid only from and after the date of issuance.

**282—24.8(272) Validity.** The paraeducator certificate shall be valid for five years.

**282—24.9(272) Certificate application fee.** All fees are nonrefundable.

**24.9(1) Issuance of certificates.** The fee for the issuance of the paraeducator certificate shall be as established in 282—Chapter 12.

**24.9(2) Adding areas of concentration.** The fee for the addition of each area of concentration to a paraeducator certificate, following the issuance of the initial paraeducator certificate and any area(s) of concentration, shall be as established in 282—Chapter 12.

These rules are intended to implement Iowa Code chapter 272.

[Filed 12/24/08, Notice 10/22/08—published 1/14/09, effective 2/18/09]

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[Filed ARC 2529C (Notice ARC 2410C, IAB 2/17/16), IAB 5/11/16, effective 6/15/16]



CHAPTER 1  
ORGANIZATION AND GENERAL ADMINISTRATION

**497—1.1(23) Board description.**

**1.1(1)** The Iowa public information board is established by Iowa Code chapter 23 and consists of nine members, including a chairperson.

**1.1(2)** The term “board” shall mean the Iowa public information board.

**1.1(3)** Board members are appointed by the governor for staggered terms of four years and are subject to confirmation by the senate. No more than three members appointed shall be representatives from the media, including newspapers, and no more than three members appointed shall be representatives of cities, counties, and other political subdivisions of the state.

**1.1(4)** On an annual basis at the board’s first meeting on or after July 1, the members shall elect a chairperson and vice chair. The board shall also employ a person who shall be an attorney admitted to practice law before the courts of Iowa to serve as the executive director of the board. The chairperson and vice chair may be reelected or elected to a different office. If the chairperson is absent, the vice chair shall act as chairperson.

**1.1(5)** Vacancies on the board are filled in the same manner as regular appointments. Appointees who fill vacancies serve for the balance of the term.

**1.1(6)** The board shall meet at least quarterly and at the call of the chairperson.

**1.1(7)** Five board members constitute a quorum for conducting board business.

**1.1(8)** The board is available to assist in achieving compliance with open meetings and public records laws in alternative ways. Information is available on the board’s Web site at <https://ipib.iowa.gov/>. The members of governmental bodies and the public may call the board for informal answers to questions during office hours from 8 a.m. to 4:30 p.m. on Monday through Friday at (515)725-1781. Written guidance about compliance with the open meetings and public records laws may be provided by advisory opinions (see rules 497—1.2(23) and 497—1.3(23)) or by declaratory orders (see rules 497—3.1(17A) to 497—3.8(17A)). In addition, complaints may be filed alleging violations of open meetings or public records laws under rule 497—2.1(23).

This rule is intended to implement Iowa Code chapter 23.

[ARC 0741C, IAB 5/15/13, effective 7/1/13; ARC 1091C, IAB 10/16/13, effective 11/20/13; ARC 2271C, IAB 12/9/15, effective 1/13/16]

**497—1.2(23) Requirements for requesting board advisory opinions.**

**1.2(1) Jurisdiction.** The board will only issue advisory opinions pertaining to Iowa Code chapters 21 and 22, or rules adopted thereunder. The board shall not have jurisdiction over the judicial or legislative branches of state government or any entity, officer, or employee of those branches, or over the governor or the office of the governor.

**1.2(2) Who may request an advisory opinion.** Any person may request a board advisory opinion construing or applying Iowa Code chapters 21, 22, and 23. An authorized agent may seek an opinion on behalf of any person. The board will not issue an opinion to an unauthorized third party. The board may on its own motion issue opinions without receiving a formal request. The board may issue declaratory orders with the force of law pursuant to Iowa Code section 17A.9.

**1.2(3) Form of request.** The request for an advisory opinion shall pose specific legal questions and should describe any specific facts relating to the questions posed. Requests shall be sent to the board as provided in subrule 1.3(1).

This rule is intended to implement Iowa Code section 23.6.

[ARC 0741C, IAB 5/15/13, effective 7/1/13; ARC 2088C, IAB 8/5/15, effective 9/9/15]

**497—1.3(23) Processing of advisory opinion requests.**

**1.3(1)** Requests for board advisory opinions may be mailed to the Iowa Public Information Board, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa 50319. Requests may also be submitted by fax to (515)725-1789 or by e-mail to [ipib@iowa.gov](mailto:ipib@iowa.gov).

**1.3(2)** After receiving an opinion request, the board's executive director shall prepare a draft opinion for board review. If the same or similar issue has been addressed in an opinion of a court, or in an attorney general's opinion, or in another prior advisory opinion, the executive director may respond to the requester by sending a copy of the prior opinion. Upon an affirmative vote of at least five members, the executive director shall issue a board advisory opinion on behalf of the board. Advice contained in a board opinion rendered to a government official or a lawful custodian of a public record, if followed, constitutes a defense for the government official or lawful custodian before the board to a subsequent complaint that is based on the same facts and circumstances. Board staff may also provide written advice on routine matters. However, such advice is not an advisory opinion of the board.

**1.3(3)** A person who receives a board advisory opinion may, within 30 days after the issuance of the opinion, request modification or reconsideration of the opinion. A request for modification or reconsideration shall be deemed denied unless the board acts upon the request within 60 days of receipt of the request. The board may take up modification or reconsideration of an advisory opinion on its own motion within 30 days after the issuance of an opinion. The board aspires to issue an opinion within 30 days after a formal request is made.

**1.3(4)** Board advisory opinions are open records and shall be made available at the board office and via the board's Web site at <https://ipib@iowa.gov/>.

**1.3(5)** Nothing in this rule precludes a person who has received a board opinion or advice from petitioning for a declaratory order pursuant to Iowa Code section 17A.9. The board may refuse to issue a declaratory order to a person who has previously received a board opinion on the same question, unless the requester demonstrates a significant change in circumstances from those in the board opinion.

**1.3(6)** On an annual basis, the board shall review the advisory opinions issued for that year and determine which opinions should be adopted into rule pursuant to the procedures in Iowa Code chapter 17A.

This rule is intended to implement Iowa Code section 23.6.

[ARC 0741C, IAB 5/15/13, effective 7/1/13; ARC 1091C, IAB 10/16/13, effective 11/20/13; ARC 2088C, IAB 8/5/15, effective 9/9/15]

#### **497—1.4(23) Conflict of interest.**

**1.4(1) Definition.** "Conflict of interest" means that a board member, an employee of the board, a board member's immediate family, or an immediate family member of an employee of the board has a significant personal, financial, or employment relationship with: a person who has requested an advisory opinion; a person who has petitioned for a declaratory order; a complainant; or a government employee or official or a governmental body that would be directly impacted by an advisory opinion, a declaratory order, or a complaint. For purposes of this rule, "immediate family" means the same as "immediate family members" in Iowa Code section 68B.2(11).

**1.4(2) Procedures.** As soon as a member of the board or an employee of the board becomes aware of a conflict of interest, the member or employee of the board shall follow these procedures:

*a.* If the conflict is known before a meeting, the member or employee of the board shall fully disclose the interest to the board at the board's next meeting.

*b.* If the conflict is discovered during a meeting, the member or employee of the board shall orally inform the board of the nature of the conflict as soon as the conflict is discovered.

*c.* The board member or employee of the board who has the conflict shall not participate in discussion or vote on any advisory opinion, declaratory order, or complaint. An announced conflict shall be reported in the board's minutes and the minutes shall reflect the matters on which the board member or employee of the board abstained from participating.

**1.4(3) State code of ethics.** Board members and employees of the board shall comply with the state code of ethics found in Iowa Code chapter 68B and in the corresponding administrative rules adopted by the Iowa ethics and campaign disclosure board.

[ARC 0741C, IAB 5/15/13, effective 7/1/13; ARC 2090C, IAB 8/5/15, effective 9/9/15; ARC 2536C, IAB 5/11/16, effective 6/15/16]

This rule is intended to implement Iowa Code sections 23.6 and 68B.2A.

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[Filed Without Notice ARC 1091C, IAB 10/16/13, effective 11/20/13]



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[Filed ARC 2536C (Notice ARC 2364C, IAB 1/20/16), IAB 5/11/16, effective 6/15/16]



CHAPTER 91  
WATERFOWL AND COOT HUNTING SEASONS  
[Prior to 12/31/86, Conservation Commission[290] Ch 107]

**571—91.1(481A) Duck hunting.**

**91.1(1) Zone boundaries.** The following zone boundaries apply in the time frames noted:

*a.* For the 2016-2017 season, the north duck hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River duck hunting zone is that part of Iowa west of Interstate 29 and north of State Highway 175. The south duck hunting zone is the remainder of the state.

*b.* For the 2017-2021 seasons, the north duck hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River duck hunting zone is that part of Iowa west of Interstate 29 and south to the Iowa-Missouri border. The south duck hunting zone is the remainder of the state.

**91.1(2) Season dates - north zone.** Special September teal season: September 3 through September 11. For all ducks: September 24 through October 2 and October 15 through December 4.

**91.1(3) Season dates - south zone.** Special September teal season: September 3 through September 11. For all ducks: October 1 through October 5 and October 22 through December 15.

**91.1(4) Season dates - Missouri River zone.** Special September teal season: September 3 through September 18. For all ducks: October 8 and October 9 and October 22 through December 18.

**91.1(5) Bag limit.** Special September teal season: The daily bag limit is 6 teal of any species. For all ducks: The daily bag limit of ducks is 6, and may include no more than 4 mallards (no more than 2 of which may be females), 1 black duck, 3 wood ducks, 2 pintails, 1 mottled duck, 2 canvasback, 2 redheads, and 3 scaup. The daily bag limit of mergansers is 5, only 2 of which may be hooded mergansers.

**91.1(6) Possession limit.** For the special September teal season and for all ducks: Possession limit is three times the daily bag limit.

**91.1(7) Shooting hours.** For the special September teal season: Shooting hours are sunrise to sunset each day. For all ducks: Shooting hours are one-half hour before sunrise to sunset each day.

[ARC 8106B, IAB 9/9/09, effective 8/18/09; ARC 9055B, IAB 9/8/10, effective 8/16/10; ARC 9720B, IAB 9/7/11, effective 8/19/11; ARC 0307C, IAB 9/5/12, effective 8/15/12; ARC 1003C, IAB 9/4/13, effective 8/15/13; ARC 1614C, IAB 9/3/14, effective 8/15/14; ARC 2129C, IAB 9/2/15, effective 8/13/15; ARC 2526C, IAB 5/11/16, effective 6/15/16]

**571—91.2(481A) Coots (split season).** Same as duck season dates and shooting hours.

**91.2(1) Bag and possession limits.** Daily bag limit is 15 and possession limit is three times the daily bag limit.

**91.2(2) Reserved.**

[ARC 1003C, IAB 9/4/13, effective 8/15/13]

**571—91.3(481A) Goose hunting.**

**91.3(1) Zone boundaries.** The following zone boundaries apply in the time frames noted:

*a.* For the 2016-2017 season, the north goose hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River goose hunting zone is that part of Iowa west of Interstate 29 and north of State Highway 175. The south goose hunting zone is the remainder of the state.

*b.* For the 2017-2021 seasons, the north goose hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri

River goose hunting zone is that part of Iowa west of Interstate 29 and south to the Iowa-Missouri border. The south goose hunting zone is the remainder of the state.

**91.3(2) *Season dates - north zone.*** Dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese): September 24 through October 9 and October 15 through January 4, 2017. Light geese (white and blue-phase snow geese and Ross' geese): September 24 through October 9 and October 15 through January 13, 2017.

**91.3(3) *Season dates - south zone.*** Dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese): October 1 through October 9 and October 22 through January 18, 2017. Light geese (white and blue-phase snow geese and Ross' geese): October 1 through October 9 and October 22 through January 27, 2017.

**91.3(4) *Season dates - Missouri River zone.*** Dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese): October 8 through October 16 and October 22 through January 18, 2017. Light geese (white and blue-phase snow geese and Ross' geese): October 8 through October 16 and October 22 through January 27, 2017.

**91.3(5) *Bag limit.*** The daily bag limit for dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese) is 5 and may include no more than 2 Canada geese from September 24 through October 31 and no more than 3 Canada geese from November 1 through the end of the season. The daily bag limit for light geese (white and blue-phase snow geese and Ross' geese) is 20.

**91.3(6) *Possession limit.*** The possession limit is three times the daily bag limit for Canada geese, brant and white-fronted geese. There is no possession limit for light geese.

**91.3(7) *Shooting hours.*** Shooting hours are one-half hour before sunrise until sunset each day.

**91.3(8) *Light goose conservation order season.*** Only light geese (white and blue-phase snow geese and Ross' geese) may be taken under a conservation order from the U.S. Fish and Wildlife Service from January 28, 2017, through April 15, 2017.

- a. *Zone boundaries.* Statewide.
- b. *Shooting hours.* One-half hour before sunrise to one-half hour after sunset.
- c. *Bag limit.* No bag limit.
- d. *Possession limit.* No possession limit.
- e. *Other regulations.* Methods of take approved by the U.S. Fish and Wildlife Service for hunting light geese during the conservation order season shall be permitted.

**91.3(9) *Cedar Rapids/Iowa City goose hunting zone.***

- a. *Season dates.* September 3 through September 11.
- b. *Bag limit.* Daily bag limit is 5 Canada geese.
- c. *Possession limit.* Three times the daily bag limit.
- d. *Zone boundary.* The Cedar Rapids/Iowa City goose hunting zone includes portions of Linn and Johnson Counties bounded as follows: Beginning at the intersection of the west border of Linn County and Linn County Road E2W; thence south and east along County Road E2W to Highway 920; thence north along Highway 920 to County Road E16; thence east along County Road E16 to County Road W58; thence south along County Road W58 to County Road E34; thence east along County Road E34 to Highway 13; thence south along Highway 13 to Highway 30; thence east along Highway 30 to Highway 1; thence south along Highway 1 to Morse Road in Johnson County; thence east along Morse Road to Wapsi Avenue; thence south along Wapsi Avenue to Lower West Branch Road; thence west along Lower West Branch Road to Taft Avenue; thence south along Taft Avenue to County Road F62; thence west along County Road F62 to Kansas Avenue; thence north along Kansas Avenue to Black Diamond Road; thence west on Black Diamond Road to Jasper Avenue; thence north along Jasper Avenue to Rohert Road; thence west along Rohert Road to Ivy Avenue; thence north along Ivy Avenue to 340th Street; thence west along 340th Street to Half Moon Avenue; thence north along Half Moon Avenue to Highway 6; thence west along Highway 6 to Echo Avenue; thence north along Echo Avenue to 250th Street; thence east on 250th Street to Green Castle Avenue; thence north along Green Castle Avenue to County Road

F12; thence west along County Road F12 to County Road W30; thence north along County Road W30 to Highway 151; thence north along the Linn-Benton County line to the point of beginning.

**91.3(10) *Des Moines goose hunting zone.***

a. *Season dates.* September 3 through September 11.

b. *Bag limit.* Daily bag limit is 5 Canada geese.

c. *Possession limit.* Three times the daily bag limit.

d. *Zone boundary.* The Des Moines goose hunting zone includes those portions of Polk, Warren, Madison and Dallas Counties bounded as follows: Beginning at the intersection of Northwest 158th Avenue and County Road R38 in Polk County; thence south along County Road R38 to Northwest 142nd Avenue; thence east along Northwest 142nd Avenue to Northeast 126th Avenue; thence east along Northeast 126th Avenue to Northeast 46th Street; thence south along Northeast 46th Street to Highway 931; thence east along Highway 931 to Northeast 80th Street; thence south along Northeast 80th Street to Southeast 6th Avenue; thence west along Southeast 6th Avenue to Highway 65; thence south and west along Highway 65 to Highway 69 in Warren County; thence south along Highway 69 to County Road G24; thence west along County Road G24 to Highway 28; thence southwest along Highway 28 to 43rd Avenue; thence north along 43rd Avenue to Ford Street; thence west along Ford Street to Filmore Street; thence west along Filmore Street to 10th Avenue; thence south along 10th Avenue to 155th Street in Madison County; thence west along 155th Street to Cumming Road; thence north along Cumming Road to Badger Creek Avenue; thence north along Badger Creek Avenue to County Road F90 in Dallas County; thence east along County Road F90 to County Road R22; thence north along County Road R22 to Highway 44; thence east along Highway 44 to County Road R30; thence north along County Road R30 to County Road F31; thence east along County Road F31 to Highway 17; thence north along Highway 17 to Highway 415 in Polk County; thence east along Highway 415 to Northwest 158th Avenue; thence east along Northwest 158th Avenue to the point of beginning.

**91.3(11) *Cedar Falls/Waterloo goose hunting zone.***

a. *Season dates.* September 3 through September 11.

b. *Bag limit.* Daily bag limit is 5 Canada geese.

c. *Possession limit.* Three times the daily bag limit.

d. *Zone boundary.* The Cedar Falls/Waterloo goose hunting zone includes those portions of Black Hawk County bounded as follows: Beginning at the intersection of County Roads C66 and V49 in Black Hawk County, thence south along County Road V49 to County Road D38, thence west along County Road D38 to State Highway 21, thence south along State Highway 21 to County Road D35, thence west along County Road D35 to Grundy Road, thence north along Grundy Road to County Road D19, thence west along County Road D19 to Butler Road, thence north along Butler Road to County Road C57, thence north and east along County Road C57 to U.S. Highway 63, thence south along U.S. Highway 63 to County Road C66, thence east along County Road C66 to the point of beginning.

[ARC 8106B, IAB 9/9/09, effective 8/18/09; ARC 9055B, IAB 9/8/10, effective 8/16/10; ARC 9720B, IAB 9/7/11, effective 8/19/11; ARC 0307C, IAB 9/5/12, effective 8/15/12; ARC 1003C, IAB 9/4/13, effective 8/15/13; ARC 1614C, IAB 9/3/14, effective 8/15/14; ARC 2129C, IAB 9/2/15, effective 8/13/15; ARC 2526C, IAB 5/11/16, effective 6/15/16]

**571—91.4(481A) Closed areas.** Waterfowl and coots may be hunted statewide except in specific areas.

**91.4(1) *Waterfowl and coots.*** There shall be no open season for ducks, coots and geese on the east and west county road running through sections 21 and 22, township 70 north, range 43 west, Fremont County; three miles of U.S. Highway 30, located on the south section lines of sections 14, 15, and 16, township 78 north, range 45 west, Harrison County; on the county roads immediately adjacent to, or through, Union Slough National Wildlife Refuge, Kossuth County; Louisa County Road X61 from the E-W centerline of section 29, township 74 north, range 2 west, on the south, to the point where it crosses Michael Creek in section 6, township 74 north, range 2 west, on the north, and also all roads through or adjacent to sections 7, 18, and 19 of this same township and roads through or adjacent to sections 12 and 13, township 74 north, range 3 west; the levee protecting the Green Island Wildlife Area from the Mississippi River in Jackson County wherever the levee is on property owned by the United States or the state of Iowa; certain dikes at Otter Creek Marsh, Tama County, where posted as such; and the NE¼, section 23, and the N½, section 24, all in township 70 north, range 19 west, Appanoose County,

including county roads immediately adjacent thereto; and all privately owned lands in the S½, section 30, township 71 north, range 20 west, Lucas County, including the county road immediately adjacent thereto; Cerro Gordo County Road S14 and its right-of-way, between its junction with U.S. Highway 18 and County Road B-35, and portions of Clear Lake and Ventura Marsh, where posted as such in Cerro Gordo County; that portion of Summit Lake located south of State Highway 25 in the west half of the NW¼ of section 2 (22 acres), and the west half of section 3 (100 acres), T72N, R31W in Union County; and within 300 feet of the center of the Army Road from New Albin to the boat ramp on the Mississippi River in sections 11 and 12, T100N, R4W, and sections 7 and 8, T100N, R3W, as posted.

**91.4(2)** *Canada geese*. There shall be no open season on Canada geese in certain areas described as follows:

*a. Area one.* Portions of Emmet County bounded as follows: Beginning at the northwest corner of section 3, township 98 north, range 33 west; thence east on the county road a distance of five miles; thence south on the county road a distance of three and one-half miles; thence west on the county road a distance of four miles; then continuing west one mile to the southwest corner of the northwest one-quarter of section 22, township 98 north, range 33 west; thence north on the county road to the point of beginning.

*b. Area two.* Portions of Clay and Palo Alto Counties bounded as follows: Beginning at the junction of County Roads N14 and B17 in Clay County, thence south four miles on N14 (including the road right-of-way), thence east one-half mile, thence east one mile on a county road, thence north one mile on a county road, thence east one mile on a county road to County Road N18, thence south and east approximately one mile on N18, thence east one and one-half miles on a Palo Alto County Road, thence north two miles on a county road, thence east approximately one and one-half miles on a county road, thence north two miles on a county road to County Road B17, thence west six miles to the point of beginning.

*c. Area three.* A portion of Dickinson County bounded as follows: Beginning at the junction of State Highways 9 and 86; thence north along State Highway 86 (including the right-of-way) to the Iowa-Minnesota state line; thence east along the Iowa-Minnesota state line approximately 3.5 miles (excluding any road right-of-ways) to 240th Avenue (also known as West Lake Shore Drive in Orleans or Peoria Avenue in Spirit Lake); thence south along 240th Avenue (including the right-of-way) to State Highway 9; thence west along State Highway 9 (including the right-of-way) to the point of beginning.

*d. Area four.* Portions of Winnebago and Worth Counties bounded as follows: Beginning at the junction of U.S. Highway 69 and County Road 105 in the city of Lake Mills; thence east along County Road 105 (including the right-of-way and all other road right-of-ways identified in this description) approximately 2 miles to Apple Ave.; thence south along Apple Ave. to 448th St.; thence east two and one-fourth miles on 448th St. to Cardinal Ave.; thence south one-fourth mile to 445th St.; thence east one-fourth mile to Cedar Ave.; thence south one-half mile on Cedar Ave. to the intersection of Cedar Ave. and 440th St.; thence south one-half mile across the north half of section 16, township 99 north, range 22 west, to the intersection of Cedar Ave. and 435th St.; thence south 2 miles along Cedar Ave. to Lake St.; thence west one-fourth mile along Lake St. to Front St.; thence southeast one-half mile along Front St. to County Road A38 (also named 410th St.); thence west along County Road A38 to County Road R74 (also named 225th Ave.); thence north along County Road R74 to 420th St.; thence west along 420th St. to 220th Ave.; thence north along 220th Ave. to 430th St.; thence west along 430th St. one-half mile; thence north one mile across section 15, township 99 north, range 23 west, to the intersection of 440th St. and 215th Ave.; thence north one-fourth mile on 215th Ave. to 445th St.; thence east and northeast on 445th St. to South 12th Ave. West in Lake Mills; thence east on South 12th Ave. West to South Lake St.; thence north on South Lake St. to point of beginning.

