

**EDUCATION DEPARTMENT[281]**

Created by 1986 Iowa Acts, chapter 1245, section 1401.  
 Prior to 9/7/88, see Public Instruction Department[670]  
 (Replacement pages for 9/7/88 published in 9/21/88 IAC)

## TITLE I

*GENERAL INFORMATION—  
 DEPARTMENT OPERATIONS*

## CHAPTER 1

## ORGANIZATION AND OPERATION

- |              |  |
|--------------|--|
| 1.1(17A,256) | State board of education                       |
| 1.2(17A,256) | Student member of the state board of education |
| 1.3(17A,256) | Director of the department of education        |
| 1.4(17A,256) | Department of education                        |

## CHAPTER 2

AGENCY PROCEDURE FOR RULEMAKING  
 AND PETITIONS FOR RULEMAKING

- |          |                            |
|----------|----------------------------|
| 2.1(17A) | Incorporation by reference |
| 2.2(17A) | Contact information        |
| 2.3(17A) | Electronic submissions     |

## CHAPTER 3

## DECLARATORY ORDERS

- |           |  |
|-----------|--|
| 3.13(17A) | Additional information concerning declaratory orders |
|-----------|--|

## CHAPTER 4

## WAIVERS FROM ADMINISTRATIVE RULES

- |           |                            |
|-----------|----------------------------|
| 4.1(17A)  | Definitions                |
| 4.2(17A)  | General                    |
| 4.3(17A)  | Criteria for waiver        |
| 4.4(17A)  | Filing of petition         |
| 4.5(17A)  | Content of petition        |
| 4.6(17A)  | Additional information     |
| 4.7(17A)  | Notice                     |
| 4.8(17A)  | Hearing procedures         |
| 4.9(17A)  | Ruling                     |
| 4.10(17A) | Public availability        |
| 4.11(17A) | After issuance of a waiver |
| 4.12(17A) | Exception                  |

## CHAPTER 5

## PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

- |             |  |
|-------------|--|
| 5.1(22,256) | Exceptions and additions                       |
| 5.2(22,256) | Disclosures without the consent of the subject |
| 5.3(22,256) | Availability of records                        |
| 5.4(22,256) | Personally identifiable information            |
| 5.5(22,256) | Other groups of records                        |
| 5.6(22,256) | Applicability                                  |

## CHAPTER 6

## APPEAL PROCEDURES

- |                  |                            |
|------------------|----------------------------|
| 6.1(290)         | Scope of chapter           |
| 6.2(256,290,17A) | Definitions                |
| 6.3(290,17A)     | Incorporation by reference |
| 6.4(290,17A)     | Manner of appeal           |
| 6.5(17A)         | Record                     |
| 6.6(290,17A)     | Decision and appeal        |

6.7(256,17A) Specific programs

CHAPTER 7  
CRITERIA FOR GRANTS

7.1(256,17A) General  
7.2(256,17A) Definitions  
7.3(256,17A) Grant application contents  
7.4(256,17A) Review process  
7.5(290,17A) Appeal of grant denial or termination

CHAPTERS 8 to 10

Reserved

TITLE II

*ACCREDITED SCHOOLS AND SCHOOL DISTRICTS*

CHAPTER 11

Reserved

CHAPTER 12

GENERAL ACCREDITATION STANDARDS

12.1(256) General standards  
12.2(256) Definitions  
12.3(256) Administration  
12.4(256) School personnel  
12.5(256) Education program  
12.6(256) Activity program  
12.7(256,284,284A) Professional development  
12.8(256) Accountability for student achievement  
12.9(256) Flexible student and school support program  
12.10(256) Independent accrediting agencies  
12.11(256) High-quality standards for computer science

CHAPTER 13

Reserved

CHAPTER 14

SCHOOL HEALTH SERVICES

DIVISION I  
IN GENERAL

14.1(256) Medication administration  
14.2(256) Special health services  
14.3(256) School district and accredited nonpublic school stock epinephrine auto-injector, bronchodilator canister, or bronchodilator canister and spacer voluntary supply  
14.4(279) Suicide prevention, identification of adverse childhood experiences, and strategies to mitigate toxic stress response  
14.5(256,280) Severability

