

237C.4 Rules and standards — requirements.

1. Except as otherwise provided in [this section](#), the department shall adopt rules pursuant to [chapter 17A](#) to administer [this chapter](#).
2. Before the department issues or reissues a certificate of approval to a children's residential facility under [section 237C.6](#), the facility shall comply with standards adopted by the director of the department of inspections, appeals, and licensing under [chapter 10A, subchapter V, part 2](#).
3. Rules governing sanitation, water, and waste disposal standards for children's residential facilities shall be adopted by the department.
4. Rules governing educational programs and education services provided by children's residential facilities shall be adopted by the state board of education pursuant to [section 282.34](#).
5. In the case of a conflict between rules and standards adopted pursuant to [subsections 2 and 3](#) and local rules and standards, the more stringent requirement applies.
6. Rules adopted under [this section](#) shall not regulate religious education curricula at children's residential facilities.
7. Prior to establishing, proposing, adopting, or modifying a standard or rule under [section 237C.3](#), this section, or [section 282.34](#), the department or the department of education, as applicable, shall, at a minimum, do all of the following:
 - a. Publish the entire text of the proposed standard, rule, or modification on its internet site.
 - b. Make every reasonable effort to notify the children's residential facilities in this state of the proposed standard, rule, or modification.
 - c. Allow and invite any and all persons interested in the proposed standard, rule, or modification to submit written data, facts, opinions, comments, and arguments, which information shall be made publicly available and shall be filed with and maintained by the applicable department for at least five years from the date of submission to the applicable department.

[2016 Acts, ch 1114, §4; 2023 Acts, ch 19, §753, 754, 1648](#)

Referred to in [§282.34](#)