*e. Area five.* On any federal or state-owned lands or waters within the area bounded by the following roads: Beginning at the junction of Lucas County Road S56 and 400th Street; thence west on 400th Street to its intersection with 291st Avenue; thence north on 291st Avenue to its intersection with 410th Street; thence west on 410th Street to its intersection with 280th Avenue; thence north on 280th Avenue to its intersection with 430th Street; thence east on 430th Street to its intersection with 290th Trail; thence south and east on 290th Trail to its intersection with Lucas County Road S56; thence south

on Lucas County Road S56 to the point of beginning, including all federal, state, and county roads through or immediately adjacent thereto.

*f. Area six.* Rescinded IAB 8/31/05, effective 8/11/05.

*g. Area seven.* Portions of Guthrie and Dallas Counties bounded as follows: Beginning at the junction of State Highways 4 and 44 in Panora; thence north along State Highway 4 (including the right-of-way) to County Road F25; thence east along County Road F25 (including the right-of-way) to York Avenue; thence south along York Avenue 1 mile (including the right-of-way) to 170th Street; thence east one-half mile (including the right-of-way) to A Avenue in Dallas County; thence south on A Avenue 5 miles (including the right-of-way) to State Highway 44; thence west along State Highway 44 (including the right-of-way) to the point of beginning.

*h. Area eight.* A portion of Adams County bounded as follows: Beginning at the intersection of State Highway 148 and Adams County Road N28; thence east along Adams County Road N28 (including the right-of-way) to Adams County Road N53; thence east and north along Adams County Road N53 (including the right-of-way) approximately 4.5 miles to Adams County Road H24; thence west along Adams County Road H24 (including the right-of-way) about 8 miles to Hickory Avenue; thence south along Hickory Avenue (including the right-of-way) about 2.5 miles to Adams County Road N28; thence east along Adams County Road N28 (including the right-of-way) to the point of beginning.

*i. Area nine.* Portions of Monona and Woodbury Counties bounded as follows: For the portion in Monona County, beginning at the junction of County Road K42 and 120th Street; thence south along County Road K42 (including the right-of-way and all other road right-of-ways identified in this description) approximately 4 miles; thence south on Berry Avenue approximately 1 mile to 170th Street; thence east along 170th Street to Cork Avenue; thence north along Cork Avenue to County Road K45; thence northwest approximately 2 miles along County Road K45 to 120th Street; thence west along 120th Street to the point of beginning; and for the portion in Woodbury County, beginning at the junction of County Road K42 and Interstate 29; thence northwest along Interstate 29 approximately 6 miles to the intersection with Woodbury County Road K25; thence west approximately 2 miles along Woodbury County Road K25 to the intersection with Port Neal Road; thence continuing along the same westerly line approximately 1 mile on the north border of section 6, township 86 north, range 47 west, to the center of the Missouri River; thence southerly along the Missouri River channel approximately 8 miles to a point where 340th Street meets the Iowa-Nebraska state line on the Missouri River except that portion of Nebraska lying on the east side of the Missouri River; thence east to and along 340th Street approximately 5.5 miles to County Road K42; thence north and east along County Road K42 approximately 1.5 miles to the point of beginning.

*j. Area ten.* Rescinded IAB 9/5/01, effective 8/17/01.

*k. Area eleven.* Starting at the junction of the navigation channel of the Mississippi River and the mouth of the Maquoketa River in Jackson County, proceeding southwesterly along the high-water line on the west side of the Maquoketa River to U.S. Highway 52; thence southeast along U.S. Highway 52 (including the right-of-way) to 607th Avenue; thence east along 607th Avenue (including the right-of-way) to the Sioux Line Railroad; thence north and west along the Sioux Line Railroad to the Green Island levee; thence northeast along a line following the Green Island levee to the center of the navigational channel of the Mississippi River; thence northwest along the center of the navigational channel to the point of beginning.

*l. Area twelve.* Rescinded IAB 8/30/06, effective 8/11/06.

*m. Area thirteen.* Portions of Van Buren County bounded as follows: Beginning at the junction of State Highway 2 and State Highway 1; thence west on State Highway 2 to County Road V64 (including the right-of-way and all other road right-of-ways identified in this description); thence north on County Road V64 to County Road J40; thence east on County Road J40 to State Highway 1; thence south on State Highway 1 to the point of beginning.

*n. Area fourteen.* Portions of Bremer County bounded as follows: Beginning at the intersection of Tahoe Avenue and State Highway 93 (also named 140th Street); thence south along Tahoe Avenue (including the right-of-way and all other road right-of-ways identified in this description) to County Road C33; thence west along County Road C33 to Navaho Avenue; thence north along Navaho Avenue

to State Highway 93; thence west along State Highway 93 to U.S. Highway 63; thence north 3 miles along U.S. Highway 63 to 140th Street; thence east along 140th Street for 2 miles and continuing on a similar east line for 2 more miles along the north borders of sections 28 and 29, township 93 north, range 12 west, to County Road V5C (also named 140th Street); thence east about one-half mile on County Road V5C to State Highway 93; thence east on State Highway 93 to the point of beginning.

*o. Area fifteen.* Portions of Butler County bounded as follows: Beginning at the junction of State Highway 14 and 245th Street; thence south along State Highway 14 (including the right-of-way and all other road right-of-ways identified in this description) to 280th Street; thence west along 280th Street for 3 miles; continuing on a similar westerly line along the south border of section 32, township 91 north, range 17 west, to County Road T25 (also named Hickory Avenue); thence north along County Road T25 to 230th Street; thence east along 230th Street to Jackson Avenue; thence south along Jackson Avenue to 240th Street; thence east along 240th Street to Jackson Avenue; thence south on Jackson Avenue to 245th Street; thence east along 245th Street to the point of beginning.

*p. Area sixteen.* A portion of Union County bounded as follows: Beginning at the intersection of U.S. Highway 34 and County Road P53 near Afton; thence west along U.S. Highway 34 (including the right-of-way and all other road right-of-ways identified in this description) approximately 2.5 miles to Twelve Mile Lake Road; thence north along Twelve Mile Lake Road approximately 5 miles to Union County Road H17; thence north and east along Union County Road H17 to County Road P53; thence south along County Road P53 to the point of beginning.

*q. Area seventeen.* Rescinded IAB 9/1/04, effective 8/13/04.

**91.4(3) Forney Lake.** The entire Forney Lake area, in Fremont County, north of the east-west county road, shall be closed to waterfowl hunting prior to the opening date for taking geese on the area each year.

[ARC 8106B, IAB 9/9/09, effective 8/18/09; ARC 0307C, IAB 9/5/12, effective 8/15/12]

#### **571—91.5(481A) Canada goose hunting within closed areas.**

**91.5(1) Closed areas.** All areas described in subrule 91.4(2).

*a. Purpose.* The hunting of Canada geese in closed areas is being undertaken to allow landowners or tenants who farm in these closed areas to hunt Canada geese on land they own or farm in the closed area.

*b. Criteria.*

(1) Landowners and tenants who own or farm land in the closed areas will be permitted to hunt Canada geese in the closed areas for three years. This experimental hunting opportunity will be evaluated by the landowners and the DNR following each season, at which time changes may be made.

(2) Landowners and those individuals named on the permit according to the criteria specified in paragraph (9) of this subrule will be permitted to hunt in the closed area. Tenants may obtain a permit instead of the landowner if the landowner transfers this privilege to the tenant. Landowners may choose, at their discretion, to include the tenant and those individuals of the tenant's family specified in paragraph (9) of this subrule on their permit. Landowners may assign the permit for their land to any landowner or tenant who owns or farms at least eight acres inside the closed area. Assigned permits must be signed by both the permittee and the landowner assigning the permit.

(3) Landowners must hold title to, or tenants must farm by a rent/share/lease arrangement, at least eight acres inside the closed area to qualify for a permit.

(4) No more than one permit will be issued to corporations, estates, or other legal associations that jointly own land in the closed area. No individual may obtain more than two permits nor may an individual be named as a participant on more than two permits.

(5) Persons holding a permit can hunt with those individuals named on their permit as specified in paragraph (9) of this subrule on any property they own (or rent/share/lease in the case of tenants) in the closed area provided their activity complies with all other regulations governing hunting. Nothing herein shall permit the hunting of Canada geese on public property within the closed area.

(6) Persons hunting under this permit must adhere to all municipal, county, state and federal regulations that are applicable to hunting and specifically applicable to Canada goose hunting including,



but not limited to: daily limits, possession limits, shooting hours, methods of take, and transportation. Hunting as authorized by this rule shall not be used to stir or rally waterfowl.

(7) Hunting within the closed area will be allowed through October 31.

(8) Permit holders will be allowed to take eight Canada geese per year in the closed area.

(9) Permits will be issued only to individual landowners or tenants; however, permit holders must specify, when requesting a permit, the names of all other individuals qualified to hunt on the permit. Individuals qualified to hunt on the permit shall include the landowners or tenants and their spouses, domestic partners, parents, grandparents, children, children's spouses, grandchildren, siblings and siblings' spouses only.

*c. Procedures.*

(1) Permits can be obtained from the local conservation officer at the wildlife unit headquarters within the closed area at announced times, but no later than 48 hours before the first Canada goose season opens. The permit will be issued to an individual landowner or tenant and must list the names of all individuals that may hunt with the permittee. The permit will also contain a description of the property covered by the permit. The permit must be carried by a member of the hunting party whose name is listed on the permit. Conservation officers will keep a record of permittees and locations of properties that are covered by permits.

(2) Eight consecutively numbered tags will be issued with each permit. Geese will be tagged around the leg immediately upon being reduced to possession and will remain tagged until delivered to the person's abode. Within one week of the close of hunting within the closed area during at least the first three years the hunt is permitted, unused tags must be turned in at the wildlife unit headquarters within the closed area or the permittee must report the number of geese killed. Failure to turn in unused tags or report the number of geese killed within the specified time period may result in the permittee's forfeiting the opportunity to hunt within the closed area the following year.

(3) No one may attempt to take Canada geese under this permit unless the person possesses an unused tag for the current year.

(4) No landowner or tenant shall be responsible or liable for violations committed by other individuals listed on the permit issued to the landowner or tenant.

**91.5(2) Reserved.**

[ARC 8106B, IAB 9/9/09, effective 8/18/09; ARC 0307C, IAB 9/5/12, effective 8/15/12]

**571—91.6(481A) Youth waterfowl hunt.** A special youth waterfowl hunt will be held on September 17 and 18 in the north duck hunting zone, September 24 and 25 in the south duck hunting zone, and October 1 and 2 in the Missouri River duck hunting zone. Youth hunters must be residents of Iowa as defined in Iowa Code section 483A.1A and less than 16 years old. Each youth hunter must be accompanied by an adult 18 years old or older. The youth hunter does not need to have a hunting license or stamps. The adult must have a valid hunting license and habitat stamp if normally required to have them to hunt and a state waterfowl stamp. Only the youth hunter may shoot ducks and coots. The adult may hunt for any other game birds for which the season is open. The daily bag and possession limits are the same as for the regular waterfowl season, as defined in rule 571—91.1(481A). All other hunting regulations in effect for the regular waterfowl season apply to the youth hunt.

[ARC 8106B, IAB 9/9/09, effective 8/18/09; ARC 9055B, IAB 9/8/10, effective 8/16/10; ARC 9720B, IAB 9/7/11, effective 8/19/11; ARC 0307C, IAB 9/5/12, effective 8/15/12; ARC 1003C, IAB 9/4/13, effective 8/15/13; ARC 1614C, IAB 9/3/14, effective 8/15/14; ARC 2129C, IAB 9/2/15, effective 8/13/15; ARC 2526C, IAB 5/11/16, effective 6/15/16]

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, and 481A.48.

[Filed 8/29/75]

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## **MEDICINE BOARD[653]**

[Prior to 5/4/88, see Health Department[470], Chs 135 and 136, renamed Medical Examiners Board[653] under the "umbrella" of Public Health Department[641] by 1986 Iowa Acts, ch 1245]  
[Prior to 7/4/07, see Medical Examiners Board[653]; renamed by 2007 Iowa Acts, Senate File 74]

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[Prior to 5/30/01, see 653—Chapter 11]

**653—9.1(147,148) Definitions.**

“*ABMS*” means the American Board of Medical Specialties, which is an umbrella organization for at least 24 medical specialty boards in the United States that assists the specialty boards in developing and implementing educational and professional standards to evaluate and certify physician specialists in the United States. The board recognizes specialty board certification by ABMS.

“*ACGME*” means the Accreditation Council for Graduate Medical Education, an accreditation body that is responsible for accreditation of post-medical school training programs in medicine and surgery in the United States of America. The board approves resident training programs accredited by ACGME.

“*AMA*” means the American Medical Association, a professional organization of physicians and surgeons.

“*Any jurisdiction*” means any state, the District of Columbia or territory of the United States of America or any other nation.

“*Any United States jurisdiction*” means any state, the District of Columbia or territory of the United States of America.

“*AOA*” means the American Osteopathic Association, which is the representative organization for osteopathic physicians (D.O.s) in the United States. The board approves osteopathic medical education programs with AOA accreditation; the board approves AOA-accredited resident training programs in osteopathic medicine and surgery at hospitals for graduates of accredited osteopathic medical schools. The board recognizes specialty board certification by AOA. The board recognizes continuing medical education accredited by the Council on Continuing Medical Education of AOA.

“*Applicant*” means a person who seeks authorization to practice medicine and surgery or osteopathic medicine and surgery in this state by making application to the board.

“*Approved abuse education training program*” means a training program using a curriculum approved by the abuse education review panel of the department of public health or a training program offered by a hospital, a professional organization for physicians, or the department of human services, the department of education, an area education agency, a school district, the Iowa law enforcement academy, an Iowa college or university, or a similar state agency.

“*Board*” means Iowa board of medicine.

“*Board-approved resident training program*” means a hospital-affiliated graduate medical education program accredited by ACGME, AOA, RCPSC, or CFPC at the time the applicant is enrolled in the program.

“*Candidate*” means a person who applies to sit for an examination administered by the board or its designated testing service.

“*Category 1 credit*” means any formal education program which is sponsored or jointly sponsored by an organization accredited for continuing medical education by the Accreditation Council for Continuing Medical Education, the Iowa Medical Society, or the Council on Continuing Medical Education of AOA that is of sufficient scope and depth of coverage of a subject area or theme to form an educational unit and is planned, administered and evaluated in terms of educational objectives that define a level of knowledge or a specific performance skill to be attained by the physician completing the program. Credits designated as formal cognates by the American College of Obstetricians and Gynecologists or as prescribed credits by the American Academy of Family Physicians are accepted as equivalent to category 1 credits.

“*CFPC*” means the College of Family Physicians of Canada, an organization that accredits graduate medical education in family practice in Canada.

“*COMLEX*” means the Comprehensive Osteopathic Medical Licensing Examination that is recognized by the board as the licensure examination that replaced the NBOME examination for graduates of osteopathic medical schools or colleges.

“*Committee*” means the licensure committee of the board.

“*COMVEX-USA*” means the Comprehensive Osteopathic Medical Variable-Purpose Examination for the United States of America. The National Board of Osteopathic Medical Examiners prepares the examination and determines its passing score. A licensing authority in any jurisdiction administers the examination. COMVEX-USA is the current evaluative instrument offered to osteopathic physicians who need to demonstrate current osteopathic medical knowledge.

“*Core credentials*” means those documents that demonstrate the applicant’s identity, medical training and practice history. “Core credentials” includes but is not limited to: medical school diploma, medical school transcript, dean’s letter, examination history, ECFMG certificate, fifth pathway certificate, and postgraduate training verification.

“*Current, active status*” means a license that is in effect and grants the privilege of practicing administrative medicine, medicine and surgery or osteopathic medicine and surgery, as applicable.

“*ECFMG*” means the Educational Commission for Foreign Medical Graduates, an organization that assesses the readiness of foreign medical school graduates to enter ACGME-approved residency programs in the United States of America.

“*Expedited endorsement*” means the process whereby the state issues an unrestricted license to practice medicine to an applicant who holds a valid unrestricted and unlimited license in another jurisdiction through the acceptance of the applicant’s core credentials that have been subject to primary source verification by another jurisdiction’s physician licensing board or other authority using a process substantially similar to Iowa’s process for verifying the authenticity of the applicant’s core credentials.

“*FCVS*” means the Federation Credentials Verification Service, a service under the Federation of State Medical Boards that verifies and stores core credentials for retrieval whenever needed.

“*FLEX*” means the Federation Licensing Examination, a licensure examination used in the past that was approved by the board for graduates with a medical degree.

“*Foreign medical school,*” also known as an “international medical school,” means a medical school that is located outside of any United States jurisdiction.

“*FSMB*” means the Federation of State Medical Boards, the organization of medical boards of the United States of America.

“*Inactive license*” means any license that is not in current, active status. A physician whose license is inactive continues to hold the privilege of licensure in Iowa but may not practice under an inactive Iowa license until the inactive license is reinstated to active status.

“*Incidentally called into this state in consultation with a physician and surgeon licensed in this state*” as set forth in Iowa Code section 148.2(5) means all of the following shall be true:

1. The consulting physician shall be involved in the care of patients in Iowa only at the request of an Iowa-licensed physician.
2. The consulting physician has a license in good standing in another United States jurisdiction.
3. The consulting physician provides expertise and acts in an advisory capacity to an Iowa-licensed physician. The consulting physician may examine the patient and advise an Iowa-licensed physician as to the care that should be provided, but the consulting physician may not personally perform procedures, write orders, or prescribe for the patient.
4. The consulting physician practices in Iowa for a period not greater than 10 consecutive days and not more than 20 total days in any calendar year. Any portion of a day counts as one day.
5. The Iowa-licensed physician requesting the consultation retains the primary responsibility for the management of the patient’s care.

“*Initial license*” means the first permanent license granted to a qualified individual.

“*International medical school,*” also known as a “foreign medical school,” means a medical school that is located outside of any United States jurisdiction.

“*LCME*” means Liaison Committee on Medical Education, an organization that accredits educational institutions granting degrees in medicine and surgery. The board approves programs that are accredited by LCME.

“*LMCC*” means enrollment in the Canadian Medical Register as Licentiate of Medical Council of Canada with a certificate of registration as proof. LMCC requires passing the Medical Council of Canada Examination.

“*Medical degree*” means a degree of doctor of medicine and surgery or osteopathic medicine and surgery or comparable education from a foreign medical school.

“*National Practitioner Data Bank*” is a national data bank of disciplinary actions taken against health professionals, including physicians.

“*NBME*” means the National Board of Medical Examiners, an organization that prepares and administers qualifying examinations, either independently or jointly with other organizations.

“*NBOME*” means the National Board of Osteopathic Medical Examiners, an organization that prepares and administers qualifying examinations for osteopathic physicians.

“*Observer*” means a person who is not enrolled in an Iowa medical school or osteopathic medical school, who observes care to patients in Iowa for a defined period of time and for a noncredit experience, and who is supervised and accompanied by an Iowa-licensed physician as defined in 9.2(3). An observer shall not provide or direct hands-on patient care, regardless of the observer’s level of training or supervision. The supervising physician may authorize an observer to read a chart, observe a patient interview or examination, or witness procedures, including surgery. An observer shall not chart; touch a patient as part of an examination; conduct an interview; order, prescribe or administer medications; make decisions that affect patient care; direct others in providing patient care; or conduct procedures, including surgery. Any of these activities requires licensure to practice in Iowa. An unlicensed physician observer or a medical student observer may touch a patient to verify a physical finding in the immediate presence of a physician but shall not conduct a more inclusive physical examination.

An unlicensed physician observer may:

1. Participate in discussions regarding the care of individual patients, including offering suggestions about diagnosis or treatment, provided the unlicensed physician observer does not direct the care; and

2. Elicit information from a patient provided the unlicensed physician observer does not actually perform a physical examination or otherwise touch the patient.

“*Permanent licensure*” means licensure granted after review of the application and credentials to determine that the individual is qualified to enter into practice. The individual may only practice when the license is in current, active status.

“*Practice*” means the practice of medicine and surgery or osteopathic medicine and surgery.

“*Primary source verification*” means:

1. Verification of the authenticity of documents with the original source that issued the document.
2. Original source verification by another jurisdiction’s physician licensing organization.
3. Original source verification by the FSMB’s Federation Credentials Verification Service.

“*RCPSC*” means the Royal College of Physicians and Surgeons of Canada, an organization that accredits graduate medical education in Canada.

“*Reinstatement*” means the process for returning an inactive license to current, active status.

“*Relinquishment*” means that a person’s permanent license to practice medicine and surgery, osteopathic medicine and surgery, or administrative medicine is deemed abandoned if the person fails to renew or reinstate the license within five years after its expiration. A license that has been relinquished is no longer valid or renewable. Relinquishment is not disciplinary in nature.

“*Resident physician*” means a physician enrolled in an internship, residency or fellowship.

“*Resident training program*” means a hospital-affiliated graduate medical education program that enrolls interns, residents or fellows and may be referred to as a postgraduate training program for purposes of licensure.

“*Service charge*” means the amount charged for making a service available on line and is in addition to the actual fee for a service itself. For example, one who renews a license on line will pay the license renewal fee and a service charge.

“*SPEX*” means Special Licensure Examination prepared by the Federation of State Medical Boards and administered by a licensing authority in any jurisdiction. The passing score on SPEX is 75.

“*Training for chronic pain management*” means required training on chronic pain management identified in 653—Chapter 11.

“*Training for end-of-life care*” means required training on end-of-life care identified in 653—Chapter 11.

“*Training for identifying and reporting abuse*” means training on identifying and reporting child abuse or dependent adult abuse required of physicians who regularly provide primary health care to children or adults, respectively, as specified in 653—Chapter 11. The full requirements on mandatory reporting of child abuse and the training requirements are found in Iowa Code section 232.69; the full requirements on mandatory reporting of dependent adult abuse and the training requirements are found in Iowa Code section 235B.16.