DIVISION II

COMPREHENSIVE HEALTHY AND SAFE LEARNING ENVIRONMENTS

14.6(279) Purpose and objectives: comprehensive healthy and safe learning environments  
14.7(279) Definitions  
14.8(279) Classroom clears  
14.9(279) Required parent/guardian notifications and responses  
14.10(279) Documentation and reporting  
14.11(256) Crisis response  
14.12(256) Prevention of classroom behaviors that present an imminent threat  
14.13(256) Therapeutic classroom  
14.14(256) Therapeutic classroom—claims  
14.15(256,279,280) Required training

- 14.16(256) Department responsibilities, evidence-based standards, guidelines and expectations  
 14.17 to 14.19 Reserved

## DIVISION III

## SCHOOL BEHAVIORAL HEALTH SCREENING AND TELEHEALTH

- 14.20(256B,280A) Definitions  
 14.21(280A) Behavioral health screenings in school settings  
 14.22(280A) Establishment of provider-patient relationship for telehealth in school setting  
 14.23(280A) Behavioral health services provided via telehealth in a school setting

## CHAPTER 15

## ONLINE AND VIRTUAL LEARNING

- 15.1(256) Definitions  
 15.2(256) Telecommunications for instruction  
 15.3(256) Online learning—private providers  
 15.4(256) Online learning provided by area education agencies  
 15.5(256) Online learning program provided by a school district—online schools  
 15.6(256) Online learning provided by a school district or accredited nonpublic school—courses  
 15.7(256) Open enrollment  
 15.8(256) Online learning—access by students receiving competent private instruction  
 15.9(256,256B) Online learning—students with disabilities  
 15.10(256) Department general supervision of telecommunications and online learning

## CHAPTER 16

## STATEWIDE VOLUNTARY PRESCHOOL PROGRAM

- 16.1(256C) Definitions  
 16.2(256C) Preschool program standards  
 16.3(256C) Collaboration  
 16.4(256C) Applications for funding  
 16.5(256C) Application process  
 16.6(256C) Removal of approval  
 16.7(256C) Appeal of application denial, termination, or removal of approval  
 16.8(256C) Finance  
 16.9(256C) Accountability

## CHAPTER 17

## OPEN ENROLLMENT AND OTHER ENROLLMENT OPTIONS

## DIVISION I

## OPEN ENROLLMENT

- 17.1(282) Definitions  
 17.2(282) Application process  
 17.3(282) Court-ordered desegregation plans  
 17.4(282) Open enrollment for kindergarten or certain prekindergarten programs  
 17.5(282) Open enrollment and online coursework  
 17.6(282) Limitations on open enrollment requests  
 17.7(282) Provisions applicable to parents/guardians and students  
 17.8(282) Transportation  
 17.9(282) Method of finance  
 17.10(282) Special education students

## DIVISION II

## INTRA-DISTRICT SCHOOL CHOICE UNDER IOWA LAW

- 17.11(279) General  
 17.12(279) Intra-district transfers due to bullying and harassment

## DIVISION III

## UNSAFE SCHOOL CHOICE OPTION UNDER FEDERAL LAW

- 17.13(20USC7912) Definitions  
 17.14(20USC7912) Whole school option  
 17.15(20USC7912) Individual student option

17.16(20USC7912) District reporting

## CHAPTER 18 SCHOOL FEES

18.1(256) Overview  
 18.2(256) Fee policy  
 18.3(256) Eligibility for waiver, partial waiver or temporary waiver of student fees  
 18.4(256) Fees covered

## CHAPTER 19 CHARTER SCHOOLS

19.1(256E) General

### DIVISION I

#### CHARTER SCHOOLS ESTABLISHED ON OR AFTER JULY 1, 2021

19.2(256E) Establishment of charter schools  
 19.3(256E) Purpose of a charter school  
 19.4(256E) Definitions  
 19.5(256E) General application provisions  
 19.6(256E) School board-state board model  
 19.7(256E) Founding group-state board model  
 19.8(256E) Charter school contract  
 19.9(256E) Performance framework  
 19.10(256E) General operating powers and duties  
 19.11(256E) Funding  
 19.12(256E) Oversight—corrective action—contract renewal—revocation  
 19.13(256E) Procedures for charter school closure—student enrollment  
 19.14(256E) Reports  
 19.15(256E) Operation of existing charter schools

### DIVISION II

#### CHARTER SCHOOLS ESTABLISHED BEFORE JULY 1, 2021

19.16(256F) Definitions  
 19.17(256F) Operating requirements  
 19.18(256F) Ongoing review by the department  
 19.19(256F) Renewal of charter  
 19.20(256F) Revocation or nonrenewal of charter  
 19.21(256F) Transition—operation of existing charter schools

## CHAPTER 20 STUDENTS FIRST ACT—EDUCATION SAVINGS ACCOUNTS

20.1(257) Definitions  
 20.2(257) Eligible students  
 20.3(257) Application process  
 20.4(257) Administration, accountability, monitoring, and enforcement

### TITLE III

#### COMMUNITY COLLEGES

## CHAPTER 21 COMMUNITY COLLEGES

### DIVISION I

#### APPROVAL STANDARDS

21.1(260C) Definitions  
 21.2(260C) Administration  
 21.3(260C) Associate of arts and associate of science transfer major programs  
 21.4(260C) Curriculum and evaluation  
 21.5(260C) Nonreimbursable facilities  
 21.6 to 21.19 Reserved

### DIVISION II

## INSTRUCTIONAL COURSE FOR DRINKING DRIVERS

21.20(321J)	Course
21.21(321J)	Tuition fee established
21.22(321J)	Administrative fee established
21.23(321J)	Advisory committee
21.24 to 21.30	Reserved

DIVISION III  
STATE COMMUNITY COLLEGE FUNDING PLAN

21.31(260C)	General
21.32 to 21.40	Reserved

DIVISION IV  
APPRENTICESHIP PROGRAM

21.41(260C)	Definitions
21.42(260C)	Apprenticeship programs
21.43 to 21.49	Reserved

DIVISION V  
MISCELLANEOUS PROVISIONS

21.50(260C,322)	Used motor vehicle dealer education program
21.51 to 21.59	Reserved

DIVISION VI  
COMMUNITY COLLEGE ACCREDITATION

21.60(260C)	Scope
21.61(260C)	Accreditation components and criteria—Higher Learning Commission
21.62(260C)	Accreditation components and criteria—additional state standards
21.63(260C)	Accreditation process

CHAPTER 22  
SENIOR YEAR PLUS PROGRAM

DIVISION I  
GENERAL PROVISIONS

22.1(261E)	Definitions
22.2(261E)	Student eligibility
22.3(261E)	Teacher eligibility, responsibilities
22.4(261E)	Institutional eligibility, responsibilities

DIVISION II  
ADVANCED PLACEMENT PROGRAM

22.5(261E)	School district obligations
22.6(261E)	Obligations regarding registration for advanced placement examinations

DIVISION III  
CONCURRENT ENROLLMENT PROGRAM

22.7(261E)	Applicability
22.8(261E)	Accredited nonpublic school concurrent enrollment option

DIVISION IV  
POSTSECONDARY ENROLLMENT OPTIONS PROGRAM

22.9(261E)	Postsecondary enrollment options program—general
22.10(261E)	Student eligibility
22.11(261E)	Eligible postsecondary courses
22.12(261E)	Application process
22.13(261E)	Transportation
22.14(261E)	Payments, claims, and reimbursements