“*Uniform application for physician state licensure*” means a Web-based application that is intended to standardize and simplify the licensure application process for state medical licensure. The Federation of State Medical Boards created and maintains the application. This application is used for all license types issued by the Iowa board of medicine.

“*USMLE*” means the United States Medical Licensing Examination.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 2346C, IAB 1/6/16, effective 2/10/16; ARC 2524C, IAB 5/11/16, effective 6/15/16]

### **653—9.2(147,148) General licensure provisions.**

**9.2(1) Licensure required.** Licensure is required for practice in Iowa as identified in Iowa Code section 148.1; the exceptions are identified in subrule 9.2(2). Provisions for permanent physician licensure are found in this chapter; provisions for resident, special and temporary physician licensure are found in 653—Chapter 10.

**9.2(2) Licensure not required.** The following persons are not required to obtain a license to practice in Iowa:

*a.* Those persons described in Iowa Code sections 148.2(1) to 148.2(5).

(1) A medical student or osteopathic medical student in an international medical school may not take on the role of a medical student in the patient care setting unless the student is enrolled in the University of Iowa’s Carver College of Medicine or in Des Moines University’s College of Osteopathic Medicine; however, an international medical student not enrolled at either of these institutions may be an observer as defined in rule 653—9.1(147,148).

(2) A graduate of an international medical school shall not practice medicine without an Iowa medical license; however, the graduate may be an observer as defined in rule 653—9.1(147,148).

*b.* Those persons who are incidentally called into this state in consultation with a physician or surgeon licensed in this state as described in Iowa Code section 148.2(5) and as defined in rule 653—9.1(147,148).

*c.* Physicians and surgeons who hold a current, active license in good standing in another United States jurisdiction and who come into Iowa on a temporary basis to aid disaster victims at the time of a disaster in accordance with Iowa Code section 29C.6.

*d.* Physicians and surgeons who hold a current, active license in good standing in another United States jurisdiction and who come to Iowa to participate in further medical education may participate in patient care under the request and supervision of the patient’s Iowa-licensed physician in charge of the education. The Iowa-licensed physician shall retain the primary responsibility for management of the patient’s care.

*e.* Physicians and surgeons who hold a current, active license in good standing in another United States jurisdiction and who come into Iowa to serve as expert witnesses as long as they do not provide treatment.

*f.* Physicians and surgeons from out of state who hold a current, active license in good standing in another United States jurisdiction and who accompany one or more individuals into Iowa for the purpose of providing medical care to these individuals on a short-term basis, e.g., a team physician for an out-of-state college football team that comes into Iowa for a game.

*g.* Physicians and surgeons who come to Iowa to observe patient care and who do not provide or direct hands-on patient care.

*h.* Visiting resident physicians who come to Iowa to practice as part of their resident training program if under the supervision of an Iowa-licensed physician. An Iowa physician license is not required of a physician in training if the physician has a resident or permanent license in good standing in the home state of the resident training program. An Iowa temporary license is required of a physician in training if the physician does not hold a resident or permanent physician license in good standing in the home state of the resident training program (see rule 653—10.5(147,148)).

**9.2(3) *Supervision of an observer.*** An Iowa-licensed physician who supervises an observer shall accompany the observer and solicit consent from each patient, where feasible, for the observation. The physician shall inform the patient of the observer's background, e.g., high school student considering a medical career, a medical graduate who is working on licensure. The supervising physician shall ensure that the observer remains within the scope of an observer as defined in rule 653—9.1(147,148).

[ARC 0215C, IAB 7/25/12, effective 8/29/12]

**653—9.3(147,148) Eligibility for permanent licensure.**

**9.3(1) Requirements.** To be eligible for permanent licensure, an applicant shall meet all of the following requirements:

*a.* Fulfill the application requirements specified in rule 653—9.4(147,148), 653—9.5(147,148) or 653—9.6(147,148).

*b.* Hold a medical degree from an educational institution approved by the board at the time the applicant graduated and was awarded the degree.

(1) Educational institutions approved by the board shall be fully accredited by an accrediting agency recognized by the board as schools of instruction in medicine and surgery or osteopathic medicine and surgery and empowered to grant academic degrees in medicine.

(2) The accrediting bodies currently recognized by the board are:

1. LCME for the educational institutions granting degrees in medicine and surgery; and

2. AOA for educational institutions granting degrees in osteopathic medicine and surgery.

(3) If the applicant holds a medical degree from an educational institution not approved by the board at the time the applicant graduated and was awarded the degree, the applicant shall meet one of the following requirements:

1. Hold a valid certificate issued by ECFMG;

2. Have successfully completed a fifth pathway program established in accordance with AMA criteria;

3. Have successfully passed either a basic science examination administered by a United States or Canadian medical licensing authority or SPEX; and have successfully completed three years of resident training in a program approved by the board; and have submitted evidence of five years of active practice without restriction as a licensee of any United States or Canadian jurisdiction; or

4. Have successfully passed either a basic science examination administered by a United States or Canadian medical licensing authority or SPEX; and hold board certification by a specialty board approved by ABMS or AOA; and submit evidence of five years of active practice without restriction as a licensee of any United States or Canadian jurisdiction.

*c.* Have successfully completed one year of resident training in a hospital-affiliated program approved by the board at the time the applicant was enrolled in the program. An applicant who is a graduate of an international medical school shall have successfully completed 24 months of such training.

(1) For those required to have 12 months of training, the program shall have been 12 months of progressive training in not more than two specialties and in not more than two programs approved for resident training by the board. For those required to have 24 months of training, the program shall have been 24 continuous months of progressive training in not more than two specialties and in not more than two programs approved for resident training by the board.

(2) Resident training approved by the board shall be accredited by an accrediting agency recognized by the board for the purpose of accrediting resident training programs.

(3) The board approves resident training programs accredited by:

1. ACGME;
2. AOA;
3. RCPSC; and
4. CFPC.

(4) The board shall accept each 12 months of practice as a special licensee as equivalent to one year of resident training in a hospital-affiliated program approved by the board.

*d.* Pass one of the licensure examinations or combinations as prescribed in rule 653—9.7(147,148).

*e.* A military service applicant or a veteran may apply for credit for verified military education, training, or service toward any experience or educational requirement for permanent licensure under this subrule or may be eligible for permanent licensure through reciprocity as specified in 653—Chapter 18.

**9.3(2) Reserved.**

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.4(147,148) Licensure by examination.**

**9.4(1) Applicant eligibility.** An applicant who has never been licensed in any United States or Canadian jurisdiction shall meet the following requirements to be eligible for permanent licensure by examination.

**9.4(2) Requirements.** To apply for permanent licensure, an applicant shall:

*a.* Pay a nonrefundable initial application fee and fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) as specified in 653—paragraph 8.4(1) “a”; and

*b.* Complete and submit forms provided by the board, including required credentials, documents, a completed fingerprint packet, and a sworn statement by the applicant attesting to the truth of all information provided by the applicant.

*c.* Pass the USMLE, COMLEX, or Medical Council of Canada Examination as prescribed in rule 653—9.7(147,148) and authorize the testing authority to verify scores.

**9.4(3) Application.** The application shall require the following information:

*a.* Full legal name, date and place of birth, home address, mailing address, principal business address, and personal e-mail address regularly used by the applicant or licensee for correspondence with the board.

*b.* A photograph of the applicant suitable for positive identification.

*c.* A statement listing every jurisdiction in which the applicant is or has been authorized to practice, including license numbers and dates of issuance.

*d.* A chronology accounting for all time periods from the date the applicant entered medical school to the date of the application.

*e.* A certified statement of scores on any licensure examination required in rule 653—9.7(147,148) that the applicant has taken in any jurisdiction. An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*f.* A photocopy of the applicant’s medical degree issued by an educational institution.

(1) A complete translation of any diploma not written in English shall be submitted. An official transcript, written in English and received directly from the school, showing graduation from medical school is a suitable alternative.

(2) An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

(3) If a copy of the medical degree cannot be provided because of extraordinary circumstances, the board may accept other reliable evidence that the applicant obtained a medical degree from a specific educational institution.

*g.* A sworn statement from an official of the educational institution certifying the date the applicant received the medical degree and acknowledging what, if any, derogatory comments exist in the institution’s record about the applicant. If a sworn statement from an official of the educational

institution cannot be provided because of extraordinary circumstances, the board may accept other reliable evidence that the applicant obtained a medical degree from a specific educational institution.

*h.* An official transcript, or its equivalent, received directly from the school for every medical school attended if requested by the board. A complete translation of any transcript not written in English shall be submitted if requested by the board. An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*i.* If the educational institution awarding the applicant the degree has not been approved by the board, the applicant shall provide a valid ECFMG certificate or evidence of successful completion of a fifth pathway program in accordance with criteria established by AMA. An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*j.* Documentation of successful completion of resident training approved by the board as specified in paragraph 9.3(1)“c.” An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*k.* Verification of an applicant’s hospital and clinical staff privileges and other professional experience for the past five years if requested by the board.

*l.* A statement disclosing and explaining any informal or nonpublic actions, warnings issued, investigations conducted, or disciplinary actions taken, whether by voluntary agreement or formal action, by a medical or professional regulatory authority, an educational institution, a training or research program, or a health facility in any jurisdiction.

*m.* A statement of the applicant’s physical and mental health, including full disclosure and a written explanation of any dysfunction or impairment which may affect the ability of the applicant to engage in practice and provide patients with safe and healthful care.

*n.* A statement disclosing and explaining the applicant’s involvement in civil litigation related to practice in any jurisdiction. Copies of the legal documents may be requested if needed during the review process.

*o.* A statement disclosing and explaining any charge of a misdemeanor or felony involving the applicant filed in any jurisdiction, whether or not any appeal or other proceeding to have the conviction or plea set aside is pending.

*p.* A completed fingerprint packet to facilitate a national criminal history background check. The fee for the evaluation of the fingerprint packet and the DCI and FBI criminal history background checks will be assessed to the applicant.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 1187C, IAB 11/27/13, effective 1/1/14; ARC 2524C, IAB 5/11/16, effective 6/15/16]

### **653—9.5(147,148) Licensure by endorsement.**

**9.5(1) Applicant eligibility.** An applicant who has been licensed in any United States jurisdiction or Canada shall meet one of the following requirements to be eligible for permanent licensure by endorsement.

*a.* Applicants who have been licensed for at least five years may meet expedited endorsement requirements set forth in rule 653—9.6(147,148).

*b.* An M.D. applicant who has been licensed in any United States jurisdiction or Canada shall meet the licensure examination requirements in effect in Iowa at the time of original licensure if the examination precedes USMLE. An M.D. applicant who has been licensed in any United States jurisdiction or Canada based on USMLE shall meet the requirements in rule 653—9.7(147,148). The applicant shall authorize the appropriate testing authority to verify scores obtained on the examination as specified in this rule.

*c.* A D.O. applicant who has been licensed in any United States jurisdiction shall meet the licensure examination requirements in effect in Iowa at the time of original licensure if the examination precedes USMLE or COMLEX, whichever is applicable. A D.O. applicant who has been licensed in any United States jurisdiction based on USMLE or COMLEX shall meet the requirements in rule 653—9.7(147,148). The applicant shall authorize the appropriate testing authority to verify scores obtained on the examination as specified in this rule.

**9.5(2) Requirements.** To apply for permanent licensure, an applicant shall:

*a.* Pay a nonrefundable initial application fee and fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) as specified in 653—paragraph 8.4(1) “*a*”; and

*b.* Complete and submit forms provided by the board, including required credentials, documents, a completed fingerprint packet, and a sworn statement by the applicant attesting to the truth of all information provided by the applicant.

**9.5(3) Application.** The application shall require the following information:

*a.* Full legal name, date and place of birth, home address, mailing address, principal business address, and personal e-mail address regularly used by the applicant or licensee for correspondence with the board.

*b.* A photograph of the applicant suitable for positive identification.

*c.* A statement listing every jurisdiction in which the applicant is or has been authorized to practice, including license numbers and dates of issuance.

*d.* A chronology accounting for all time periods from the date the applicant entered medical school to the date of the application.

*e.* A certified statement of scores on any examination required in rule 653—9.7(147,148) that the applicant has taken in any jurisdiction. An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*f.* A photocopy of the applicant’s medical degree issued by an educational institution.

(1) A complete translation of any diploma not written in English shall be submitted. An official transcript, written in English and received directly from the school, showing graduation from medical school is a suitable alternative.

(2) An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

(3) If a copy of the medical degree cannot be provided because of extraordinary circumstances, the board may accept other reliable evidence that the applicant obtained a medical degree from a specific educational institution.

*g.* A sworn statement from an official of the educational institution certifying the date the applicant received the medical degree and acknowledging what, if any, derogatory comments exist in the institution’s record about the applicant. If a sworn statement from an official of the educational institution cannot be provided because of extraordinary circumstances, the board may accept other reliable evidence that the applicant obtained a medical degree from a specific educational institution.

*h.* An official transcript, or its equivalent, received directly from the school for every medical school attended if requested by the board. A complete translation of any transcript not written in English shall be submitted if requested by the board. An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*i.* If the educational institution awarding the applicant the degree has not been approved by the board, the applicant shall provide a valid ECFMG certificate or evidence of successful completion of a fifth pathway program in accordance with criteria established by AMA. An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*j.* Documentation of successful completion of resident training approved by the board as specified in paragraph 9.3(1) “*c.*” An official FCVS Physician Information Profile that supplies this information for the applicant is a suitable alternative.

*k.* Verification of an applicant’s hospital and clinical staff privileges and other professional experience for the past five years if requested by the board.

*l.* A statement disclosing and explaining any informal or nonpublic actions, warnings issued, investigations conducted, or disciplinary actions taken, whether by voluntary agreement or formal action, by a medical or professional regulatory authority, an educational institution, a training or research program, or a health facility in any jurisdiction.



*m.* A statement of the applicant's physical and mental health, including full disclosure and a written explanation of any dysfunction or impairment which may affect the ability of the applicant to engage in practice and provide patients with safe and healthful care.

*n.* A statement disclosing and explaining the applicant's involvement in civil litigation related to practice in any jurisdiction. Copies of the legal documents may be requested if needed during the review process.

*o.* A statement disclosing and explaining any charge of a misdemeanor or felony involving the applicant filed in any jurisdiction, whether or not any appeal or other proceeding to have the conviction or plea set aside is pending.

*p.* A completed fingerprint packet to facilitate a national criminal history background check. The fee for the evaluation of the fingerprint packet and the DCI and FBI criminal history background checks will be assessed to the applicant.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 1187C, IAB 11/27/13, effective 1/1/14; ARC 2524C, IAB 5/11/16, effective 6/15/16]

### **653—9.6(147,148) Licensure by expedited endorsement.**

**9.6(1) Applicant eligibility.** An applicant who has been licensed in any United States jurisdiction or Canada for more than five years shall meet the following requirements to be eligible for permanent licensure by expedited endorsement.

**9.6(2) Requirements.** To apply for permanent licensure by expedited endorsement, an applicant shall:

*a.* Pay a nonrefundable initial application fee and fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) as specified in 653—paragraph 8.4(1) "a"; and

*b.* Complete and submit forms provided by the board, including required credentials, documents, a completed fingerprint packet, and a sworn statement by the applicant attesting to the truth of all information provided by the applicant.

*c.* Meet the eligibility requirements set forth in subrule 9.3(1).

*d.* Be licensed in at least one other United States jurisdiction or Canadian province.

*e.* Hold an unrestricted license in every jurisdiction in which the applicant is licensed.

*f.* Have no formal disciplinary actions; no active or pending investigations; no past, pending, public or confidential restrictions or sanctions by a board of medicine, licensing authority, medical society, professional society, hospital, medical school, federal agency, or institution staff sanctions in any state, country or jurisdiction.

*g.* Hold current specialty board certification by an ABMS or AOA specialty board. Lifetime certification is excluded.

*h.* Have been engaged in continuous, active practice within the five years immediately preceding the date of submitting an application for licensure. Continuous, active practice includes private practice, employment in a hospital or clinical setting, employment by any governmental entity in community or public health, or practice of administrative, academic or research medicine. Continuous, active practice does not include residency, fellowship or postgraduate training of any kind.

**9.6(3) Application.** The application shall require the following information:

*a.* Full legal name, date and place of birth, home address, mailing address, principal business address, and personal e-mail address regularly used by the applicant or licensee for correspondence with the board.

*b.* A photograph of the applicant suitable for positive identification.

*c.* A statement listing every jurisdiction in which the applicant is or has been authorized to practice, including license numbers and dates of issuance.

*d.* A chronology accounting for all time periods from the date the applicant entered medical school to the date of the application.

*e.* Verification of an applicant's hospital and clinical staff privileges and other professional experience for the past five years if requested by the board.

*f.* A statement disclosing and explaining any informal or nonpublic actions, warnings issued, investigations conducted, or disciplinary actions taken, whether by voluntary agreement or formal action, by a medical or professional regulatory authority, an educational institution, a training or research program, or a health facility in any jurisdiction.

*g.* A statement of the applicant's physical and mental health, including full disclosure and a written explanation of any dysfunction or impairment which may affect the ability of the applicant to engage in practice and provide patients with safe and healthful care.

*h.* A statement disclosing and explaining the applicant's involvement in civil litigation related to practice in any jurisdiction. Copies of the legal documents may be requested if needed during the review process.

*i.* A statement disclosing and explaining any charge of a misdemeanor or felony involving the applicant filed in any jurisdiction, whether or not any appeal or other proceeding to have the conviction or plea set aside is pending.

*j.* A completed fingerprint packet to facilitate a national criminal history background check. The fee for the evaluation of the fingerprint packet and the DCI and FBI criminal history background checks will be assessed to the applicant.

NOTE: The board reserves the right to request information listed in rule 653—9.5(147,148). [ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 1187C, IAB 11/27/13, effective 1/1/14; ARC 2524C, IAB 5/11/16, effective 6/15/16]

### **653—9.7(147,148) Licensure examinations.**

#### **9.7(1) USMLE.**

*a.* The USMLE is a joint program of FSMB and the NBME. The USMLE is a multipart examination consisting of Step 1, Step 2, and Step 3. Steps 1 and 2 are administered by NBME and ECFMG. The board contracts with FSMB for the administration of Step 3. USMLE Steps 1 and 2 were implemented in 1992; Step 3 was implemented in 1994.

*b.* Since 1999, Step 3 is a computerized examination offered at testing centers in the Des Moines area and other locations around Iowa and the United States.

*c.* Applications are available at Department of Examination Services, FSMB, 400 Fuller Wiser Road, Suite 300, Eules, Texas 76039, or [www.fsmb.org](http://www.fsmb.org).

*d.* Candidates who meet the following requirements are eligible to take USMLE Step 3:

(1) Submit a completed application form and pay the required examination fee as specified in rule 653—8.3(147,148,272C).

(2) Document successful completion of USMLE Steps 1 and 2 in accordance with the requirements of NBME. Graduates of a foreign medical school shall meet the requirements of ECFMG.

(3) Document holding a medical degree from a board-approved educational institution. If a candidate holds a medical degree from an educational institution not approved by the board at the time the applicant graduated and was awarded the degree, the candidate shall meet the requirements specified in subparagraph 9.3(1)“b”(3).

(4) Document successful completion of a minimum of seven calendar months of resident training in a program approved by the board at the time of the application for Step 3 or enrollment in a resident training program approved by the board at the time of the application for Step 3.

*e.* The following conditions shall apply to applicants for licensure in Iowa who utilize USMLE as the licensure examination.

(1) Passing Steps 1, 2, and 3 is required within a ten-year period beginning with the date of passing either Step 1 or Step 2, whichever occurred first. Board certification by the ABMS or AOA is required if the applicant was not able to pass Steps 1, 2, and 3 within the required time as specified in this paragraph.

(2) Step 3 may be taken and passed only after Steps 1 and 2 are passed.

(3) A score of 75 or better on each step shall constitute a passing score on that step.

(4) Each USMLE step must be passed individually, and individual step scores shall not be averaged to compute an overall score.

(5) A failure of any USMLE step, regardless of the jurisdiction for which it was taken, shall be considered a failure of that step for the purposes of Iowa licensure.

(6) Successful completion of a progressive three-year resident training program is required if the applicant passes the examination after more than six attempts on Step 1 or six attempts on Step 2 CK and Step 2 CS combined or three attempts on Step 3.

*f.* Any candidate deemed eligible to sit for USMLE Step 3 is required to adhere to the examination procedures and protocol established by FSMB and NBME in the following publications: USMLE Test Administration Standards and Policies and Procedures Regarding Indeterminate Scores and Irregular Behavior, FSMB, 400 Fuller Wiser Road, Suite 300, Eules, Texas 76039.

**9.7(2) NBME.**

*a.* NBME Part Examinations (Parts I, II, and III) were first administered in 1916. The last regular administration of Part I occurred in 1991, Part II in April 1992, and Part III in May 1994.

*b.* Successful completion of NBME Parts I, II, and III was a requirement for NBME certification.

*c.* A score of 75 or better on each part shall constitute a passing score on that part.

**9.7(3) FLEX.**

*a.* From 1968 to 1985, (Old) FLEX was a three-day examination. Day 1 covered basic science; Day 2 covered clinical science; and Day 3 covered clinical competency. Applicants who took Old FLEX shall provide evidence of successful achievement of at least two of the following:

(1) Certification under seal that the applicant passed FLEX with a FLEX-weighted average of 75 percent or better, as determined by the state medical licensing authority, in no more than two sittings.

(2) Verification under seal of medical licensure in the state that administered the examination.

(3) Evidence of current certification by an American specialty board approved or recognized by the Council of Medical Education of AMA, ABMS, or AOA.

*b.* From 1985 to 1994, (New) FLEX replaced the Old FLEX. New FLEX was a three-day nationally standardized examination consisting of two, one and one-half day components referred to as Component I (basic and clinical science principles and mechanisms underlying disease and modes of therapy) and Component II (knowledge and cognitive abilities required of a physician assuming independent responsibility for the general delivery of medical care to patients). The last regular administration of both components of New FLEX occurred in 1993. Two special administrations of New FLEX Component I were offered in 1994 to examinees who passed Component II but not Component I prior to 1994. To be eligible for permanent licensure, the candidate must have passed both components in Iowa with a FLEX score of 75 or better within a seven-year period beginning with the date of initial examination.