DIVISION V  
CAREER ACADEMIES

22.15(261E)	Career academies
-------------	------------------

DIVISION VI

## REGIONAL ACADEMIES

22.16(261E) Regional academies

## DIVISION VII

## INTERNET-BASED COURSEWORK

22.17(261E) Internet-based coursework

## DIVISION VIII

## PROJECT LEAD THE WAY

22.18(261E) Project lead the way

## DIVISION IX

## SUMMER COLLEGE CREDIT PROGRAM

22.19(261E) Summer college credit program

## CHAPTERS 23 and 24

Reserved

## CHAPTER 25

## PATHWAYS FOR ACADEMIC CAREER AND EMPLOYMENT PROGRAM; GAP TUITION ASSISTANCE PROGRAM

## DIVISION I

## GENERAL PROVISIONS

25.1(260H,260I) Definitions

## DIVISION II

## PATHWAYS FOR ACADEMIC CAREER AND EMPLOYMENT (PACE) PROGRAM

25.2(260) PACE program

25.3(260H) Program component requirements

25.4(260H) Pipeline program

25.5(260H) Career pathways and bridge curriculum development program

25.6(260H) Pathway navigators

## DIVISION III

## GAP TUITION ASSISTANCE PROGRAM

25.7(260I) Gap tuition assistance program

25.8(260I) Initial assessment

25.9(260I) Program interview

25.10(260I) Participation requirements

25.11(260I) Oversight

## TITLE IV

*DRIVER AND SAFETY EDUCATION*

## CHAPTER 26

Reserved

## CHAPTER 27

## WORKFORCE TRAINING AND ECONOMIC DEVELOPMENT FUNDS

27.1(260C) Definitions

27.2(260C) Funds allocation

27.3(260C) Community college workforce and economic development fund plans and progress reports

27.4(260C) Use of funds

27.5(260C) Annual plan and progress report approval

## CHAPTERS 28 to 30

Reserved

## TITLE V

*NONTRADITIONAL STUDENTS*

## CHAPTER 31

## PRIVATE INSTRUCTION AND DUAL ENROLLMENT

31.1(299,299A) General

31.2(299,299A)	Definitions
31.3(299,299A)	Competent private instruction
31.4(299,299A)	Annual achievement evaluations
31.5(299,299A)	Dual enrollment
31.6(299,299A)	Home school assistance program
31.7(299,299A)	Miscellaneous provisions

## CHAPTER 32

### HIGH SCHOOL EQUIVALENCY DIPLOMA

32.1(259A)	Definitions
32.2(259A)	Eligibility to participate
32.3(259A)	By whom administered
32.4(259A)	Diploma, transcript, verification fees
32.5(259A)	Application, course, and testing fees
32.6(259A)	High school equivalency diploma program based on a department-approved test
32.7(259A)	High school equivalency diploma program based on attainment of high school credits
32.8(259A)	High school equivalency diploma program based on postsecondary degree

## CHAPTER 33

### EDUCATING HOMELESS CHILDREN AND YOUTH

33.1(256)	Definitions
33.2(256)	Responsibilities of school districts
33.3(256)	School records; student transfers
33.4(256)	Immunization
33.5(256)	Waiver of fees and charges encouraged
33.6(256)	Waiver of enrollment requirements encouraged; placement
33.7(256)	Residency of homeless child or youth
33.8(256)	Dispute resolution
33.9(256)	Transportation of homeless children and youth
33.10(256)	School services

## CHAPTER 34

### FUNDING FOR CHILDREN RESIDING IN STATE INSTITUTIONS OR MENTAL HEALTH INSTITUTES

34.1(282)	Scope
34.2(282)	Definitions
34.3(282)	General principles
34.4(282)	Notification
34.5(218)	Program submission and approval
34.6(218)	Budget submission and approval
34.7(282)	Payments
34.8(282)	Accounting for actual program costs
34.9(282)	AEA services
34.10(282)	Postsecondary credit courses

## CHAPTER 35

### EDUCATIONAL AND PROGRAM STANDARDS FOR CHILDREN'S RESIDENTIAL FACILITIES

35.1(282)	General
35.2(282)	Definitions
35.3(282)	Establishing an appropriate educational program
35.4(282)	Notices, fees, and reporting
35.5(282)	Provision of appropriate educational services

## TITLE VI

### INTERSCHOLASTIC COMPETITION

## CHAPTER 36

### EXTRACURRICULAR INTERSCHOLASTIC COMPETITION

36.1(280)	Definitions
36.2(280)	Registered organizations
36.3(280)	Filings by organizations
36.4(280)	Executive board
36.5(280)	Fiscal provisions
36.6(280)	Appearance before state board
36.7(280)	Interscholastic athletics
36.8(280)	Eligibility requirements
36.9(280)	Executive board review
36.10(280)	Appeals to director
36.11(280)	Organization policies
36.12(280)	Eligibility in situations of district organization change
36.13(280)	Cooperative student participation