(1) Candidates who took the FLEX for the first time were required to take both components during the initial sitting. A candidate who failed either or both components must have repeated and passed the component failed, though Component II could only be repeated if the candidate had received a passing score of 75 percent or better on Component I.

(2) Eligible candidates were permitted to sit for the initial examination and reapply to the board to repeat a failed component or complete the entire examination two additional times. However, candidates who failed either or both components three times were required to wait one year, during which time the candidate was encouraged to obtain additional training, before being permitted to sit two additional times for either or both components of the FLEX.

**9.7(4) Combination examination sequences.** To accommodate individuals who had already passed some part of the NBME Parts or FLEX before implementation of the USMLE, the USMLE program recommended and the board approved the following licensing combinations of examinations for licensure only if completed prior to January 1, 2000. These combinations are now only acceptable from an applicant who already holds a license from any United States jurisdiction.

*a.* FLEX Component I plus USMLE Step 3 with a passing score of 75 or better on each examination;

*b.* NBME Part I or USMLE Step 1 plus NBME Part II or USMLE Step 2 plus FLEX Component II with a passing score of 75 or better on each examination; or

c. NBME Part I or USMLE Step 1 plus NBME Part II or USMLE Step 2 plus NBME Part III or USMLE Step 3 with a passing score of 75 or better on each examination.

**9.7(5) Examinations for graduates of board-approved colleges of osteopathic medicine and surgery.**

*a. COMLEX.*

(1) COMLEX is a three-level examination that replaced the three-part NBOME examination. COMLEX Level 3 was first administered in February 1995; Level 2 was first administered in March 1997; and Level 1 was first administered in June 1998. All three examinations must be successfully completed in sequential order within ten years of the successful completion of COMLEX Level 1. Board certification by the ABMS or AOA is required if the applicant was not able to pass Levels 1, 2, and 3 within the required time as specified in this paragraph.

(2) A standard score of 400 on Level 1 or Level 2 is required to pass the examination. A standard score of 350 on Level 3 is required to pass the examination.

(3) A candidate shall have successfully completed a minimum of seven calendar months of resident training in a program approved by the board at the time of the application for Level 3 or enrollment in a resident training program approved by the board at the time of the application for Level 3.

(4) Successful completion of a progressive three-year resident training program is required if the applicant passes the examination after more than six attempts on Level 1 or six attempts on Level 2 CE and Level 2 PF combined or three attempts on Level 3.

(5) Each COMLEX level must be passed individually, and individual level scores shall not be averaged to compute an overall score.

(6) Level 3 may be taken and passed only after Levels 1 and 2 are passed.

(7) A failure of any COMLEX level, regardless of the jurisdiction for which it was taken, shall be considered a failure of that level for the purposes of Iowa licensure.

*b. NBOME.* The board accepts a passing score on the NBOME licensure examination for graduates of colleges of osteopathic medicine and surgery in any United States jurisdiction.

(1) NBOME was a three-part examination. All three parts must have been successfully completed in sequential order within seven years of the successful completion of NBOME Part 1.

(2) A passing score is required on each part of the examination.

(3) A candidate shall have successfully completed a minimum of seven calendar months of resident training in a program approved by the board at the time of the application for NBOME Part 3. Candidates shall have completed their resident training by the last day of the month in which the examination was taken.

(4) Successful completion of a three-year resident training program is required if the applicant passes the examination after more than six attempts on Part 1 or six attempts on Part 2 or three attempts on Part 3.

(5) Each NBOME part must have been passed individually, and individual part scores shall not be averaged to compute an overall score.

(6) Part 3 must have been taken and passed only after Parts 1 and 2 were passed.

(7) A failure of any NBOME part, regardless of the jurisdiction for which it was taken, shall be considered a failure of that part for the purposes of Iowa licensure.

**9.7(6) LMCC.**

*a.* The board accepts toward Iowa licensure a verification of a Licentiate's registration with the Medical Council of Canada, based on passing the Medical Council of Canada Examination.

*b.* The Medical Council of Canada may be contacted at P.O. Box/CP 8234, Station 'T', Ottawa, Ontario, Canada K1G 3H7 or (613)521-9417.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.8(147,148) Permanent licensure application review process.** The process below shall be utilized to review each application. Priority shall be given to processing a licensure application when a written request is received in the board office from an applicant whose practice will primarily involve

provision of services to underserved populations, including but not limited to persons who are minorities or low-income or who live in rural areas.

**9.8(1)** An application for initial licensure shall be considered open from the date the application form is received in the board office with the nonrefundable initial licensure fee.

**9.8(2)** After reviewing each application, staff shall notify the applicant about how to resolve any problems. An applicant shall provide additional information when requested by staff or the board. Staff shall refer an expedited endorsement applicant to the process for licensure by endorsement or to the committee if:

*a.* The applicant does not meet the requirements set forth in rule 653—9.6(147,148) for expedited endorsement; or

*b.* Staff has reasonable concerns about the accuracy or thoroughness of another jurisdiction's licensing process.

**9.8(3)** If the final review indicates no questions or concerns regarding the applicant's qualifications for licensure, staff may administratively grant the license. The staff may grant the license without having received a report on the applicant from the FBI.

**9.8(4)** If the final review indicates questions or concerns that cannot be remedied by continued communication with the physician, the executive director, director of licensure and director of legal affairs shall determine if the questions or concerns indicate any uncertainty about the applicant's current qualifications for licensure.

*a.* If there is no current concern, staff shall administratively grant the license.

*b.* If any concern exists, the application shall be referred to the committee.

**9.8(5)** Staff shall refer to the committee for review matters which include but are not limited to: falsification of information on the application, criminal record, malpractice, substance abuse, competency, physical or mental illness, or professional disciplinary history.

**9.8(6)** If the committee is able to eliminate questions or concerns without dissension from staff or a committee member, the committee may direct staff to grant the license administratively.

**9.8(7)** If the committee is not able to eliminate questions or concerns without dissension from staff or a committee member, the committee shall recommend that the board:

*a.* Request an investigation;

*b.* Request that the applicant appear for an interview;

*c.* If the physician has not engaged in active clinical practice in the past three years in any jurisdiction of the United States or Canada, require an applicant to:

(1) Successfully pass a competency evaluation approved by the board;

(2) Successfully pass SPEX, COMVEX-USA, or another examination approved by the board;

(3) Successfully complete a retraining program arranged by the physician and approved in advance by the board; or

(4) Successfully complete a reentry to practice program or monitoring program approved by the board.

*d.* Grant a license;

*e.* Grant a license under certain terms and conditions or with certain restrictions;

*f.* Request that the applicant withdraw the licensure application; or

*g.* Deny a license.

**9.8(8)** The board shall consider applications and recommendations from the committee and shall:

*a.* Request further investigation;

*b.* Require that the applicant appear for an interview;

*c.* If the physician has not engaged in active clinical practice in the past three years in any jurisdiction of the United States or Canada, require an applicant to:

(1) Successfully pass a competency evaluation approved by the board;

(2) Successfully pass SPEX, COMVEX-USA, or another examination approved by the board;

(3) Successfully complete a retraining program arranged by the physician and approved in advance by the board; or

(4) Successfully complete a reentry to practice program or monitoring program approved by the board.

- d. Grant a license;
- e. Grant a license under certain terms and conditions or with certain restrictions;
- f. Request that the applicant withdraw the licensure application; or
- g. Deny a license. The board may deny a license for any grounds on which the board may discipline a license. The procedure for appealing a license denial is set forth in rule 653—9.15(147,148). [ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.9(147,148) Licensure application cycle.**

**9.9(1) Failure to submit application materials.** If the applicant does not submit all materials, including a completed fingerprint packet, within 90 days of the board's initial request for further information, the application shall be considered inactive. The board office shall notify the applicant of this change in status.

**9.9(2) Reactivation of the application.** To reactivate the application, an applicant shall submit a nonrefundable fee for reactivation of the application as specified in 653—paragraph 8.4(1) "b" and shall update credentials.

a. The period for requesting reactivation is limited to 90 days from the date the applicant is notified that the application is inactive, unless the applicant is granted an extension in writing by the committee or the board.

b. The period for reactivation of application shall extend 90 days from the date the request and fee are received in the board office. During this period, the applicant shall update credentials and submit the remaining requested materials unless granted an extension in writing by the committee or the board.

c. Once the reactivation period expires, the application for licensure is withdrawn and the applicant must reapply and submit a new nonrefundable application fee and a new application, documents and credentials.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.10(147,148) Discretionary board actions on licensure applications.** As circumstances warrant, the board may determine that any applicant for licensure is subject to the following:

**9.10(1)** The board may impose limits or restrictions on the practice of any applicant once licensed in this state that are equal in force to the limits or restrictions imposed on the applicant by any jurisdiction.

**9.10(2)** The board may defer final action on an application for licensure if there is an investigation or disciplinary action pending against an applicant in any jurisdiction until such time as the board is satisfied that licensure of the applicant poses no risk to the health and safety of Iowans.

**9.10(3)** The board is not precluded from taking disciplinary action after licensure is granted related to issues that arose in the licensure application process.

[ARC 8554B, IAB 3/10/10, effective 4/14/10]

**653—9.11(147,148) Issuance of a permanent license.**

**9.11(1) Issuance.** Upon the granting of permanent licensure, staff shall issue an original license to practice that shall expire on the first day of the licensee's birth month.

a. Licenses of persons born in even-numbered years shall expire in an even-numbered year, and licenses of persons born in odd-numbered years shall expire in an odd-numbered year.

b. The license shall not be issued for a period less than two months or greater than two years and two months, in accordance with the licensee's month and year of birth.

c. When a resident physician receives a permanent Iowa license, the resident physician license shall immediately become inactive.

d. When a physician with a special license receives a permanent Iowa license, the special license shall immediately become inactive.

e. When a physician with a permanent Iowa license receives an Iowa administrative medicine license, the permanent Iowa license shall immediately become inactive.

**9.11(2) *Display of license.*** The original permanent license shall be displayed in the licensee's primary location of practice.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.12(147,148) Notification required to change the board's data system.**

**9.12(1) *Change of contact information.*** A licensee shall notify the board of any change in the home address, the address of the place of practice, home or practice telephone number, or personal e-mail address regularly used by the applicant or licensee for correspondence with the board within one month of the change.

**9.12(2) *Change of name.*** A licensee shall notify the board of any change in name within one month of making the name change. Notification requires a notarized copy of a marriage license or a notarized copy of court documents.

**9.12(3) *Deceased.*** A licensee file shall be closed and labeled "deceased" when the board receives a copy of the physician's death certificate or other reliable information of the licensee's death.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.13(147,148) Renewal of a permanent license.**

**9.13(1) *Renewal notice.*** Staff shall send a renewal notice to each licensee at least 60 days prior to the expiration of the license. The renewal notice may be sent by e-mail or by regular mail at the discretion of staff. If e-mail is used for notification of licensure renewal, the notice shall be sent to the personal e-mail address specified in subrule 9.12(1).

**9.13(2) *Licensee obligation.*** The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of responsibility for renewing that license.

**9.13(3) *Renewal application requirements.*** A licensee seeking renewal shall submit a completed renewal application; information on continuing education, training on chronic pain management, training on end-of-life care, and training on identifying and reporting abuse; and the required fee prior to the expiration date on the current license.

*a. Renewal fee.*

(1) The fees for renewal made via paper application or via on-line application are specified in 653—subparagraph 8.4(1) "c"(1) and are assessed per biennial period or a prorated portion thereof if the current license was issued for a period of less than 24 months.

(2) There is no renewal fee due for a physician who was on active duty in the U.S. armed forces, reserves or national guard during the renewal period. "Active duty" means full-time training or active service in the U.S. armed forces, reserves or national guard.

(3) A physician who fails to renew before the expiration of the license shall be charged a penalty fee as set forth in 653—paragraph 8.4(1) "d."

*b. The requirements for continuing education and training on identifying and reporting abuse are found in 653—Chapter 11.*

*c. The first renewal fee shall be prorated on a monthly basis according to the date of issuance and the physician's month and year of birth, if the original permanent license was issued for a period of less than 24 months.*

**9.13(4) *Issuance of a renewal.*** Upon receiving the completed renewal application, staff shall administratively issue a two-year license that expires on the first day of the licensee's birth month. In the event the board receives adverse information on the renewal application, the board shall issue the renewal license but may refer the adverse information for further consideration.

**9.13(5) *Renewal penalties.*** If the licensee fails to submit the renewal application and renewal fee prior to the expiration date on the current license, the licensee shall be charged a penalty fee as set forth in 653—paragraph 8.4(1) "d."

**9.13(6) *Failure to renew.*** Failure of the licensee to renew a license within two months following its expiration date shall cause the license to become inactive and invalid. A licensee whose license

is invalid or inactive is prohibited from practice until the license is reinstated in accordance with rule 653—9.15(147,148).

*a.* In order to ensure that the license will not become inactive when a paper renewal form is used, the completed renewal application and appropriate fees must be received in the board office by the fifteenth of the month prior to the month the license becomes inactive. For example, a licensee whose license expires on January 1 has until March 1 to renew the license or the license becomes inactive and invalid. The licensee must submit and the board office must receive the renewal materials prior to or on February 15 to ensure that the license will be renewed prior to becoming inactive and invalid on March 1.

*b.* In order to ensure that the license will not become inactive when on-line renewal is used, the licensee must complete the on-line renewal prior to midnight of the last day of the month in the month after the expiration date on the license. For example, a licensee whose license expiration date is January 1 must complete the on-line renewal before midnight on the last day of February; the license becomes inactive and invalid at 12:01 a.m. on March 1.

**9.13(7) *Display of license.*** Renewal licenses shall be displayed along with the original permanent license in the primary location of practice.

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 0871C, IAB 7/24/13, effective 8/28/13; ARC 2524C, IAB 5/11/16, effective 6/15/16]

### **653—9.14(147,148) Inactive status and reinstatement of a permanent license.**

**9.14(1) *Definition of inactive status.*** An inactive license is any license that is not a current, active license.

*a.* “Inactive status” may include licenses formerly known as delinquent, lapsed, or retired.

*b.* A physician with an inactive license may not practice medicine until the license is reinstated to current, active status.

*c.* A physician whose license is inactive continues to hold the privilege of licensure in Iowa but may not practice medicine under an Iowa license until the license is reinstated to current, active status. A licensee who practices under an Iowa license when the license is inactive may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, or other available legal remedies.

**9.14(2) *Mechanisms for becoming inactive.*** A licensee seeking to become inactive may do so by submitting a written request to the board office or by failing to renew a license by the first day of the third month after the expiration date. For example, a licensee whose license expires on January 1 will be considered inactive if the license is not renewed by March 1.

**9.14(3) *Fee.*** There is no fee to become inactive.

[ARC 8554B, IAB 3/10/10, effective 4/14/10]

### **653—9.15(147,148) Reinstatement of an unrestricted Iowa license.**

**9.15(1) *Reinstatement within one year of the license’s becoming inactive.*** An individual whose license is in inactive status for up to one year and who wishes to reinstate the license shall submit a completed renewal application; the reinstatement fee; documentation of continuing education; and, if applicable, documentation on training on chronic pain management, end-of-life care, and identifying and reporting abuse. All of the information shall be received in the board office within one year of the license’s becoming inactive for the applicant to reinstate under this subrule. For example, a physician whose license became inactive on March 1 has until the last day of the following February to renew under this subrule.

*a.* *Fee for reinstatement of an unrestricted Iowa license within one year of the license’s becoming inactive.* The reinstatement fee is specified in 653—paragraph 8.4(1)“g” when the license in the most recent license period had been granted for less than 24 months; in that case, the reinstatement fee is prorated according to the date of issuance and the physician’s month and year of birth.

*b.* *Continuing education and training requirements.* The requirements for continuing education, training on chronic pain management, training on end-of-life care, and training on identifying and



reporting abuse are found in 653—Chapter 11. Applicants for reinstatement shall provide documentation of having completed:

(1) The number of hours of category 1 credit needed for renewal in the most recent license period. None of the credits obtained in the inactive period may be carried over to a future license period; and

(2) Training on chronic pain management, end-of-life care, and identifying and reporting abuse, if applicable, within the previous five years.

*c. Issuance of a reinstated license.* Upon receiving the completed application, staff shall administratively issue a license that expires on the renewal date that would have been in effect if the licensee had renewed the license before the license expired.

*d. Reinstatement application process.* The applicant who fails to submit all reinstatement information required within 365 days of the license's becoming inactive shall be required to meet the reinstatement requirements of 9.15(2). For example, if a physician's license expires on January 1, the completed reinstatement application is due in the board office by December 31, in order to meet the requirements of this subrule.

**9.15(2) Reinstatement of an unrestricted Iowa license that has been inactive for one year or longer.** An individual whose license is in inactive status and who has not submitted a reinstatement application that was received by the board within one year of the license's becoming inactive shall follow the application cycle specified in this rule and shall satisfy the following requirements for reinstatement:

*a.* Submit an application for reinstatement to the board upon forms provided by the board. The application shall require the following information:

(1) Full legal name, date and place of birth, license number, home address, mailing address, principal business address, and personal e-mail address regularly used by the applicant or licensee for correspondence with the board;

(2) A chronology accounting for all time periods from the date of initial licensure;

(3) Every jurisdiction in which the applicant is or has been authorized to practice including license numbers and dates of issuance;

(4) Verification of the applicant's hospital and clinical staff privileges, and other professional experience for the past five years if requested by the board;

(5) A statement disclosing and explaining any warnings issued, investigations conducted or disciplinary actions taken, whether by voluntary agreement or formal action, by a medical or professional regulatory authority, an educational institution, training or research program, or health facility in any jurisdiction;

(6) A statement of the applicant's physical and mental health, including full disclosure and a written explanation of any dysfunction or impairment which may affect the ability of the applicant to engage in practice and provide patients with safe and healthful care;

(7) A statement disclosing and explaining the applicant's involvement in civil litigation related to practice in any jurisdiction. Copies of the legal documents may be requested if needed during the review process;

(8) A statement disclosing and explaining any charge of a misdemeanor or felony involving the applicant filed in any jurisdiction, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside; and

(9) A completed fingerprint packet to facilitate a national criminal history background check. The fee for the evaluation of the fingerprint packet and the DCI and FBI criminal history background checks will be assessed to the applicant.

*b.* Pay the reinstatement fee plus the fee for the evaluation of the fingerprint packet and the DCI and FBI criminal history background checks specified in 653—paragraph 8.4(1) "f."

*c.* Provide documentation of completion of 40 hours of category 1 credit within the previous two years and documentation of training on chronic pain management, end-of-life care, and identifying and reporting abuse as specified in 653—Chapter 11.

*d.* If the physician has not engaged in active clinical practice in the past three years in any jurisdiction of the United States or Canada, require an applicant to:

- (1) Successfully pass a competency evaluation approved by the board;
- (2) Successfully pass SPEX, COMVEX-USA, or another examination approved by the board;
- (3) Successfully complete a retraining program arranged by the physician and approved in advance by the board; or
- (4) Successfully complete a reentry to practice program or monitoring program approved by the board.

*e.* An individual who is able to submit a letter from the board with different reinstatement or reactivation criteria is eligible for reinstatement based on those criteria.

**9.15(3) Reinstatement application cycle and process.** The cycle and process are the same as described in rules 653—9.8(147,148) and 653—9.9(147,148).

[ARC 8554B, IAB 3/10/10, effective 4/14/10; ARC 0215C, IAB 7/25/12, effective 8/29/12; ARC 1187C, IAB 11/27/13, effective 1/1/14; ARC 2524C, IAB 5/11/16, effective 6/15/16]

**653—9.16(147,148) Reinstatement of a restricted Iowa license.** A physician whose license has been suspended or revoked following a disciplinary proceeding is required to seek reinstatement pursuant to 653—Chapter 26.

[ARC 8554B, IAB 3/10/10, effective 4/14/10]

**653—9.17(147,148) Denial of licensure.**

**9.17(1) Preliminary notice of denial.** Prior to the denial of licensure to an applicant, the board shall issue a preliminary notice of denial that shall be sent to the applicant by regular, first-class mail at the address provided by the applicant. The preliminary notice of denial is a public record and shall cite the factual and legal basis for denying the application, notify the applicant of the appeal process, and specify the date upon which the denial will become final if it is not appealed.

**9.17(2) Appeal procedure.** An applicant who has received a preliminary notice of denial may appeal the denial and request a hearing on the issues related to the preliminary notice of denial by serving a request for hearing upon the executive director not more than 30 calendar days following the date when the preliminary notice of denial was mailed. The applicant's current address shall be provided in the request for hearing. The request is deemed filed on the date it is received in the board office. If the request is received with a USPS nonmetered postmark, the board shall consider the postmark date as the date the request is filed. The request shall specify the factual or legal errors and that the applicant desires an evidentiary hearing, and may provide additional written information or documents in support of licensure.

**9.17(3) Hearing.** If an applicant appeals the preliminary notice of denial and requests a hearing, the hearing shall be a contested case and subsequent proceedings shall be conducted in accordance with 653—25.30(17A).

- a.* License denial hearings are contested cases open to the public.
- b.* Either party may request issuance of a protective order in the event privileged or confidential information is submitted into evidence.
- c.* Evidence supporting the denial of the license may be presented by an assistant attorney general.
- d.* While each party shall have the burden of establishing the affirmative of matters asserted, the applicant shall have the ultimate burden of persuasion as to the applicant's qualification for licensure.
- e.* The board, after a hearing on license denial, may grant or deny the application for licensure. The board shall state the reasons for its decision and may grant the license, grant the license with restrictions or deny the license. The final decision is a public record.

*f.* Judicial review of a final order of the board denying licensure, or issuing a license with restrictions, may be sought in accordance with the provisions of Iowa Code section 17A.19, which are applicable to judicial review of any agency's final decision in a contested case.

**9.17(4) Finality.** If an applicant does not appeal a preliminary notice of denial in accordance with 9.17(2), the preliminary notice of denial automatically becomes final. A final denial of an application for licensure is a public record.