CHAPTER 37  
EXTRACURRICULAR ATHLETIC ACTIVITY  
CONFERENCE FOR MEMBER SCHOOLS

37.1(280)	General
37.2(280)	Complaint to the director, department of education
37.3(280)	Mediation
37.4(280)	Resolution or recommendation of the mediation team
37.5(280)	Decision; effective date

CHAPTERS 38 to 40  
Reserved

TITLE VII  
*SPECIAL EDUCATION*

CHAPTER 41  
SPECIAL EDUCATION

DIVISION I  
PURPOSE AND APPLICABILITY

41.1(256B,34CFR300)	Purposes
41.2(256B,34CFR300)	Applicability of this chapter

DIVISION II  
DEFINITIONS

41.3(256B,34CFR300)	Act
41.4(256B,273)	Area education agency
41.5(256B,34CFR300)	Assistive technology device
41.6(256B,34CFR300)	Assistive technology service
41.7(256B,34CFR300)	Charter school
41.8(256B,34CFR300)	Child with a disability
41.9(256B,34CFR300)	Consent
41.10(256B,34CFR300)	Core academic subjects
41.11(256B,34CFR300)	Day; business day; school day
41.12(256B,34CFR300)	Educational service agency
41.13(256B,34CFR300)	Elementary school
41.14(256B,34CFR300)	Equipment
41.15(256B,34CFR300)	Evaluation
41.16(256B,34CFR300)	Excess costs
41.17(256B,34CFR300)	Free appropriate public education
41.18	Reserved
41.19(256B,34CFR300)	Homeless children
41.20(256B,34CFR300)	Include
41.21(256B,34CFR300)	Indian and Indian tribe
41.22(256B,34CFR300)	Individualized education program
41.23(256B,34CFR300)	Individualized education program team
41.24(256B,34CFR300)	Individualized family service plan

41.25(256B,34CFR300)	Infant or toddler with a disability
41.26(256B,34CFR300)	Institution of higher education
41.27(256B,34CFR300)	Limited English proficient
41.28(256B,34CFR300)	Local educational agency
41.29(256B,34CFR300)	Native language
41.30(256B,34CFR300)	Parent
41.31(256B,34CFR300)	Parent training and information center
41.32(256B,34CFR300)	Personally identifiable
41.33(256B,34CFR300)	Public agency; nonpublic agency; agency
41.34(256B,34CFR300)	Related services
41.35	Reserved
41.36(256B,34CFR300)	Secondary school
41.37(34CFR300)	Services plan
41.38(34CFR300)	Secretary
41.39(256B,34CFR300)	Special education
41.40(34CFR300)	State
41.41(256B,34CFR300)	State educational agency
41.42(256B,34CFR300)	Supplementary aids and services
41.43(256B,34CFR300)	Transition services
41.44(34CFR300)	Universal design
41.45(256B,34CFR300)	Ward of the state
41.46 to 41.49	Reserved
41.50(256B,34CFR300)	Other definitions associated with identification of eligible individuals
41.51(256B,34CFR300)	Other definitions applicable to this chapter
41.52 to 41.99	Reserved

## DIVISION III

## RULES APPLICABLE TO THE STATE AND TO ALL AGENCIES

41.100(256B,34CFR300)	Eligibility for assistance
41.101(256B,34CFR300)	Free appropriate public education (FAPE)
41.102(256B,34CFR300)	Limitation—exceptions to FAPE for certain ages
41.103(256B,34CFR300)	FAPE—methods and payments
41.104(256B,34CFR300)	Residential placement
41.105(256B,34CFR300)	Assistive technology
41.106(256B,34CFR300)	Extended school year services
41.107(256B,34CFR300)	Nonacademic services
41.108(256B,34CFR300)	Physical education
41.109(256B,34CFR300)	Full educational opportunity goal (FEOG)
41.110(256B,34CFR300)	Program options
41.111(256B,34CFR300)	Child find
41.112(256B,34CFR300)	Individualized education programs (IEPs)
41.113(256B,34CFR300)	Routine checking of hearing aids and external components of surgically implanted medical devices
41.114(256B,34CFR300)	Least restrictive environment (LRE)
41.115(256B,34CFR300)	Continuum of alternative services and placements
41.116(256B,34CFR300)	Placements
41.117(256B,34CFR300)	Nonacademic settings
41.118(256B,34CFR300)	Children in public or private institutions
41.119(256B,34CFR300)	Technical assistance and training activities
41.120(256B,34CFR300)	Monitoring activities
41.121(256B,34CFR300)	Procedural safeguards
41.122(256B,34CFR300)	Evaluation
41.123(256B,34CFR300)	Confidentiality of personally identifiable information
41.124(256B,34CFR300)	Transition of children from the Part C program to preschool programs
41.125 to 41.128	Reserved
41.129(256B,34CFR300)	Responsibility regarding children in private schools
41.130(256,256B,34CFR300)	Definition of parentally placed private school children with disabilities
41.131(256,256B,34CFR300)	Child find for parentally placed private school children with disabilities

41.132(256,256B,34CFR300)	Provision of services for parentally placed private school children with disabilities: basic requirement
41.133(256,256B,34CFR300)	Expenditures
41.134(256,256B,34CFR300)	Consultation
41.135(256,256B,34CFR300)	Written affirmation
41.136(256,256B,34CFR300)	Compliance
41.137(256,256B,34CFR300)	Equitable services determined
41.138(256,256B,34CFR300)	Equitable services provided
41.139(256,256B,34CFR300)	Location of services and transportation
41.140(256,256B,34CFR300)	Due process complaints and state complaints
41.141(256,256B,34CFR300)	Requirement that funds not benefit a private school
41.142(256,256B,34CFR300)	Use of personnel
41.143(256,256B,34CFR300)	Separate classes prohibited
41.144(256,256B,34CFR300)	Property, equipment, and supplies
41.145(256B,34CFR300)	Applicability of rules 281—41.146(256B,34CFR300) and 281—41.147(256B,34CFR300)
41.146(256B,34CFR300)	Responsibility of department
41.147(256B,34CFR300)	Implementation by department
41.148(256B,34CFR300)	Placement of children by parents when FAPE is at issue
41.149(256B,34CFR300)	SEA responsibility for general supervision
41.150	Reserved
41.151(256B,34CFR300)	Adoption of state complaint procedures
41.152(256B,34CFR300)	Minimum state complaint procedures
41.153(256B,34CFR300)	Filing a complaint
41.154(256B,34CFR300)	Methods of ensuring services
41.155(256B,34CFR300)	Hearings relating to AEA or LEA eligibility
41.156(256B,34CFR300)	Personnel qualifications
41.157 to 41.159	Reserved
41.160(256B,34CFR300)	Participation in assessments
41.161	Reserved
41.162(256B,34CFR300)	Supplementation of state, local, and other federal funds
41.163(256B,34CFR300)	Maintenance of state financial support
41.164	Reserved
41.165(256B,34CFR300)	Public participation
41.166(256B,34CFR300)	Rule of construction
41.167(256B,34CFR300)	State advisory panel
41.168(256B,34CFR300)	Advisory panel membership
41.169(256B,34CFR300)	Advisory panel duties
41.170(256B,34CFR300)	Suspension and expulsion rates
41.171	Reserved
41.172(256B,34CFR300)	Access to instructional materials
41.173(256B,34CFR300)	Overidentification and disproportionality
41.174(256B,34CFR300)	Prohibition on mandatory medication
41.175	Reserved
41.176(256B)	Special school provisions
41.177(256B)	Facilities
41.178(256B)	Materials, equipment and assistive technology
41.179 to 41.185	Reserved
41.186(256B,34CFR300)	Assistance under other federal programs
41.187(256B)	Research, innovation, and improvement
41.188 to 41.199	Reserved