**9.17(5) Failure to pursue appeal.** If an applicant appeals a preliminary notice of denial in accordance with 9.17(2), but the applicant fails to pursue that appeal to a final decision within one year from the date

of the preliminary notice of denial, the board may dismiss the appeal. The appeal may be dismissed only after the board sends a written notice by first-class mail to the applicant at the applicant's last-known address. The notice shall state that the appeal will be dismissed and the preliminary notice of denial will become final if the applicant does not contact the board to schedule the appeal hearing within 30 days of the date the letter is mailed from the board office. Upon dismissal of an appeal, the preliminary notice of denial becomes final. A final denial of an application for licensure under this rule is a public record. [ARC 7756B, IAB 5/6/09, effective 6/10/09; ARC 8554B, IAB 3/10/10, effective 4/14/10]

**653—9.18(17A,147,148,272C) Waiver or variance requests.** Waiver or variance requests shall be submitted in conformance with 653—Chapter 3. [ARC 8554B, IAB 3/10/10, effective 4/14/10]

**653—9.19(147,148) Relinquishment of license to practice.** A person's permanent license to practice medicine and surgery, osteopathic medicine and surgery, or administrative medicine shall be deemed relinquished if the person fails to apply for renewal or reinstatement of the license within five years after its expiration.

**9.19(1)** A license shall not be reinstated, reissued, or restored once it is relinquished. The person may apply for a new license pursuant to Iowa Code sections 148.3 and 148.11 and 653—Chapters 9 and 10.

**9.19(2)** The relinquishment of license may be stayed if, at the date of relinquishment, there is an active:

- a. Evaluation order pursuant to Iowa Code section 272C.9(1) and rule 653—24.4(272);
  - b. Combined statement of charges and settlement agreement pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) and rule 653—25.3(17A);
  - c. Statement of charges pursuant to Iowa Code section 17A.12(2) and rule 653—25.4(17A);
  - d. Settlement agreement pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) and rule 653—25.17(272C);
  - e. Final decision pursuant to Iowa Code sections 17A.12 and 272C.6 and rule 653—25.24(17A);
- or
- f. Application for reinstatement of the license pursuant to rule 653—9.15(147,148) or 653—9.16(147,148).

[ARC 2346C, IAB 1/6/16, effective 2/10/16]

**653—9.20(147,148) Administrative medicine licensure.**

**9.20(1) Definitions.**

*“Administrative medicine”* means administration or management utilizing the medical and clinical knowledge, skill, and judgment of a licensed physician and capable of affecting the health and safety of the public or any person. A physician with an administrative medicine license may advise organizations, both public and private, on health care matters; authorize and deny financial payments for care; organize and direct research programs; review care provided for quality; and other similar duties that do not require direct patient care. Administrative medicine does not include the authority to practice clinical medicine, examine, care for or treat patients, prescribe medications including controlled substances, or delegate medical acts or prescriptive authority to others.

*“Administrative medicine license”* means a license issued by the board pursuant to this rule.

**9.20(2) Application.** An application for an administrative medicine license shall be made to the board of medicine pursuant to the requirements established in Iowa Code section 148.3 and this chapter. An applicant for an administrative medicine license shall be subject to all of the permanent licensure requirements established in Iowa Code section 148.3 and this chapter, except that the applicant shall not be required to demonstrate that the applicant has engaged in active clinical practice in the past three years as outlined in paragraphs 9.8(7) “c” and 9.15(2) “d.”

The board may, in its discretion, issue an administrative medicine license authorizing the licensee to practice administrative medicine only, as defined by this rule. The license shall be designated “administrative medicine license.”

**9.20(3) Fees.** All license and renewal fees shall be paid to the board in accordance with 653—Chapters 8 and 9.

**9.20(4) Demonstration of competence.**

*a.* If an applicant for initial licensure or reinstatement of an administrative medicine license has not actively practiced administrative or clinical medicine in a jurisdiction of the United States or Canada in the past three years, the board may require the applicant to demonstrate competence in a method prescribed by the board in accordance with paragraphs 9.8(7) “c” and 9.15(2) “d.”

*b.* A physician who holds an administrative medicine license and has not engaged in active clinical practice in a jurisdiction of the United States or Canada for more than three years may be required to demonstrate competence to practice clinical medicine in a method prescribed by the board in accordance with paragraphs 9.8(7) “c” and 9.15(2) “d” prior to obtaining a permanent Iowa medical license.

**9.20(5) No exemptions to laws and rules.** A physician with an administrative medicine license shall be subject to the same laws and rules governing the practice of medicine as a person holding a permanent Iowa medical license.

**9.20(6) Only one active license at a time.** When applicable, a person’s active Iowa permanent or Iowa resident license shall immediately become inactive upon issuance of an administrative license.

**9.20(7) Interstate medical licensure compact.** A physician who holds only an administrative medicine license may not be eligible for licensure under the interstate medical licensure compact.

[ARC 2523C, IAB 5/11/16, effective 6/15/16]

These rules are intended to implement Iowa Code chapters 17A, 147, 148, and 272C.

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[Filed ARC 2524C (Notice ARC 2360C, IAB 1/6/16), IAB 5/11/16, effective 6/15/16]

<sup>◇</sup> Two or more ARCs

CHAPTER 11  
CONTINUING EDUCATION AND  
TRAINING REQUIREMENTS

[Prior to 5/4/88, see 470—135.101 to 470—135.110 and 135.501 to 135.512]

**653—11.1(272C) Definitions.**

“*ABMS*” means the American Board of Medical Specialties, which is an umbrella organization for at least 24 medical specialty boards in the United States that assists the specialty boards in developing and implementing educational and professional standards to evaluate and certify physician specialists in the United States. The board recognizes specialty board certification by ABMS.

“*Accredited provider*” means an organization approved as a provider of category 1 credit by one of the following board-approved accrediting bodies: Accreditation Council for Continuing Medical Education, Iowa Medical Society, or the Council on Continuing Medical Education of the AOA.

“*Active duty*” means full-time training or active service in the U.S. armed forces, reserves or national guard.

“*Active licensee*” means any person licensed to practice medicine and surgery or osteopathic medicine and surgery in Iowa who has met all conditions of licensure and maintains a current license to practice in Iowa.

“*AMA*” means the American Medical Association, a professional organization of physicians and surgeons.

“*AOA*” means the American Osteopathic Association, which is the representative organization for osteopathic physicians (D.O.s) in the United States. The board approves osteopathic medical education programs with AOA accreditation; the board approves AOA-accredited resident training programs in osteopathic medicine and surgery at hospitals for graduates of accredited osteopathic medical schools. The board recognizes specialty board certification by AOA. The board recognizes continuing medical education accredited by the Council on Continuing Medical Education of AOA.

“*Approved abuse education training program*” means a training program using a curriculum approved by the abuse education review panel of the department of public health or a training program offered by a hospital, a professional organization for physicians, or the department of human services, the department of education, an area education agency, a school district, the Iowa law enforcement academy, an Iowa college or university, or a similar state agency.

“*Approved program or credit*” means any category 1 credit offered by an accredited provider or any other program or credit meeting the standards set forth in these rules.

“*Board*” means the Iowa board of medicine.

“*Carryover*” means hours of category 1 credit earned in excess of the required hours in a license period that may be applied to the continuing education requirement in the subsequent license period; carryover may not exceed 20 hours of category 1 credit per renewal cycle.

“*Category 1 credit*” means any formal education program which is sponsored or jointly sponsored by an organization accredited for continuing medical education by the Accreditation Council for Continuing Medical Education, the Iowa Medical Society, or the Council on Continuing Medical Education of the AOA that is of sufficient scope and depth of coverage of a subject area or theme to form an educational unit and is planned, administered and evaluated in terms of educational objectives that define a level of knowledge or a specific performance skill to be attained by the physician completing the program. Credits designated as formal cognates by the American College of Obstetricians and Gynecologists or as prescribed credits by the American Academy of Family Physicians are accepted as equivalent to category 1 credits.

“*Committee*” means the licensure committee of the board.

“*COMVEX-USA*” means the Comprehensive Osteopathic Medical Variable-Purpose Examination for the United States of America. The National Board of Osteopathic Medical Examiners prepares the examination and determines its passing score. A licensing authority in any jurisdiction administers the examination. COMVEX-USA is the current evaluative instrument offered to osteopathic physicians who need to demonstrate current osteopathic medical knowledge.

“*Continuing education*” means education that is acquired by a licensee in order to maintain, improve, or expand skills and knowledge present at initial licensure or to develop new and relevant skills and knowledge.

“*Hour of continuing education*” means a clock hour spent by a licensee in actual attendance at or completion of an approved category 1 credit.

“*Inactive license*” means any license that is not a current, active license. Inactive license may include licenses formerly known as delinquent, lapsed, or retired. A physician whose license is inactive continues to hold the privilege of licensure in Iowa but may not practice medicine under an Iowa license until the license is reinstated.

“*Licensee*” means any person licensed to practice medicine and surgery or osteopathic medicine and surgery in the state of Iowa.

“*Service charge*” means the amount charged for making a service available on line and is in addition to the actual fee for a service itself. For example, one who renews a license on line will pay the license renewal fee and a service charge.

“*SPEX*” means Special Licensure Examination prepared by the Federation of State Medical Boards and administered by a licensing authority in any jurisdiction. The passing score on SPEX is 75.

“*Training for chronic pain management*” means required training on chronic pain management identified in 653—Chapter 11.

“*Training for end-of-life care*” means required training on end-of-life care identified in 653—Chapter 11.

“*Training for identifying and reporting abuse*” means training on identifying and reporting child abuse or dependent adult abuse required of physicians who regularly provide primary health care to children or adults, respectively. The full requirements on reporting of child abuse and the training requirements are in Iowa Code section 232.69; the full requirements on reporting of dependent adult abuse and the training requirements are in Iowa Code section 235B.16.

[ARC 9601B, IAB 7/13/11, effective 8/17/11; ARC 0217C, IAB 7/25/12, effective 8/29/12; ARC 0871C, IAB 7/24/13, effective 8/28/13]

#### **653—11.2(272C) Continuing education credit and alternatives.**

**11.2(1)** Continuing education credit may be obtained by attending category 1 credits as defined in this chapter.

**11.2(2)** The board shall accept the following as equivalent to 50 hours of category 1 credit: participation in an approved resident training program or board certification or recertification by an ABMS or AOA specialty board within the licensing period.

**11.2(3)** The board shall in January of each year recognize the equivalent of up to 10 hours of category 1 credits for physicians who actively served as members or alternate members of the Iowa board of medicine during the previous year; for physicians who actively served as members of the Iowa physician health committee during the previous year; and for physicians who performed peer reviews for the board during the previous year. The physicians receiving recognition of category 1 credit equivalents will be notified by U.S. mail in January by the executive director of the board.

[ARC 0217C, IAB 7/25/12, effective 8/29/12]

**653—11.3(272C) Accreditation of providers.** The board approves the Accreditation Council for Continuing Medical Education, the Iowa Medical Society, and the Council on Continuing Medical Education of the AOA as organizations acceptable to accredit providers of category 1 credits.

[ARC 0217C, IAB 7/25/12, effective 8/29/12]

**653—11.4(272C) Continuing education and training requirements for renewal or reinstatement.** A licensee shall meet the requirements in this rule to qualify for renewal of a permanent license, an administrative medicine license, or special license or to qualify for reinstatement of a permanent license or an administrative medicine license.

**11.4(1)** *Continuing education and training requirements.*

*a. Continuing education for permanent license or administrative medicine license renewal.* Except as provided in these rules, a total of 40 hours of category 1 credit or board-approved equivalent shall be required for biennial renewal of a permanent license or an administrative medicine license. This may include up to 20 hours of credit carried over from the previous license period and category 1 credit acquired within the current license period.

(1) To facilitate license renewal according to birth month, a licensee's first license may be issued for less than 24 months. The number of hours of category 1 credit required of a licensee whose license has been issued for less than 24 months shall be reduced on a pro-rata basis.

(2) A licensee desiring to obtain credit for carryover hours shall report the carryover, not to exceed 20 hours of category 1 credit, on the renewal application.

*b. Continuing education for special license renewal.* A total of 20 hours of category 1 credit shall be required for annual renewal of a special license. No carryover hours are allowed.

*c. Training for identifying and reporting child and dependent adult abuse for permanent or special license renewal.* The licensee in Iowa shall complete the training for identifying and reporting child and dependent adult abuse as part of a category 1 credit or an approved training program. The licensee may utilize category 1 credit received for this training during the license period in which the training occurred to meet continuing education requirements in paragraph 11.4(1)"a."

(1) Training to identify child abuse. A licensee who regularly provides primary health care to children in Iowa must complete at least two hours of training in child abuse identification and reporting every five years. "A licensee who regularly provides primary health care to children" means all emergency physicians, family physicians, general practice physicians, pediatricians, and psychiatrists, and any other physician who regularly provides primary health care to children.

(2) Training to identify dependent adult abuse. A licensee who regularly provides primary health care to adults in Iowa must complete at least two hours of training in dependent adult abuse identification and reporting every five years. "A licensee who regularly provides primary health care to adults" means all emergency physicians, family physicians, general practice physicians, internists, obstetricians, gynecologists, and psychiatrists, and any other physician who regularly provides primary health care to adults.

(3) Combined training to identify child and dependent adult abuse. A licensee who regularly provides primary health care to adults and children in Iowa must complete at least two hours of training in the identification and reporting of abuse in dependent adults and children every five years. The training may be completed through separate courses as identified in subparagraphs 11.4(1)"c"(1) and (2) or in one combined two-hour course that includes curricula for identifying and reporting child abuse and dependent adult abuse. "A licensee who regularly provides primary health care to children and adults" means all emergency physicians, family physicians, general practice physicians, internists, and psychiatrists, and any other physician who regularly provides primary health care to children and adults.

*d. Training for chronic pain management for permanent or special license renewal.* The licensee shall complete the training for chronic pain management as part of a category 1 credit. The licensee may utilize category 1 credit received for this training during the license period in which the training occurred to meet continuing education requirements in paragraph 11.4(1)"a."

(1) A licensee who regularly provides primary health care to patients in Iowa must complete at least two hours of category 1 credit for chronic pain management every five years. "A licensee who regularly provides primary health care to patients" means all emergency physicians, family physicians, general practice physicians, internists, neurologists, pain medicine specialists, psychiatrists, and any other physician who regularly provides primary health care to patients.

(2) A licensee who had a permanent license on August 17, 2011, has until August 17, 2016, to complete the chronic pain management training, and shall then complete the training once every five years thereafter.

*e. Training for end-of-life care for permanent or special license renewal.* The licensee shall complete the training for end-of-life care as part of a category 1 credit. The licensee may utilize category 1 credit received for this training during the license period in which the training occurred to meet continuing education requirements in paragraph 11.4(1)"a."

(1) A licensee who regularly provides primary health care to patients in Iowa must complete at least two hours of category 1 credit for end-of-life care every five years. “A licensee who regularly provides primary health care to patients” means all emergency physicians, family physicians, general practice physicians, internists, neurologists, pain medicine specialists, psychiatrists, and any other physician who regularly provides primary health care to patients.

(2) A licensee who had a permanent license on August 17, 2011, has until August 17, 2016, to complete the end-of-life care training, and shall then complete the training once every five years thereafter.

**11.4(2) Exemptions from renewal requirements.**

a. A licensee shall be exempt from the continuing education requirements in subrule 11.4(1) when, upon license renewal, the licensee provides evidence for:

(1) Periods that the licensee served honorably on active duty in the U.S. armed forces, reserves or national guard;

(2) Periods that the licensee practiced in another state or district and did not provide medical care, including telemedicine services, to patients located in Iowa, if the other state or district had continuing education requirements for the profession and the licensee met all requirements of that state or district for practice therein;

(3) Periods that the licensee was a government employee working in the licensee’s specialty and assigned to duty outside the United States; or

(4) Other periods of active practice and absence from the state approved by the board.

b. The requirements for training on identifying and reporting abuse, chronic pain management and end-of-life care for license renewal shall be suspended for a licensee who provides evidence for:

(1) Periods described in subparagraph 11.4(2)“a”(1), (2), (3), or (4); or

(2) Periods that the licensee resided outside of Iowa and did not practice in Iowa.

**11.4(3) Extension for completion of or exemption from renewal requirements.** The board may, in individual cases involving physical disability or illness, grant an extension of time for completion of, or an exemption from, the renewal requirements in subrule 11.4(1).

a. A licensee requesting an extension or exemption shall complete and submit a request form to the board that sets forth the reasons for the request and has been signed by the licensee and attending physician.

b. The board may grant an extension of time to fulfill the requirements in subrule 11.4(1).

c. The board may grant an exemption from the educational requirements for any period of time not to exceed one calendar year.

d. If the physical disability or illness for which an extension or exemption was granted continues beyond the period of waiver, the licensee must reapply for a continuance of the extension or exemption.

e. The board may, as a condition of any extension or exemption granted, require the applicant to make up a portion of the continuing education requirement by methods it prescribes.

**11.4(4) Reinstatement requirement.** An applicant for license reinstatement whose license has been inactive for one year or more shall provide proof of successful completion of 40 hours of category 1 credit completed within 24 months prior to submission of the application for reinstatement or proof of successful completion of SPEX or COMVEX-USA within one year immediately prior to the submission of the application for reinstatement.

**11.4(5) Cost of continuing education and training for renewal or reinstatement.** Each licensee is responsible for all costs of continuing education and training required in 653—Chapter 11.

**11.4(6) Documentation.** A licensee shall maintain documentation of the continuing education and training requirements in 653—Chapter 11, including dates, subjects, duration of programs, and proof of participation, for five years after the date of the continuing education and training.

**11.4(7) Audits.** The board may audit continuing education and training documentation at any time within the five-year period. If the board conducts an audit of continuing education and training, a licensee shall respond to the board and provide all materials requested, within 30 days of a request made by board staff or within the extension of time if one has been granted.



**11.4(8) *Grounds for discipline.*** A licensee may be subject to disciplinary action for failure to comply with continuing education and training requirements in 653—Chapter 11.

[ARC 9601B, IAB 7/13/11, effective 8/17/11; ARC 0217C, IAB 7/25/12, effective 8/29/12; ARC 0871C, IAB 7/24/13, effective 8/28/13; ARC 2523C, IAB 5/11/16, effective 6/15/16]

**653—11.5(272C) Failure to fulfill requirements for continuing education and training for identifying and reporting abuse.**

**11.5(1)** Disagreement over whether material submitted fulfills the requirements specified in rule 653—11.4(272C).

*a.* Staff will attempt to work with a licensee or applicant to resolve any discrepancy concerning credit for renewal or reinstatement.

*b.* When resolution is not possible, staff shall refer the matter to the committee.

(1) In the matter of a licensee seeking license renewal, staff shall renew the license if all other matters are in order and inform the licensee that the matter is being referred to the committee.

(2) In the matter of an applicant seeking reinstatement, staff shall reinstate the license if all other matters are in order and inform the applicant that the matter is being referred to the committee.

*c.* The committee shall consider the staff's recommendation for denial of credit for continuing education or training for identifying and reporting abuse, chronic pain management, and end-of-life care.

(1) If the committee approves the credit, it shall authorize the staff to inform the licensee or applicant that the matter is resolved.

(2) If the committee disapproves the credit, it shall refer the matter to the board with a recommendation for resolution.

*d.* The board shall consider the committee's recommendations.

(1) If the board approves the credit, it shall authorize the staff to notify the licensee or applicant for reinstatement if all other matters are in order.

(2) If the board denies the credit, it shall:

1. Close the case;

2. Send the licensee or applicant an informal, nonpublic letter of warning, which may include recommended terms for complying with the requirements for continuing education or training; or

3. File a statement of charges for noncompliance with the board's rules on continuing education or training and for any other violations which may exist.

**11.5(2)** Informal appearance for failure to complete requirements for continuing education or training.

*a.* The licensee or applicant may, within ten days after the date that the notification of the denial was sent by certified mail, request an informal appearance before the board.

*b.* At the informal appearance, the licensee or applicant will have the opportunity to present information, and the board will issue a written decision.

[ARC 9601B, IAB 7/13/11, effective 8/17/11; ARC 0217C, IAB 7/25/12, effective 8/29/12]

**653—11.6(17A,147,148E,272C) Waiver or variance requests.** Waiver or variance requests shall be submitted in conformance with 653—Chapter 3.

These rules are intended to implement Iowa Code chapters 147 and 272C and sections 232.69 and 235B.16.

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CHAPTER 21  
PHYSICIAN SUPERVISION OF A PHYSICIAN ASSISTANT

**653—21.1(148,272C) Ineligibility determinants.** A physician with an active permanent, special, or temporary Iowa license who is actively engaged in the practice of medicine in Iowa may supervise a physician assistant. A physician is ineligible to supervise a physician assistant for any of the following reasons:

**21.1(1)** The physician does not hold an active, permanent, special or temporary Iowa medical license.

**21.1(2)** The physician is subject to a disciplinary order of the board that restricts or rescinds the physician's authority to supervise a physician assistant. The physician may supervise a physician assistant to the extent that the order allows.

**653—21.2(148,272C) Exemptions from this chapter.** This chapter shall not apply to the following:

**21.2(1)** A physician working in a federal facility or under federal authority when the provisions of this chapter conflict with federal regulations.

**21.2(2)** A physician who supervises a physician assistant providing medical care created by an emergency or a state or local disaster pursuant to Iowa Code section 148C.4 as amended by 2003 Iowa Acts, chapter 93, section 10.

**653—21.3(148) Board notification.** A physician who supervises a physician assistant shall notify the board of the supervisory relationship at the time of the physician's license renewal.

**653—21.4(147,148,148C,272C,86GA,SF505) Specific minimum standards for appropriate supervision of a physician assistant by a physician.** This rule establishing the minimum standards for appropriate supervision of a physician assistant by a physician in the state of Iowa is hereby jointly adopted by the board of medicine and the board of physician assistants in accordance with 2015 Iowa Acts, Senate File 505, division XXXI, section 113.

**21.4(1) Definitions.**

*"Remote medical site"* means a medical clinic for ambulatory patients which is away from the main practice location of a supervising physician and in which a supervising physician is present less than 50 percent of the time the remote medical site is open. "Remote medical site" will not apply to nursing homes, patient homes, hospital outpatient departments, outreach clinics, or any location at which medical care is incidentally provided (e.g., diet center, free clinic, site for athletic physicals, jail facility).