## DIVISION IV

## LEA AND AEA ELIGIBILITY, IN GENERAL

41.200(256B,34CFR300)	Condition of assistance
41.201(256B,34CFR300)	Consistency with state policies
41.202(256B,34CFR300)	Use of amounts
41.203(256B,34CFR300)	Maintenance of effort
41.204(256B,34CFR300)	Exception to maintenance of effort

41.205(256B,34CFR300)	Adjustment to local fiscal efforts in certain fiscal years
41.206(256B,34CFR300)	Schoolwide programs under Title I of the ESEA
41.207(256B,34CFR300)	Personnel development
41.208(256B,34CFR300)	Permissive use of funds
41.209(256B,34CFR300)	Treatment of charter schools and their students
41.210(256B,34CFR300)	Purchase of instructional materials
41.211(256B,34CFR300)	Information for department
41.212(256B,34CFR300)	Public information
41.213(256B,34CFR300)	Records regarding migratory children with disabilities
41.214 to 41.219	Reserved
41.220(256B,34CFR300)	Exception for prior local plans
41.221(256B,34CFR300)	Notification of AEA or LEA or state agency in case of ineligibility
41.222(256B,34CFR300)	AEA or LEA and state agency compliance
41.223(256B,34CFR300)	Joint establishment of eligibility
41.224(256B,34CFR300)	Requirements for jointly establishing eligibility
41.225	Reserved
41.226(256B,34CFR300)	Early intervening services
41.227	Reserved
41.228(256B,34CFR300)	State agency eligibility
41.229(256B,34CFR300)	Disciplinary information
41.230(256B,34CFR300)	SEA flexibility
41.231 to 41.299	Reserved

## DIVISION V

## EVALUATION, ELIGIBILITY, IEPs, AND PLACEMENT DECISIONS

41.300(256B,34CFR300)	Parental consent and participation
41.301(256B,34CFR300)	Full and individual initial evaluations
41.302(256B,34CFR300)	Screening for instructional purposes is not evaluation
41.303(256B,34CFR300)	Reevaluations
41.304(256B,34CFR300)	Evaluation procedures
41.305(256B,34CFR300)	Additional requirements for evaluations and reevaluations
41.306(256B,34CFR300)	Determination of eligibility
41.307(256B,34CFR300)	Specific learning disabilities
41.308(256B,34CFR300)	Additional group members
41.309(256B,34CFR300)	Determining the existence of a specific learning disability
41.310(256B,34CFR300)	Observation
41.311(256B,34CFR300)	Specific documentation for the eligibility determination
41.312(256B,34CFR300)	General education interventions
41.313(256B,34CFR300)	Systematic problem-solving process
41.314(256B,34CFR300)	Progress monitoring and data collection
41.315 to 41.319	Reserved
41.320(256B,34CFR300)	Definition of individualized education program
41.321(256B,34CFR300)	IEP team
41.322(256B,34CFR300)	Parent participation
41.323(256B,34CFR300)	When IEPs must be in effect
41.324(256B,34CFR300)	Development, review, and revision of IEP
41.325(256B,34CFR300)	Private school placements by public agencies
41.326(256B,34CFR300)	Other rules concerning IEPs
41.327(256B,34CFR300)	Educational placements
41.328(256B,34CFR300)	Alternative means of meeting participation
41.329(256B,34CFR300)	Family support mentoring program
41.330 to 41.399	Reserved

## DIVISION VI

## ADDITIONAL RULES RELATED TO AEAs, LEAs, AND SPECIAL EDUCATION

41.400(256B,34CFR300)	Shared responsibility
41.401(256B,34CFR300)	Licensure (certification)
41.402(256B,273,34CFR300)	Authorized personnel
41.403(256B)	Paraprofessionals
41.404(256B)	Policies and procedures required of all public agencies

41.405	Reserved
41.406(256B)	Additional requirements of LEAs
41.407(256B,273,34CFR300)	Additional requirements of AEAs
41.408(256B,273,34CFR300)	Instructional services
41.409(256B,34CFR300)	Support services
41.410(256B,34CFR300)	Itinerant services
41.411(256B,34CFR300)	Related services, supplementary aids and services
41.412(256B,34CFR300)	Transportation
41.413(256,256B,34CFR300)	Additional rules relating to accredited nonpublic schools
41.414 to 41.499	Reserved