*"Supervision"* means that a supervising physician retains ultimate responsibility for patient care, although a physician need not be physically present at each activity of the physician assistant or be specifically consulted before each delegated task is performed. Supervision shall not be construed as requiring the physical presence of the supervising physician at the place where such services are rendered except insofar as the physical presence is expressly required by these rules or by Iowa Code chapter 148C.

**21.4(2) Minimum standards.** The following are minimum standards for appropriate supervision of a physician assistant by a physician in the state of Iowa:

*a. Review of requirements.* Before a physician can supervise a physician assistant practicing in Iowa, both the supervising physician and the physician assistant shall review all of the requirements of physician assistant licensure, practice, supervision, and delegation of medical services as set forth in Iowa Code section 148.13, Iowa Code chapter 148C, this chapter, and 645—Chapters 326, 327, 328 and 329.

*b. Face-to-face meetings.* At least one supervising physician shall meet face-to-face with each physician assistant a minimum of twice annually. If the physician assistant is practicing at a remote site, both meetings shall be at the remote site. Each party shall ensure that the face-to-face meetings are documented. The meetings are for the purpose of discussing topics deemed appropriate by the physician or the physician assistant, including supervision requirements, assessment of education, training, skills, and experience, review of delegated services, and medical services provided by the physician assistant.

*c. Assessment of education, training, skills, and experience.* Each supervising physician and the physician assistant shall ensure that the other party has the appropriate education, training, skills, and relevant experience necessary to successfully collaborate on patient care delivered by the team.

*d. Communication.* Each supervising physician and the physician assistant shall communicate and consult on medical problems, complications, emergencies, and patient referrals as indicated by the clinical condition of the patient.

*e. Chart reviews.* Each supervising physician shall conduct and document an ongoing review of a representative sample of the physician assistant's patient charts encompassing the scope of the physician assistant's practice provided under the physician's supervision and discuss the findings of the reviews with the physician assistant.

*f. Delegated services.* The medical services and medical tasks delegated to and provided by the physician assistant shall be in compliance with 645—subrule 327.1(1). All delegated medical services shall be within the scope of practice of the supervising physician and the physician assistant. The supervising physician and the physician assistant shall have the education, training, skills, and relevant experience to perform the delegated services prior to delegation.

*g. Timely consultation.* The supervising physician shall be available for timely consultation with the physician assistant, either in-person or by telephonic or other electronic means.

*h. Alternate supervision.* If the supervising physician will not be available for any reason, an alternate supervising physician will be available to ensure continuity of supervision. The physician will ensure the alternate supervising physician is available for a timely consult and will ensure the physician assistant is notified of the means by which to reach the alternate supervising physician. The physician assistant shall not practice if supervision is not available.

*i. Failure to supervise.* Failure to adequately direct and supervise a physician assistant or failure to comply with the minimum standards of supervision in accordance with this chapter, Iowa Code chapter 148C, Iowa Code section 148.13, and 645—Chapters 326, 327, 328 and 329 may be grounds for disciplinary action for both the physician and the physician assistant.

**21.4(3) Amendment.** Rule 653—21.4(147,148,148C,272C,86GA,SF505) may only be amended by agreement of the board of medicine and the board of physician assistants through a joint rule-making process. This subrule is effective on June 15, 2016, or upon adoption of an identical subrule by the board of physician assistants, whichever is later.

**21.4(4) Joint waiver or variance.** Rule 653—21.4(147,148,148C,272C,86GA,SF505) may only be waived upon approval by both the board of medicine and the board of physician assistants pursuant to 653—Chapter 3 and 645—Chapter 18, Iowa Code section 17A.9A, or any other provision of law. This subrule is effective on June 15, 2016, or upon adoption of an identical subrule by the board of physician assistants, whichever is later.

[ARC 2532C, IAB 5/11/16, effective 6/15/16]

**653—21.5(148,272C) Grounds for discipline.** A physician may be subject to disciplinary action for supervising a physician assistant in violation of these rules or the rules found in 653—Chapter 23 or 645—Chapters 326 and 327, which relate to duties and responsibilities for physician supervision of physician assistants. Grounds for discipline also include:

**21.5(1)** The physician supervises a physician assistant when the physician does not have sufficient training or experience to supervise a physician assistant in the area of medical practice in which a physician assistant is to be utilized.

**21.5(2)** A physician supervises more than five physician assistants at the same time.

**21.5(3)** The physician fails to ensure that the physician assistant is adequately supervised, including being available in person or by telecommunication to respond to the physician assistant.

[ARC 0870C, IAB 7/24/13, effective 8/28/13; ARC 2532C, IAB 5/11/16, effective 6/15/16]

**653—21.6(148,272C) Disciplinary sanction.** The board may restrict or rescind a physician's authority to supervise a physician assistant as part of a disciplinary sanction following a contested case proceeding, if the reason for the disciplinary action impacts the ability of the physician to supervise a physician

assistant. The board shall notify the board of physician assistants when it takes a disciplinary action against a physician's license that affects the physician's authority to supervise a physician assistant.  
[ARC 2532C, IAB 5/11/16, effective 6/15/16]

**653—21.7(148,272C) Communication with physician assistant supervisees.** The physician shall notify all physician assistant supervisees within one workday upon receiving disciplinary action from the board or any other change in status that affects the physician's eligibility to supervise a physician assistant.  
[ARC 2532C, IAB 5/11/16, effective 6/15/16]

**653—21.8(17A,147,148,272C) Waiver or variance requests.** Waiver or variance requests shall be submitted in conformance with 653—Chapter 3.  
[ARC 2532C, IAB 5/11/16, effective 6/15/16]

These rules are intended to implement Iowa Code sections 148.13 and 272C.3 and 2015 Iowa Acts, Senate File 505, division XXXI, section 113.

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<sup>1</sup> Effective date of 3/1/89 delayed 70 days by Administrative Rules Review Committee at its February 13, 1989, meeting.

<sup>2</sup> Effective date of 3/1/89 delayed until adjournment of the 1990 Session of the General Assembly at its May 9, 1989, meeting.

<sup>3</sup> Delay until adjournment of the 1990 G.A. lifted by the Administrative Rules Review Committee at its August 3, 1989, meeting which allowed the rules to become effective August 4, 1989.

<sup>4</sup> Effective date of 4/17/96 delayed 70 days by the Administrative Rules Review Committee at its meeting held April 16, 1996. Effective date delayed until adjournment of the 1997 General Assembly by the Administrative Rules Review Committee at its meeting held June 11, 1996.

<sup>5</sup> Effective date of 1/28/04 delayed 70 days by the Administrative Rules Review Committee at its January 6, 2004, meeting; at its meeting held March 8, 2004, the Committee lifted the delay, effective March 9, 2004.



## **TRANSPORTATION DEPARTMENT[761]**

Rules transferred from agency number [820] to [761] to conform with the reorganization numbering scheme in general IAC Supp. 6/3/87.

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CHAPTER 520  
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[Prior to 6/3/87, Transportation Department[820]—(07,F) Ch 8]

**761—520.1(321) Safety and hazardous materials regulations.**

**520.1(1) Regulations.**

*a. Motor carrier safety regulations.* The Iowa department of transportation adopts the Federal Motor Carrier Safety Regulations, 49 CFR Parts 385 and 390-399 (October 1, 2015).

*b. Hazardous materials regulations.* The Iowa department of transportation adopts the Federal Hazardous Materials Regulations, 49 CFR Parts 107, 171-173, 177, 178, and 180 (October 1, 2015).

*c. Copies of regulations.* Copies of the federal regulations may be reviewed at the state law library or through the Internet at <http://www.fmcsa.dot.gov>.

**520.1(2) Carriers subject to regulations.**

*a.* Operators of commercial vehicles, as defined in Iowa Code section 321.1, are subject to the Federal Motor Carrier Safety Regulations adopted in this rule unless exempted under Iowa Code section 321.449.

*b.* Operators of vehicles transporting hazardous materials in commerce are subject to the Federal Hazardous Materials Regulations adopted in this rule unless exempted under Iowa Code section 321.450.

*c.* Operators of vehicles for hire, designed to transport 7 or more persons, but fewer than 16, including the driver, must comply with 49 CFR Part 395 of the Federal Motor Carrier Safety Regulations. In addition, operators of vehicles for hire designed to transport 7 or more persons, but fewer than 16, including the driver, are not exempt from logbook requirements afforded the 100-air-mile radius driver under 49 CFR 395.1(e). However, the provisions of 49 CFR Part 395 shall not apply to vehicles offered to the public for hire that are used principally in intracity operation and are regulated by local authorities.

**520.1(3) Declaration of knowledge of regulations.** Operators of commercial vehicles who are subject to the regulations adopted in this rule shall at the time of application for authority to operate in Iowa or upon receipt of their Iowa registration declare knowledge of the Federal Motor Carrier Safety Regulations and Federal Hazardous Materials Regulations adopted in this rule.

This rule is intended to implement Iowa Code sections 321.1, 321.449 and 321.450.

[ARC 7750B, IAB 5/6/09, effective 6/10/09; ARC 8720B, IAB 5/5/10, effective 6/9/10; ARC 9493B, IAB 5/4/11, effective 6/8/11; ARC 0034C, IAB 3/7/12, effective 4/11/12; ARC 0660C, IAB 4/3/13, effective 5/8/13; ARC 2019C, IAB 6/10/15, effective 7/15/15; ARC 2525C, IAB 5/11/16, effective 6/15/16]

**761—520.2(321) Definitions.** The following definitions apply to the regulations adopted in rule 761—520.1(321):

“*Any requirements which impose any restrictions upon a person*” as used in Iowa Code section 321.449(6) means the requirements in 49 CFR Parts 391 and 395.

“*Driver age qualifications*” as used in Iowa Code section 321.449(3) means the age qualifications in 49 CFR 391.11(b)(1).

“*Driver qualifications*” as used in Iowa Code section 321.449(2) means the driver qualifications in 49 CFR Part 391.

“*Farm customer*” as used in Iowa Code section 321.450(3) means a retail consumer residing on a farm or in a rural area or city with a population of 3000 or less.

“*Hours of service*” as used in Iowa Code section 321.449(2) means the hours of service requirements in 49 CFR Part 395.

“*Record-keeping requirements*” as used in Iowa Code section 321.449(2) means the record-keeping requirements in 49 CFR Part 395.

“*Rules adopted under this section concerning physical and medical qualifications*” as used in Iowa Code sections 321.449(5) and 321.450(2) means the regulations in 49 CFR 391.11(b)(4) and 49 CFR Part 391, Subpart E.

“Rules adopted under this section for a driver of a commercial vehicle” as used in Iowa Code section 321.449(4) means the regulations in 49 CFR Parts 391 and 395.

This rule is intended to implement Iowa Code sections 321.449 and 321.450.  
[ARC 2019C, IAB 6/10/15, effective 7/15/15]

**761—520.3(321) Motor carrier safety regulations exemptions.**

**520.3(1)** The following intrastate vehicle operations are exempt from the motor carrier safety regulations concerning inspection in 49 CFR Part 396.17 as adopted in rule 761—520.1(321):

- a. Implements of husbandry including nurse tanks as defined in Iowa Code section 321.1.
- b. Special mobile equipment (SME) as defined in Iowa Code section 321.1.
- c. Unregistered farm trailers as defined in rule 761—400.1(321), pursuant to Iowa Code section 321.123.
- d. Motor vehicles registered for a gross weight of five tons or less when used by retail dealers or their employees to deliver hazardous materials, fertilizers, petroleum products and pesticides to farm customers.

**520.3(2)** Reserved.

This rule is intended to implement Iowa Code sections 321.1, 321.123, 321.449 and 321.450.  
[ARC 2019C, IAB 6/10/15, effective 7/15/15]

**761—520.4(321) Hazardous materials exemptions.** These exemptions apply to the regulations adopted in rule 761—520.1(321):

**520.4(1)** Pursuant to Iowa Code section 321.450(3), “retail dealers of fertilizers, petroleum products, and pesticides and their employees while delivering fertilizers, petroleum products, and pesticides to farm customers within a one-hundred-mile radius of their retail place of business” are exempt from 49 CFR 177.804; and, pursuant to Iowa Code section 321.449(4), they are exempt from 49 CFR Parts 391 and 395. However, pursuant to Iowa Code section 321.449, the retail dealers and their employees under the specified conditions are subject to the regulations in 49 CFR Parts 390, 392, 393, 396 and 397.

**520.4(2)** Rescinded IAB 3/10/99, effective 4/14/99.

This rule is intended to implement Iowa Code section 321.450.  
[ARC 2019C, IAB 6/10/15, effective 7/15/15]

**761—520.5(321) Safety fitness.**

**520.5(1)** *New motor carrier safety audits.* Peace officers in the office of motor vehicle enforcement of the Iowa department of transportation shall perform safety audits of new motor carriers and shall have the authority to enter a motor carrier’s place of business for the purpose of performing these audits. These audits shall be performed in compliance with 49 CFR Part 385 and shall be completed within 18 months from the day the motor carrier commences business.

**520.5(2)** *Motor carrier compliance reviews.* Peace officers in the office of motor vehicle enforcement of the Iowa department of transportation shall perform compliance reviews of motor carriers and shall have the authority to enter a motor carrier’s place of business for the purpose of performing these compliance reviews. These compliance reviews shall be performed in compliance with 49 CFR Part 385.

This rule is intended to implement Iowa Code sections 321.449 and 321.450.

**761—520.6(321) Out-of-service order.** A person shall not operate a commercial vehicle or transport hazardous material in violation of an out-of-service order issued by an Iowa peace officer. An out-of-service order for noncompliance shall be issued when either the vehicle operator is not qualified to operate the vehicle or the vehicle is unsafe to be operated until required repairs are made. The out-of-service order shall be consistent with the North American Uniform Out-of-Service Criteria.

This rule is intended to implement Iowa Code sections 321.3, 321.208A, 321.449, and 321.450.

**761—520.7(321) Driver’s statement.** A “driver” as used in Iowa Code sections 321.449(5) and 321.450(2) shall carry at all times a notarized statement of employment. The statement shall include the following:

1. The driver’s name, address and social security number;
2. The name, address and telephone number of the driver’s pre-July 29, 1996, employer;
3. A statement, signed by the pre-July 29, 1996, employer or the employer’s authorized representative, that the driver was employed to operate a commercial vehicle only in Iowa; and
4. A statement showing the driver’s physical or medical condition existed prior to July 29, 1996.

This rule is intended to implement Iowa Code sections 321.449 and 321.450.

[ARC 2019C, IAB 6/10/15, effective 7/15/15]

**761—520.8(321) Planting and harvesting periods.** In accordance with the provisions of 49 CFR 395.1, the planting and harvesting periods pertaining to agricultural operations are March 15 through June 30 and October 4 through December 14.

This rule is intended to implement Iowa Code sections 321.449 and 321.450.

[ARC 2019C, IAB 6/10/15, effective 7/15/15]

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[Filed ARC 2525C (Notice ARC 2401C, IAB 2/17/16), IAB 5/11/16, effective 6/15/16]

<sup>1</sup> Effective date of 520.1(1) “a” and “b”; rescission of 520.1(2) “b”; and 520.3 delayed until adjournment of the 1993 Regular Session of the General Assembly by the Administrative Rules Review Committee at its meeting held October 14, 1992; delay lifted by the Committee November 10, 1992.



CHAPTER 607  
COMMERCIAL DRIVER LICENSING

**761—607.1(321) Scope.** This chapter applies to licensing persons for the operation of commercial motor vehicles. Unless otherwise stated, the provisions of this chapter are in addition to other motor vehicle licensing rules.

This rule is intended to implement Iowa Code chapter 321.

**761—607.2(17A) Information.**

**607.2(1) Information and location.** Applications, forms and information about the commercial driver's license (CDL) are available at any driver's license examination station. Assistance is also available by mail from the Office of Driver Services, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at (800)532-1121 or (515)244-8725; by facsimile at (515)239-1837; or on the department's Web site at [www.iowadot.gov](http://www.iowadot.gov).

**607.2(2) Manual.** A copy of a study manual for the commercial driver's license tests is available upon request at any driver's license examination station and on the department's Web site.

This rule is intended to implement Iowa Code section 17A.3.

[ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.3(321) Definitions.** The definitions in Iowa Code section 321.1 apply to this chapter of rules. In addition, the following definitions are adopted:

*"Air brake system"* means a system that uses air as a medium for transmitting pressure or force from the driver's control to the service brake. "Air brake system" shall include any braking system operating fully or partially on the air brake principle.

*"Air over hydraulic brakes"* means any braking system operating partially on the air brake and partially on the hydraulic brake principle.

*"Automatic transmission"* means any transmission other than a manual transmission.

*"CDLIS"* means "commercial driver's license information system" as defined in Iowa Code section 321.1.

*"Commercial driver's license downgrade"* or *"CDL downgrade"* means either:

1. The driver changes the driver's self-certification of type of driving from non-expected interstate to expected interstate, non-expected intrastate, or expected intrastate driving, or
2. The department removed the CDL privilege from the driver's license.

*"Commercial motor vehicle"* or *"CMV"* as defined in Iowa Code section 321.1 does not include a motor vehicle designed as off-road equipment rather than as a motor truck, such as a forklift, motor grader, scraper, tractor, trencher or similar industrial-type equipment. "Commercial motor vehicle" also does not include self-propelled implements of husbandry described in Iowa Code subsection 321.1(32).

*"Controlled substance"* as used in Iowa Code section 321.208 means a substance defined in Iowa Code section 124.101.

*"Hazardous materials"* means any material that has been designated as hazardous under 49 U.S.C. Section 5103 and is required to be placarded under 49 CFR Part 172, Subpart F, or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73.

*"Manual transmission"* means a transmission utilizing a driver-operated clutch that is activated by a pedal or lever and a gear-shift mechanism operated either by hand or by foot. All other transmissions, whether semi-automatic or automatic, will be considered automatic.

*"Medical examiner"* means a person who is licensed, certified or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced registered nurse practitioners, and doctors of chiropractic.

*"Medical examiner's certificate"* means a certificate completed and signed by a medical examiner under the provisions of 49 CFR Section 391.43.

“*Medical variance*” means a driver has received one of the following from the Federal Motor Carrier Safety Administration that allows the driver to be issued a medical certificate:

1. An exemption letter permitting operation of a commercial motor vehicle pursuant to 49 CFR Part 381, Subpart C, or 49 CFR Section 391.62, or 49 CFR Section 391.64.
2. A skill performance evaluation certificate permitting operation of a commercial motor vehicle pursuant to 49 CFR Section 391.49.

“*Passenger vehicle*” means either of the following:

1. A motor vehicle designed to transport 16 or more persons including the operator.
2. A motor vehicle of a size and design to transport 16 or more persons including the operator which is redesigned or modified to transport fewer than 16 persons with disabilities. The size of a redesigned or modified vehicle shall be any such vehicle with a gross vehicle weight rating of 10,001 or more pounds.

“*School bus*” means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. “School bus” does not include a bus used as a common carrier.

“*Self-certification*” means a written certification of which category of type of driving an applicant for a commercial driver’s license engages in or intends to engage in, from the following categories:

1. Non-excepted interstate. The person certifies that the person operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 CFR Part 391, and is required to obtain a medical examiner’s certificate by 49 CFR Section 391.45.
2. Excepted interstate. The person certifies that the person operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 CFR Section 390.3(f), 391.2, 391.68 or 398.3 from all or parts of the qualification requirements of 49 CFR Part 391, and is therefore not required to obtain a medical examiner’s certificate by 49 CFR Section 391.45.
3. Non-excepted intrastate. The person certifies that the person operates only in intrastate commerce and is subject to state driver qualification requirements.
4. Excepted intrastate. The person certifies that the person operates only in intrastate commerce, but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements as set forth in Iowa Code section 321.449.

“*State,*” as used in this chapter and in “another state” in Iowa Code subsection 321.174(2), “former state of residence” in Iowa Code subsection 321.188(5), or “any state” in Iowa Code subsection 321.208(1), means one of the United States or the District of Columbia unless the context means the state of Iowa.

This rule is intended to implement Iowa Code sections 321.1, 321.174, 321.188, 321.191, 321.193, 321.207 and 321.208.

[ARC 7902B, IAB 7/1/09, effective 8/5/09; ARC 9954B, IAB 1/11/12, effective 1/30/12; ARC 0031C, IAB 3/7/12, effective 4/11/12; ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.4 and 607.5** Reserved.

**761—607.6(321) Exemptions.**

**607.6(1) *Persons exempt.*** A person listed in Iowa Code section 321.176A is exempt from commercial driver licensing requirements.

**607.6(2) *Exempt until April 1, 1992.*** Rescinded IAB 6/23/93, effective 7/28/93.

This rule is intended to implement Iowa Code sections 321.1 and 321.176A.

**761—607.7(321) Records.** The operating record of a person who has been issued a commercial driver’s license or a commercial learner’s permit or a person who has been disqualified from operating a commercial motor vehicle shall be maintained as provided in the department’s “Record Management Manual” adopted in 761—Chapter 4.

This rule is intended to implement Iowa Code sections 22.11, 321.12 and 321.199.

[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.8** and **607.9** Reserved.

**761—607.10(321) Adoption of federal regulations.**

**607.10(1) Code of Federal Regulations.** The department's administration of commercial driver's licenses shall be in compliance with the state procedures set forth in 49 CFR Section 383.73, and this chapter shall be construed to that effect. The department adopts the following portions of the Code of Federal Regulations which are referenced throughout this chapter of rules:

- a. 49 CFR Section 391.11 as adopted in 761—Chapter 520.
- b. 49 CFR Section 392.5 as adopted in 761—Chapter 520.
- c. The following portions of 49 CFR Part 383 (October 1, 2015):
  - (1) Section 383.51, Disqualification of drivers.
  - (2) Subpart E—Testing and Licensing Procedures.
  - (3) Subpart G—Required Knowledge and Skills.
  - (4) Subpart H—Tests.

**607.10(2) Copies of regulations.** Copies of the federal regulations may be reviewed at the state law library or through the Internet at <http://www.fmcsa.dot.gov>.

This rule is intended to implement Iowa Code sections 321.187, 321.188, 321.207, 321.208 and 321.208A.

[ARC 7902B, IAB 7/1/09, effective 8/5/09; ARC 9954B, IAB 1/11/12, effective 1/30/12; ARC 0031C, IAB 3/7/12, effective 4/11/12; ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.11** to **607.14** Reserved.

**761—607.15(321) Application.** An applicant for a commercial driver's license shall comply with the requirements of Iowa Code sections 321.180(2) "e," 321.182 and 321.188, and 761—Chapter 601, and must provide the proofs of citizenship or lawful permanent residence and state of domicile required by 49 CFR Section 383.71. If the applicant is domiciled in a foreign jurisdiction and applying for a nondomiciled commercial driver's license, the applicant must provide a document required by 49 CFR Section 383.71(f).

This rule is intended to implement Iowa Code sections 321.180, 321.182 and 321.188.

[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.16(321) Commercial driver's license (CDL).**

**607.16(1) Classes.** The department may issue a commercial driver's license only as a Class A, B or C driver's license. The license class identifies the types of vehicles that may be operated. A commercial driver's license may have endorsements which authorize additional vehicle operations or restrictions which limit vehicle operations.

**607.16(2) Validity.**

a. A Class A commercial driver's license allows a person to operate a combination of commercial motor vehicles as specified in Iowa Code paragraph 321.189(1) "a." With the required endorsements and subject to the applicable restrictions, a Class A commercial driver's license is valid to operate any vehicle.

b. A Class B commercial driver's license allows a person to operate a commercial motor vehicle as specified in Iowa Code paragraph 321.189(1) "b." With the required endorsements and subject to the applicable restrictions, a Class B commercial driver's license is valid to operate any vehicle except a truck-tractor semitrailer combination as a chauffeur (Class D) or a vehicle requiring a Class A commercial driver's license.

c. A Class C commercial driver's license allows a person to operate a commercial motor vehicle as specified in Iowa Code paragraph 321.189(1) "c." With the required endorsements and subject to the applicable restrictions, a Class C commercial driver's license is valid to operate any vehicle except a truck-tractor semitrailer combination as a chauffeur (Class D) or a vehicle requiring a Class A or Class B commercial driver's license.

*d.* A commercial driver's license is valid for operating a motorcycle as a commercial motor vehicle only if the license has a motorcycle endorsement and a hazardous material endorsement. A commercial driver's license is valid for operating a motorcycle as a noncommercial motor vehicle only if the license has a motorcycle endorsement.

*e.* A commercial driver's license valid for eight years shall be issued to a qualified applicant who is at least 18 years of age but not yet 72 years of age. However, the expiration date of the license issued shall not exceed the licensee's 74th birthday.

*f.* A commercial driver's license valid for two years shall be issued to a qualified applicant 72 years of age or older. A two-year license may also be issued, at the discretion of the department, to an applicant whose license is restricted due to vision or other physical disabilities.

*g.* A commercial driver's license is valid for 60 days after the expiration date.

*h.* A person with a commercial driver's license valid for the vehicle operated is not required to obtain a Class D driver's license to operate the vehicle as a chauffeur.

**607.16(3) Requirements.**

*a.* The minimum age to obtain a commercial driver's license is 18 years.

*b.* The applicant shall meet the requirements set forth in rule 761—607.15(321).

**607.16(4) Transition from five-year to eight-year licenses.** During the period January 1, 2014, to December 31, 2018, the department shall issue qualified applicants otherwise eligible for an eight-year license a five-year, six-year, seven-year, or eight-year license, subject to all applicable limitations for age and ability. The applicable period shall be randomly assigned to the applicant by the department's computerized issuance system based on a distribution formula intended to spread renewal volumes as equally as practical over the eight-year period beginning January 1, 2019, and ending December 31, 2026.

This rule is intended to implement Iowa Code sections 321.177, 321.182, 321.188, 321.189, and 321.196 and 2013 Iowa Acts, chapter 104, section 2.

[ARC 1714C, IAB 11/12/14, effective 12/17/14; ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16]

**761—607.17(321) Endorsements.** All endorsements except the hazardous material endorsement continue to be valid without retesting or additional fees when renewing or upgrading a license. The endorsements that authorize additional commercial motor vehicle operations with a commercial driver's license are:

**607.17(1) Hazardous material.** A hazardous material endorsement (H) is required to transport hazardous materials. Upon license renewal, retesting and fee payment are required. Retesting and fee payment are also required when an applicant upgrades an Iowa license or transfers a commercial driver's license from another state unless the applicant provides evidence of passing the endorsement test within the preceding 24 months. A farmer or a person working for a farmer is not subject to the hazardous material endorsement while operating either a pickup or a special truck within 150 air miles of the farmer's farm to transport supplies to or from the farm.

**607.17(2) Passenger vehicle.** A passenger vehicle endorsement (P) is required to operate a passenger vehicle as defined in rule 761—607.3(321).

**607.17(3) Tank vehicle.** A tank vehicle endorsement (N) is required to operate a tank vehicle as defined in Iowa Code section 321.1. A vehicle transporting a tank, regardless of the tank's capacity, which does not otherwise meet the definition of a commercial motor vehicle in Iowa Code section 321.1 is not a tank vehicle.

**607.17(4) Double/triple trailer.** A double/triple trailer endorsement (T) is required to operate a commercial motor vehicle with two or more towed trailers when the combination of vehicles meets the criteria for a Class A commercial motor vehicle. Operation of a triple trailer combination vehicle is not permitted in Iowa.

**607.17(5) Hazardous material and tank.** A combined endorsement (X) authorizes both hazardous material and tank vehicle operations.

**607.17(6) School bus.** After September 30, 2005, a school bus endorsement (S) is required to operate a school bus as defined in rule 761—607.3(321). An applicant for a school bus endorsement must also qualify for a passenger vehicle endorsement.

**607.17(7) Exceptions for towing operations.**

*a.* A driver who tows a vehicle in an emergency “first move” from the site of a vehicle malfunction or accident on a highway to the nearest appropriate repair facility is not required to have the endorsement(s) applicable to the towed vehicle. In any subsequent move, a driver who tows a vehicle from one repair or disposal facility to another is required to have the endorsement(s) applicable to the towed vehicle with one exception: A tow truck driver is not required to have a passenger endorsement to tow a passenger vehicle.

*b.* The double/triple trailer endorsement is not required to operate a commercial motor vehicle with two or more towed vehicles that are not trailers.

This rule is intended to implement Iowa Code sections 321.1, 321.176A and 321.189.

[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.18(321) Restrictions.** The restrictions that may limit commercial motor vehicle operation with a commercial driver’s license are listed in 761—subrule 605.5(3) and are explained below:

**607.18(1) Air brake.** The air brake restriction (L, no air brake equipped CMV) applies to a licensee who either fails the air brake component of the knowledge test or performs the skills test in a vehicle not equipped with air brakes and prohibits the operation of a commercial motor vehicle equipped with an air brake system until the licensee passes the required air brake tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

**607.18(2) Full air brake.** The full air brake restriction (Z, no full air brake equipped CMV) applies to a licensee who performs the skills test in a vehicle equipped with air over hydraulic brakes and prohibits the operation of a commercial motor vehicle equipped with any braking system operating fully on the air brake principle until the licensee passes the required air brake tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

**607.18(3) Manual transmission.** The manual transmission restriction (E, no manual transmission equipped CMV) applies to a licensee who performs the skills test in a vehicle equipped with automatic transmission and prohibits the operation of a commercial motor vehicle equipped with a manual transmission until the licensee passes the required tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

**607.18(4) Tractor-trailer.** The tractor-trailer restriction (O, no tractor trailer CMV) applies to a licensee who performs the skills test in a combination vehicle for a Class A commercial driver’s license with the power unit and towed unit connected with a pintle hook or other non-fifth wheel connection and prohibits operation of a tractor-trailer combination connected by a fifth wheel that requires a Class A commercial driver’s license until the licensee passes the required tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

**607.18(5) Class A passenger vehicle.** The Class A passenger vehicle restriction (M, no Class A passenger vehicle) applies to a licensee who applies for a passenger endorsement and performs the skills test in a passenger vehicle that requires a Class B commercial driver’s license and prohibits operation of a passenger vehicle that requires a Class A commercial driver’s license.

**607.18(6) Class A and B passenger vehicle.** The Class A and B passenger vehicle restriction (N, no Class A and B passenger vehicle) applies to a licensee who applies for a passenger endorsement and performs the skills test in a passenger vehicle that requires a Class C commercial driver’s license and prohibits operation of a passenger vehicle that requires a Class A or Class B commercial driver’s license.

**607.18(7) Intrastate only.** The intrastate only restriction (K, intrastate only) applies to a licensee who self-certifies to non-expected intrastate or expected intrastate driving and prohibits the operation of a commercial motor vehicle in interstate commerce.

**607.18(8) Medical variance.** The medical variance restriction (V, medical variance) applies to a licensee when the department is notified pursuant to 49 CFR Section 383.73(o)(3) that the driver has

been issued a medical variance and indicates there is information about a medical variance on the CDLIS driver record.

This rule is intended to implement Iowa Code sections 321.189 and 321.191.  
[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.19** Reserved.

**761—607.20(321) Commercial learner's permit.**

**607.20(1) Validity.**

*a.* A commercial learner's permit allows the permit holder to operate a commercial motor vehicle when accompanied as required by Iowa Code section 321.180(2)“*d.*”

*b.* A commercial learner's permit is valid for 180 days and may be renewed for an additional 180 days without retaking the general and endorsement knowledge tests required by Iowa Code section 321.188.

*c.* A commercial learner's permit is invalid after the expiration date of the underlying commercial or noncommercial driver's license issued to the permit holder or the expiration date of the permit whichever occurs first.

*d.* The issuance of a commercial learner's permit is a precondition to the initial issuance of a commercial driver's license. The issuance of a commercial learner's permit is also a precondition to the upgrade of a commercial driver's license if the upgrade requires a skills test. The holder of a commercial learner's permit is not eligible to take a required driving skills test for the first 14 days after the permit holder is issued the permit. The 14-day period includes the day the commercial learner's permit was issued.

EXAMPLE: The commercial learner's permit is issued on September 1. The earliest date the permit holder would be eligible to take the skills test is September 15.

*e.* A commercial learner's permit is not valid for the operation of a vehicle transporting hazardous materials.

**607.20(2) Requirements.**

*a.* An applicant for a commercial learner's permit must hold a valid Class A, B, C, or D driver's license issued in this state that is not an instruction permit, a special instruction permit, a motorized bicycle license or a temporary restricted license; must be at least 18 years of age; and must meet the requirements to obtain a valid commercial driver's license, including the requirements set forth in Iowa Code section 321.188. However, the applicant does not have to complete the driving skills tests required for a commercial driver's license to obtain a commercial learner's permit.

*b.* The applicant must successfully pass a general knowledge test that meets the federal standards contained in 49 CFR Part 383, Subparts F, G and H, for the commercial motor vehicle the applicant operates or expects to operate, including any endorsement for which the applicant applies.

**607.20(3) Endorsements.** A commercial learner's permit may include the following endorsements. All other endorsements are prohibited on a commercial learner's permit.

*a.* An applicant for a passenger endorsement (P) must take and pass the passenger endorsement knowledge test. A commercial learner's permit holder with a passenger endorsement is prohibited from operating a commercial motor vehicle carrying passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the commercial driver's license holder accompanying the permit holder required by Iowa Code section 321.180(2)“*d.*”

*b.* An applicant for a school bus endorsement (S) must take and pass the school bus endorsement knowledge test. A commercial learner's permit holder with a school bus endorsement is prohibited from operating a commercial motor vehicle carrying passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the commercial driver's license holder accompanying the permit holder required by Iowa Code section 321.180(2)“*d.*”

*c.* An applicant for a tank vehicle endorsement (N) must take and pass the tank vehicle endorsement knowledge test. A commercial learner's permit holder with a tank vehicle endorsement

may only operate an empty tank vehicle and is prohibited from operating any tank vehicle that previously contained hazardous materials that has not been purged of any residue.

**607.20(4) Restrictions.** A commercial learner's permit may include the air brake (L), medical variance (V), Class A passenger vehicle (M), Class A and B passenger vehicle (N) and intrastate only (K) restrictions described in rule 761—607.18(321). In addition, a commercial learner's permit may include the following restrictions that are specific to the commercial learner's permit:

*a. Passenger.* The passenger restriction (P, no passengers in CMV bus) applies to a permit holder who has a commercial learner's permit with a passenger or school bus endorsement and prohibits the operation of a commercial motor vehicle carrying passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the commercial driver's license holder accompanying the permit holder required by Iowa Code section 321.180(2) "d."

*b. Cargo.* The cargo restriction (X, no cargo in CMV tank vehicle) applies to a permit holder who has a commercial learner's permit with a tank vehicle endorsement and prohibits the operation of any tank vehicle containing cargo or any tank vehicle that previously contained hazardous materials that has not been purged of any residue.

This rule is intended to implement Iowa Code sections 321.180, 321.186 and 321.188.

[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.21 to 607.24** Reserved.

**761—607.25(321) Examination for a commercial driver's license.** In addition to the requirements of 761—Chapter 604, an applicant for a commercial driver's license shall pass the knowledge and skills tests as required in 49 CFR Part 383, Subparts G and H.

This rule is intended to implement Iowa Code section 321.186.

**761—607.26(321) Vision screening.** An applicant for a commercial driver's license or commercial learner's permit must pass a vision screening test administered by the department. The vision standards are given in 761—604.11(321).

This rule is intended to implement Iowa Code sections 321.186 and 321.186A.

[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16]

**761—607.27(321) Knowledge tests.**

**607.27(1) General knowledge test.** The general knowledge test for a commercial driver's license is a written test of topics such as vehicle inspection, operation, safety and control in accordance with 49 CFR Section 383.111.

**607.27(2) Additional tests.** In addition to the general knowledge test for a commercial driver's license, an additional knowledge test is required for each of the following:

- a.* Class A license for combination vehicle operation as required in 49 CFR Section 383.111.
- b.* Hazardous material endorsement as required in 49 CFR Section 383.121. The knowledge test for a hazardous material endorsement shall not be administered orally or in a language other than English.
- c.* Passenger vehicle endorsement as required in 49 CFR Section 383.117.
- d.* Tank vehicle endorsement as required in 49 CFR Section 383.119.
- e.* Double/triple trailer endorsement as required in 49 CFR Section 383.115.
- f.* School bus endorsement as required in 49 CFR Section 383.123. The applicant must also qualify for a passenger vehicle endorsement.
- g.* Removal of the air brake restriction as required in 49 CFR Section 383.111.

**607.27(3) Test methods.** All knowledge tests shall be administered in compliance with 49 CFR Section 383.133(b). All tests other than the hazardous material endorsement test may be administered in written form, verbally, or in automated format and can be administered in a foreign language, provided no interpreter is used in administering the test. A verbal test shall be offered only at specified locations. Information about the locations is available at any driver's license examination station.

**607.27(4) Waiver.** A waiver of any knowledge test is permitted only as provided in Iowa Code subsection 321.188(5). The burden of proof of having passed the hazardous material endorsement test within the preceding 24 months rests with the applicant.

**607.27(5) Requirement.** An applicant must pass the applicable knowledge test(s) before taking the skills test. Passing scores for a knowledge test shall meet the standards contained in 49 CFR Section 383.135(a).

This rule is intended to implement Iowa Code sections 321.186 and 321.188.  
[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

#### **761—607.28(321) Skills test.**

**607.28(1) Content.** The skills test for a commercial driver's license is a three-part test as required in 49 CFR Part 383, Subparts E, G and H.

**607.28(2) Test methods.** All skills tests shall be administered in compliance with 49 CFR Section 383.133(c). Interpreters are prohibited during the administration of skills tests. Applicants must be able to understand and respond to verbal commands and instructions in English by a skills test examiner. Neither the applicant nor the examiner may communicate in a language other than English during the skills test.

**607.28(3) Order.** The skills test must be administered and successfully completed in the following order: pre-trip inspection, basic vehicle control skills, on-road skills. If an applicant fails one segment of the skills test, the applicant cannot continue to the next segment of the test, and scores for the passed segments of the test are only valid during initial issuance of the commercial learner's permit. If the commercial learner's permit is renewed, all three segments of the skills test must be retaken. However:

*a.* If the applicant wants to remove an air brake restriction, full air brake restriction, or manual transmission restriction, the applicant does not have to retake the complete skills test, and may complete a modified skills test that demonstrates the applicant can safely and effectively operate the vehicle's full air brakes, air over hydraulic brakes, or manual transmission. In addition, to remove the air brake or full air brake restriction, the applicant must successfully perform the air brake pre-trip inspection and pass the air brake knowledge test.

*b.* If the applicant wants to remove the tractor-trailer restriction, the applicant must retake all three skills tests in a representative tractor-trailer.

**607.28(4) Vehicle.** The applicant shall provide a representative vehicle for the skills test. "Representative vehicle" means a commercial motor vehicle that meets the statutory description for the class of license applied for.

*a.* To obtain a passenger vehicle endorsement applicable to a specific vehicle class, the applicant must take the skills test in a passenger vehicle, as defined in rule 761—607.3(321), satisfying the requirements of that class, as required in 49 CFR Section 383.117.

*b.* To obtain a school bus endorsement, the applicant must qualify for a passenger vehicle endorsement and take the skills test in a school bus, as defined in rule 761—607.3(321), in the same vehicle class as the applicant will drive, as required in 49 CFR Section 383.123. Up to and including September 30, 2005, the skills test for a school bus endorsement is waived for an applicant meeting the requirements of 49 CFR Section 383.123(b).

*c.* To remove an air brake or full air brake restriction, the applicant must take the skills test in a vehicle equipped with an air brake system, as defined in rule 761—607.3(321) and as required in 49 CFR Section 383.113.

*d.* To remove a manual transmission restriction, the applicant must take the skills test in a vehicle equipped with a manual transmission, as defined in rule 761—607.3(321).

**607.28(5) Skills test scoring.** Passing scores for a skills test shall meet the standards contained in 49 CFR Section 383.135(b).

**607.28(6) Military waiver.** The department may waive the requirement that an applicant pass a required skills test for an applicant who is on active duty in the military service or who has separated from such service in the past year, provided the applicant meets the requirements of Iowa Code subsection 321.188(6).



**607.28(7) Locations.** The skills test for a commercial driver's license shall be given only at specified locations where adequate testing facilities are available. An applicant may contact any driver's license examination station for the location of the nearest skills testing station. A skills test by appointment shall be offered only at specified regional test sites.

This rule is intended to implement Iowa Code sections 321.186 and 321.188.  
[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.29(321) Waiver of skills test.** Rescinded IAB 6/23/93, effective 7/28/93.

**761—607.30(321) Third-party testing.**

**607.30(1) Purpose and definitions.** The skills test required by rule 761—607.28(321) may be administered by third-party testers and third-party skills test examiners approved and certified by the department. For the purpose of administering third-party skills testing and this rule, the following definitions shall apply:

“*Community college*” means an Iowa community college established under Iowa Code chapter 260C.

“*Iowa-based motor carrier*” means a motor carrier or its subsidiary that has its principal place of business in the state of Iowa and operates a permanent commercial driver training facility in the state of Iowa.

“*Motor carrier*” means the same as defined in 49 CFR Section 390.5.

“*Permanent commercial driver training facility*” means a facility dedicated to a program of commercial driving instruction that is offered to employees or potential employees of the motor carrier as incident to the motor carrier's commercial operations, that requires at least 40 hours of instruction, and that includes fixed and permanent structures and facilities for the off-road portions of commercial driving instruction, including classroom, pretrip inspection, and basic vehicle control skills. A permanent commercial driver training facility must include a fixed and paved or otherwise hard-surfaced area for basic vehicle control skills testing that is permanently marked and capable of inspection and measurement by the department.

“*Skills test*” means the skills test required by rule 761—607.28(321).

“*Subsidiary*” means a company that is partly or wholly owned by a motor carrier that holds a controlling interest in the subsidiary company.

“*Third-party skills test examiner*” means the same as defined in 49 CFR Section 383.5.

“*Third-party tester*” means the same as defined in 49 CFR Section 383.5.

**607.30(2) Certification of third-party testers.**

a. The department may certify as a third-party tester a community college or Iowa-based motor carrier to administer skills tests. A community college or Iowa-based motor carrier that seeks certification as a third-party tester shall contact the department's office of driver services and schedule a review of the proposed testing program, which shall include the proposed testing courses and facilities, information sufficient to identify all proposed third-party skills test examiners, and any other information necessary to demonstrate compliance with 49 CFR Section 383.75.

b. No community college or Iowa-based motor carrier shall be certified to conduct third-party testing unless and until the community college or Iowa-based motor carrier enters an agreement with the department that meets the requirements of 49 CFR Section 383.75 and demonstrates sufficient ability to conduct skills tests in a manner that consistently meets the requirements of 49 CFR Section 383.75.

c. The department shall issue a certified third-party tester a certificate of authority that identifies the classes and types of vehicles for which skills tests may be administered. The certificate shall be valid for the duration of the agreement executed pursuant to paragraph 607.30(2)“b,” unless revoked by the department for engaging in fraudulent activities related to conducting skills tests or failing to comply with the requirements, qualifications, and standards of this chapter, the agreement, or 49 CFR Section 383.75.

**607.30(3) Certification of third-party skills test examiners.**

*a.* A certified third-party tester shall not employ or otherwise use as a third-party skills test examiner a person who has not been approved and certified by the department to administer skills tests. Each certified third-party tester shall submit for approval the names of all proposed third-party skills test examiners on a form provided by the department. The department shall not approve as a third-party skills test examiner a person who does not meet the requirements, qualifications and standards of 49 CFR Sections 383.75 and 384.228, including but not limited to all required training and examination and a nationwide criminal background check. The criteria for passing the nationwide criminal background check shall include no felony convictions within the last ten years and no convictions involving fraudulent activities.

*b.* The department shall issue a certificate of authority for each person certified as a third-party skills test examiner that identifies the certified third-party tester for which the person will administer skills tests and the classes and types of vehicles for which the person may administer skills tests. The certificate shall be valid for a period of four years from the date of issuance of the certificate.

*c.* The department shall revoke the certificate if the person holding the certificate does not administer skills tests to at least ten different applicants per calendar year; does not successfully complete the refresher training required by 49 CFR Section 384.228 every four years; is involved in fraudulent activities related to conducting skills tests; or otherwise fails to comply with and meet the requirements, qualifications and standards of this chapter or 49 CFR Sections 383.75 and 384.228.

*d.* A third-party skills test examiner who is also a skills instructor shall not administer a skills test to an applicant who received skills training from that third-party skills test examiner.

**607.30(4) Bond.** As a condition of certification, an Iowa-based motor carrier must maintain a bond in the amount of \$50,000 to pay for the retesting of drivers in the event that the third-party tester or one or more of its third-party skills test examiners are involved in fraudulent activities related to conducting skills tests of applicants for a commercial driver's license.

**607.30(5) Limitation applicable to Iowa-based motor carriers.** An Iowa-based motor carrier certified as a third-party tester may only administer the skills test to persons who are enrolled in the Iowa-based motor carrier's commercial driving instruction program and shall not administer skills tests to persons who are not enrolled in that program.

**607.30(6) Training and refresher training for third-party skills test examiners.** All training and refresher training required under this rule shall be provided by the department, in form and content that meet the recommendations of the American Association of Motor Vehicle Administrators' International Third-Party Examiner/Tester Certification Program.

This rule is intended to implement Iowa Code section 321.187.  
[ARC 2530C, IAB 5/11/16, effective 6/15/16]

#### **761—607.31(321) Test results.**

**607.31(1) Period of validity.** Passing knowledge and skills test results shall remain valid for a period of 180 days.

**607.31(2) Retesting.** Subject to rule 761—607.28(321), an applicant shall be required to repeat only the knowledge test(s) or part(s) of the skills test that the applicant failed. An applicant who fails a test shall not be permitted to repeat that test the same day.

**607.31(3) Skills test results from other states.** As required by 49 CFR Section 383.79, the department shall accept the valid results of a skills test administered to an applicant who is domiciled in the state of Iowa and that was administered by another state, in accordance with 49 CFR Part 383, Subparts F, G and H, in fulfillment of the applicant's testing requirements under 49 CFR Section 383.71 and the state's test administration requirements under 49 CFR Section 383.73. The results must be transmitted directly from the testing state to the department as required by 49 CFR Section 383.79.

**607.31(4) Skills test results from certified third-party testers.** A third-party skills tester certified under rule 761—607.30(321) shall transmit the skills test results of tests administered by the third-party tester through secure electronic means determined by the department. The department may retest any person who has passed a skills test administered by a certified third-party tester if it appears to the department that the skills test administered by the third-party tester was administered fraudulently or

improperly, and as needed to meet the third-party skills test examiner oversight requirements of 49 CFR Section 383.75(a)(5).

This rule is intended to implement Iowa Code sections 321.186, 321.187 and 321.188.  
[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.32 to 607.34** Reserved.

**761—607.35(321) Issuance of commercial driver's license and commercial learner's permit.** A commercial driver's license or commercial learner's permit issued by the department shall include the information and markings required by Iowa Code section 321.189(2) "b."

This rule is intended to implement Iowa Code section 321.189.  
[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.36(321) Conversion to commercial driver's license.** Rescinded IAB 6/23/93, effective 7/28/93.

**761—607.37(321) Commercial driver's license renewal.** The department shall administer commercial driver's license renewals as required by 49 CFR Section 383.73.

**607.37(1) Licensee requirements.** To renew a commercial driver's license, the licensee shall apply at a driver's license examination station and complete the following requirements:

*a.* The licensee shall make a written self-certification of type of driving as required by rule 761—607.50(321) and provide a current medical examiner's certificate if required.

*b.* If the licensee has and wishes to retain a hazardous material endorsement, the licensee shall pass the test required in 49 CFR Section 383.121 and comply with the Transportation Security Administration security threat assessment standards specified in 49 CFR Sections 383.71(b)(8) and 383.141 for such endorsement. A lawful permanent resident of the United States must also provide the licensee's U.S. Citizenship and Immigration Services alien registration number.

*c.* The licensee shall provide proof of citizenship or lawful permanent residency and state of domicile as required by rule 761—607.15(321) and 49 CFR 383.73(d)(7). Proof of citizenship or lawful permanent residency is not required if the licensee provided such proof at initial issuance or a previous renewal or upgrade of the license and the department has a notation on the licensee's record confirming that the required proof of legal citizenship or legal presence check was made and the date on which it was made.

*d.* If the licensee is domiciled in a foreign jurisdiction and renewing a non-domiciled commercial driver's license, the licensee must provide a document required by 49 CFR 383.71(f) at each renewal.

**607.37(2) Early renewal.** A valid commercial driver's license may be renewed 90 days before the expiration date. If this is impractical, the department for good cause may renew a license earlier, not to exceed 364 days prior to the expiration date. The department may allow renewal earlier than 364 days prior to the expiration date for active military personnel being deployed due to actual or potential military conflict.

This rule is intended to implement Iowa Code sections 321.186, 321.188 and 321.196.  
[ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.38(321) Transfers from another state.** Upon initial application for an Iowa license, an Iowa resident who has a valid commercial driver's license from a former state of residence is not required to retest except as specified in Iowa Code subsection 321.188(5) but is required to pay the applicable endorsement and restriction removal fees.

This rule is intended to implement Iowa Code sections 321.188 and 321.191.

**761—607.39(321) Disqualification.**

**607.39(1) Date.** A disqualifying act, action or offense under Iowa Code section 321.208, that occurred before July 1, 1990, shall not be grounds for disqualification from operating a commercial motor vehicle.

**607.39(2) Notice.** A 30-day advance notice of disqualification shall be served by the department in accordance with rule 761—615.37(321). Pursuant to Iowa Code subsection 321.208(12), a peace officer on behalf of the department may serve the notice of disqualification immediately.

**607.39(3) Hearing and appeal process.** A person who has received a notice of disqualification may contest the disqualification in accordance with 761—615.38(17A,321).

**607.39(4) Reduction of lifetime disqualification.** Reserved.

This rule is intended to implement Iowa Code chapter 17A and section 321.208.  
[ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.40(321) Sanctions.** When a person's motor vehicle license is denied, canceled, suspended, revoked or barred, the person is also disqualified from operating a commercial motor vehicle.

This rule is intended to implement Iowa Code section 321.208.

**761—607.41 to 607.44** Reserved.

**761—607.45(321) Reinstatement.** To reinstate a commercial driver's license after completion of a period of disqualification, a person shall appear at a driver's license examination station. The person must also meet the vision standards for licensing, pass the applicable knowledge test(s) and the skills test, and pay the required reinstatement fee and the fees for a new license.

This rule is intended to implement Iowa Code sections 321.191 and 321.208.

**761—607.46 to 607.48** Reserved.

**761—607.49(321) Restricted commercial driver's license.**

**607.49(1) Scope.** This rule pertains to the issuance of restricted commercial driver's licenses to suppliers or employees of suppliers of agricultural inputs. Issuance is permitted by 49 CFR 383.3(f). A restricted commercial driver's license shall meet all requirements of a regular commercial driver's license, as set out in Iowa Code chapter 321 and this chapter of rules, except as specified in this rule.

**607.49(2) Agricultural inputs.** The term "agricultural inputs" means suppliers or applicators of agricultural chemicals, fertilizer, seed or animal feeds.

**607.49(3) Validity.**

*a.* A restricted commercial driver's license allows the licensee to drive a commercial motor vehicle for agricultural input purposes. The license is valid to:

- (1) Operate Group B and Group C commercial motor vehicles including tank vehicles and vehicles equipped with air brakes, except passenger vehicles.
- (2) Transport the hazardous materials listed in paragraph 607.49(3) "b."
- (3) Operate only during the current, validated seasonal period.
- (4) Operate between the employer's place of business and the farm currently being served, not to exceed 150 miles.

*b.* A restricted commercial driver's license is not valid for transporting hazardous materials requiring placarding, except as follows:

- (1) Liquid fertilizers such as anhydrous ammonia may be transported in vehicles or implements of husbandry with total capacities of 3,000 gallons or less.
- (2) Solid fertilizers such as ammonium nitrate may be transported provided they are not mixed with any organic substance.
- (3) A hazardous material endorsement is not needed to transport the products listed in the preceding subparagraphs.

*c.* When not driving for agricultural input purposes, the license is valid for operating a noncommercial motor vehicle that may be legally operated under the noncommercial license held by the licensee.

**607.49(4) Requirements.**

a. The applicant must have two years of previous driving experience. This means that the applicant must have held a license that permits unaccompanied driving for at least two years. This does not include a motorized bicycle license, a minor's school license or a minor's restricted license.

b. The applicant must have a good driving record for the most recent two-year period, as defined in subrule 607.49(5).

c. An applicant who currently holds a commercial driver's license or a commercial learner's permit is not eligible for issuance of a restricted commercial driver's license.

**607.49(5) Good driving record.** A "good driving record" means a driving record showing:

a. No multiple licenses.

b. No driver's license suspensions, revocations, disqualifications, denials, bars, or cancellations of any kind.

c. No convictions in any type of motor vehicle for:

(1) Driving under the influence of alcohol or drugs.

(2) Leaving the scene of an accident.

(3) Committing any felony involving a motor vehicle.

(4) Speeding 15 miles per hour or more over the posted speed limit.

(5) Reckless driving, drag racing, or eluding or attempting to elude a law enforcement officer.

(6) Improper or erratic lane changes.

(7) Following too closely.

(8) A moving violation that contributed to a motor vehicle accident.

(9) A violation deemed serious under rule 761—615.17(321).

d. No record of contributive accidents, as defined in rule 761—615.1(321).

**607.49(6) Issuance.**

a. The knowledge and skills tests described in rules 761—607.27(321) and 761—607.28(321) are waived.

b. A restricted commercial driver's license shall be coded with restriction "W" on the face of the driver's license, with the restriction explained in text on the back of the driver's license. In addition, the license shall be issued with a restriction stating the license's period of validity.

c. The expiration date for a restricted commercial driver's license that is converted to this license from another Iowa license shall carry the same expiration date as the previous license.

d. A restricted commercial driver's license may be renewed for the period of time specified in Iowa Code section 321.196. The licensee's good driving record shall be confirmed at the time of renewal.

e. The fee for a restricted commercial driver's license shall be as specified in Iowa Code section 321.191.

f. On or before December 31, 2016, there are two periods of validity for commercial motor vehicle operation: March 15 through June 30, and October 4 through December 14. Validity shall not exceed 180 days in any 12-month period. Any period of validity authorized previously by another state's license shall be considered a part of the 180-day maximum period of validity.

g. On or after January 1, 2017, a licensee may have up to three individual periods of validity for a restricted commercial driver's license, provided the cumulative period of validity for all individual periods does not exceed 180 days in any calendar year. An individual period of validity may be 60, 90, or 180 consecutive days, at the election of the licensee. A licensee may add 30 days to an individual period of validity by applying for an extension, subject to the 180-day cumulative maximum period of validity. A request for extension must be made no later than the date of expiration of the individual period of validity for which an extension is requested; a request for extension made after that date shall be treated as a request for a new individual period of validity. An extension shall be calculated from the date of expiration of the individual period of validity for which an extension is requested. Any period of validity authorized previously by another state's license shall be considered a part of the 180-day cumulative maximum period of validity.

h. A restricted commercial driver's license must be validated for commercial motor vehicle operation for each individual period of validity. This means that the applicant/licensee must have the person's good driving record confirmed at each application for an individual period of validity. Upon

confirmation, the department shall issue a replacement license with a restriction validating the license for that individual period of validity, provided the person is otherwise eligible for the license. The fee for a replacement license shall be as specified in Iowa Code section 321.195.

*i.* The same process must be repeated for each individual period of validity within a calendar year.

This rule is intended to implement Iowa Code section 321.176B.

[ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

**761—607.50(321) Self-certification of type of driving and submission of medical examiner's certificate.**

**607.50(1)** *Applicants for commercial learner's permit or new, transferred, renewed or upgraded CDL.*

*a.* A person shall provide to the department a self-certification of type of driving if the person is applying for:

- (1) A commercial learner's permit,
- (2) An initial commercial driver's license,
- (3) A transfer of a commercial driver's license from a prior state of domicile to the state of Iowa,
- (4) Renewal of a commercial driver's license, or
- (5) A license upgrade for a commercial driver's license or an endorsement authorizing the operation of a commercial motor vehicle not covered by the current commercial driver's license.

*b.* The self-certification shall be on a form or in a format, which may be electronic, as provided by the department.

**607.50(2)** *Submission of medical examiner's certificate by persons certifying to non-excepted interstate driving.* Every person who self-certifies to non-excepted interstate driving must give the department a copy of the person's current medical examiner's certificate. A person who fails to provide a required medical examiner's certificate shall not be allowed to proceed with an initial issuance, transfer, renewal, or upgrade of a license until the person gives the department a medical examiner's certificate that complies with the requirements of this subrule, or changes the person's self-certification of type of driving to a type other than non-excepted interstate driving. For persons submitting a current medical examiner's certificate, the department shall post a medical certification status of "certified" on the person's CDLIS driver's record. A person who self-certifies to a type of driving other than non-excepted interstate shall have no medical certification status on the CDLIS driver's record.

**607.50(3)** *Maintaining certified status.* To maintain a medical certification status of "certified," a person who self-certifies to non-excepted interstate driving must give the department a copy of each subsequently issued medical examiner's certificate valid for the person. The copy must be given to the department at least ten days before the previous medical examiner's certificate expires.

**607.50(4)** *CDL downgrade.* If the medical examiner's certificate or medical variance for a person self-certifying to non-excepted interstate driving expires or if the Federal Motor Carrier Safety Administration notifies the department that the person's medical variance was removed or rescinded, the department shall post a medical certification status of "not certified" to the person's CDLIS driver's record and shall initiate a downgrade of the person's commercial driver's license or commercial learner's permit. The medical examiner's certificate of a person who fails to maintain a medical certification status of "certified" as required by subrule 607.50(3) shall be deemed to be expired on the date of expiration of the last medical examiner's certificate filed for the person as shown by the person's CDLIS driver's record. The downgrade will be initiated and completed as follows:

*a.* The department shall give the person written notice that the person's medical certification status is "not certified" and that the commercial motor vehicle privileges will be removed from the person's commercial driver's license or commercial learner's permit 60 days after the date the medical examiner's certificate or medical variance expired or the medical variance was removed or rescinded unless the person submits to the department a current medical certificate or medical variance or self-certifies to a type of driving other than non-excepted interstate.

*b.* If the person submits a current medical examiner's certificate or medical variance before the end of the 60-day period, the department shall post a medical certification status of "certified" on the

person's CDLIS driver's record and shall terminate the downgrade of the person's commercial driver's license or commercial learner's permit.

c. If the person self-certifies to a type of driving other than non-excepted interstate before the end of the 60-day period, the department shall not remove the commercial motor vehicle privileges from the person's commercial driver's license or commercial learner's permit, and the person will have no medical certification status on the person's CDLIS driver's record.

d. If the person fails to take the action in either paragraph 607.50(4) "b" or "c" before the end of the 60-day period, the department shall remove the commercial motor vehicle privileges from the person's commercial driver's license or commercial learner's permit and shall leave the person's medical certification status as "not certified" on the person's CDLIS driver's record.

**607.50(5) Establishment or reestablishment of "certified" status.** A person who has no medical certification status or whose medical certification status has been posted as "not certified" on the person's CDLIS driver's record may establish or reestablish the status as "certified" by submitting a current medical examiner's certificate or medical variance to the department. A person who has failed to self-certify to a type of driving or has self-certified to a type of driving other than non-excepted interstate must also make a self-certification of type of driving to non-excepted interstate driving. The department shall then post a medical certification status of "certified" on the person's CDLIS driver's record.

**607.50(6) Reestablishment of the CDL privilege.** A person whose commercial motor vehicle privileges have been removed from the person's commercial driver's license or commercial learner's permit under the provisions of paragraph 607.50(4) "d" may reestablish the commercial motor vehicle privileges by either of the following methods:

a. Submitting a current medical examiner's certificate or medical variance to the department. A person who has failed to self-certify to a type of driving must also make an initial self-certification of type of driving to non-excepted interstate driving. The department shall then post a medical certification status of "certified" on the person's CDLIS driver's record and reestablish the commercial motor vehicle privileges, provided that the person otherwise remains eligible for a commercial driver's license or commercial learner's permit.

b. Self-certifying to a type of driving other than non-excepted interstate. The department shall then reestablish the commercial motor vehicle privileges, provided that the person otherwise remains eligible for a commercial driver's license or commercial learner's permit; the person will have no medical certification status on the driver's CDLIS driver's record.

**607.50(7) Change of type of driving.** A person may change the person's self-certification of type of driving at any time. As required by subrule 607.50(2), a person certifying to non-excepted interstate driving must give the department a copy of the person's current medical examiner's certificate prepared by a medical examiner.

**607.50(8) Record keeping.** The department shall comply with the medical record-keeping requirements set forth in 49 CFR Section 383.73.

This rule is intended to implement Iowa Code sections 321.182, 321.188 and 321.207.

[ARC 9954B, IAB 1/11/12, effective 1/30/12; ARC 0031C, IAB 3/7/12, effective 4/11/12; ARC 2071C, IAB 8/5/15, effective 7/14/15; ARC 2337C, IAB 1/6/16, effective 2/10/16; ARC 2530C, IAB 5/11/16, effective 6/15/16]

#### **761—607.51(321) Determination of gross vehicle weight rating.**

**607.51(1) Actual weight prohibited.** In determining whether the vehicle is a representative vehicle for the skills test and the group of commercial driver's license for which the applicant is applying, the vehicle's gross weight rating or gross combination weight rating must be used, not the vehicle's actual gross weight or gross combination weight. For purposes of this rule, "gross weight rating" and "gross combination weight rating" mean as defined in 49 CFR Section 383.5.

**607.51(2) Vehicle without legible manufacturer's certification label.** To complete a skills test using a vehicle that has no legible manufacturer's certification label, whether a power unit or towed vehicle, the applicant must provide documentation of the vehicle's gross vehicle weight rating, such as a manufacturer's certificate of origin, a title, or the vehicle identification number information for

the vehicle. In the absence of such documentation, the vehicle may not be used, either alone or in combination.

This rule is intended to implement Iowa Code section 321.1.

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CHAPTER 3  
LISTS OF REGISTERED VOTERS  
[Prior to 3/21/90, see Voter Registration Commission[845], Ch 3]

**821—3.1(48A) List defined.** For the purposes of this rule, a “list” of registered voters is any information from one or more voter registration records related to any individual or group of registered voters. Statistical data containing no personally identifiable information is not a “list.”

**821—3.2(48A) Request for list.**

**3.2(1) Requests.** A request for a list of registered voters may be made in writing on a Specifications for Voter List form submitted to either a county commissioner or the state registrar. A commissioner or the registrar may accept a request for a list made via telephone provided the commissioner or registrar is confident that both the requester and the commissioner or registrar clearly understand the specifics of the request and provided the requester agrees that the voter registration information will only be used for the purposes set forth in Iowa Code section 48A.39. If a request is unclear or ambiguous, the commissioner or registrar may require that the request be submitted in writing.

**3.2(2) Definition.** The term “political purpose” means research, advocacy, or education relating to the election, administration, or governance of public policies or officials.  
[ARC 7883B, IAB 7/1/09, effective 7/1/09; ARC 2521C, IAB 5/11/16, effective 6/15/16]

**821—3.3(48A) Contents of written request.** Each written request for a list of registered voters shall contain all of the following information:

1. The name of the requester.
2. The address of the requester.
3. The telephone number of the requester.
4. A description of the records to be included in the list.
5. A description of the sequence of the records on the list.
6. A description of the output medium for the list.
7. The date of the request.
8. The date the list is desired.
9. The intended use of the list.
10. The following signed statement: “I am aware that information from voter registration records may be used lawfully only to request a registrant’s vote, for a genuine political purpose, for bona fide political research, or for a bona fide official purpose by an elected official. I understand that using the information for any commercial purpose is a serious misdemeanor under Iowa law. I agree to pay the cost of the above ordered list upon delivery.”

**821—3.4(48A) Contents of telephone request.** When a request for a list of registered voters is made by telephone, the person taking the request shall gather and record on a Specifications for Voter List form all of the information specified in 3.3“1” through 3.3“9.” In addition, the taker of the request shall read the statement in 3.3“10” to the requester. The taker of the request shall note, on the signature line of the form, the fact that the requester was read the statement. If a requester refuses to provide the requester’s identity or refuses to agree to the use restrictions for the voter registration information, the registrar or the commissioner shall not provide the requested information.  
[ARC 7883B, IAB 7/1/09, effective 7/1/09]

**821—3.5(48A) Requests received by a county commissioner.** A request for a list of registered voters submitted to a county commissioner may be honored by that commissioner, or may be forwarded to the registrar. However, a county commissioner shall adhere to a consistent policy regarding the provision of lists. If a commissioner provides a list to any requester, the commissioner shall likewise provide lists to all requesters, provided the commissioner has the data and software necessary to meet the list request specifications. Similarly, if a commissioner refuses to provide a list for which the commissioner has

the necessary data and software to any requester, the commissioner shall refuse all requests for lists of registered voters.

**821—3.6(48A) Requests received by the state registrar.** Requests for lists of registered voters received by the registrar shall be honored in the order in which they are received, provided that the data necessary for compiling the list is available to the registrar. If provision of a list is delayed due to the absence of data, the registrar shall contact the list requester and explain the circumstances. The requester may choose to modify the request, cancel the request, or wait for the necessary data.

**821—3.7(48A) Payment for lists required.** Notwithstanding any other provision of these rules, no list shall be provided to a requester who has not paid for all previously requested and completed lists. Payment shall be made at the time the list is delivered, except that payment for lists ordered by political subdivisions of the state may be made within 60 days of delivery. A county commissioner or registrar may require an advance payment of 80 percent of the estimated cost of a list if the estimated cost is \$1000 or more.

**821—3.8(48A) Confidential data.** Nothing in these rules shall be construed to authorize or require any county commissioner or the registrar to disclose any information made confidential by the National Voter Registration Act of 1993 or any other federal or state law.

**821—3.9(48A) List of a person's own voter registration record.** Nothing in these rules shall be construed to prohibit any person from viewing that person's own voter registration record, including any confidential data associated with it.

**821—3.10(48A) Driver's license numbers.** The county commissioner of registration and the state registrar of voters shall remove a voter's driver's license number, Iowa department of transportation-issued nonoperator's identification card number, or whole or partial social security number from a voter registration list prepared pursuant to Iowa Code section 48A.38.

These rules are intended to implement Iowa Code section 48A.38.

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