DIVISION VII  
PROCEDURAL SAFEGUARDS

41.500(256B,34CFR300)	Responsibility of SEA and other public agencies
41.501(256B,34CFR300)	Opportunity to examine records; parent participation in meetings
41.502(256B,34CFR300)	Independent educational evaluation
41.503(256B,34CFR300)	Prior notice by the public agency; content of notice
41.504(256B,34CFR300)	Procedural safeguards notice
41.505(256B,34CFR300)	Electronic mail
41.506(256B,34CFR300)	Mediation
41.507(256B,34CFR300)	Filing a due process complaint
41.508(256B,34CFR300)	Due process complaint
41.509(256B,34CFR300)	Model forms
41.510(256B,34CFR300)	Resolution process
41.511(256B,34CFR300)	Impartial due process hearing
41.512(256B,34CFR300)	Hearing rights
41.513(256B,34CFR300)	Hearing decisions
41.514(256B,34CFR300)	Finality of decision
41.515(256B,34CFR300)	Timelines and convenience of hearings
41.516(256B,34CFR300)	Civil action
41.517(256B,34CFR300)	Attorneys' fees
41.518(256B,34CFR300)	Child's status during proceedings
41.519(256B,34CFR300)	Surrogate parents
41.520(256B,34CFR300)	Transfer of parental rights at age of majority
41.521 to 41.529	Reserved
41.530(256B,34CFR300)	Authority of school personnel
41.531(256B,34CFR300)	Determination of setting
41.532(256B,34CFR300)	Appeal
41.533(256B,34CFR300)	Placement during appeals and mediations
41.534(256B,34CFR300)	Protections for children not determined eligible for special education and related services
41.535(256B,34CFR300)	Referral to and action by law enforcement and judicial authorities
41.536(256B,34CFR300)	Change of placement because of disciplinary removals
41.537(256B,34CFR300)	State enforcement mechanisms
41.538 to 41.599	Reserved

DIVISION VIII  
MONITORING, ENFORCEMENT, CONFIDENTIALITY, AND PROGRAM INFORMATION

41.600(256B,34CFR300)	State monitoring and enforcement
41.601(256B,34CFR300)	State performance plans and data collection
41.602(256B,34CFR300)	State use of targets and reporting
41.603(256B,34CFR300)	Department review and determination regarding public agency performance
41.604(256B,34CFR300)	Enforcement
41.605(256B,34CFR300)	Withholding funds
41.606(256B,34CFR300)	Public attention
41.607	Reserved
41.608(256B,34CFR300)	State enforcement
41.609(256B,34CFR300)	State consideration of other state or federal laws
41.610(256B,34CFR300)	Confidentiality
41.611(256B,34CFR300)	Definitions

41.612(256B,34CFR300)	Notice to parents
41.613(256B,34CFR300)	Access rights
41.614(256B,34CFR300)	Record of access
41.615(256B,34CFR300)	Records on more than one child
41.616(256B,34CFR300)	List of types and locations of information
41.617(256B,34CFR300)	Fees
41.618(256B,34CFR300)	Amendment of records at parent's request
41.619(256B,34CFR300)	Opportunity for a hearing
41.620(256B,34CFR300)	Result of hearing
41.621(256B,34CFR300)	Hearing procedures
41.622(256B,34CFR300)	Consent
41.623(256B,34CFR300)	Safeguards
41.624(256B,34CFR300)	Destruction of information
41.625(256B,34CFR300)	Children's rights
41.626(256B,34CFR300)	Enforcement
41.627 to 41.639	Reserved
41.640(256B,34CFR300)	Annual report of children served—report requirement
41.641(256B,34CFR300)	Annual report of children served—information required in the report
41.642(256B,34CFR300)	Data reporting
41.643(256B,34CFR300)	Annual report of children served—certification
41.644(256B,34CFR300)	Annual report of children served—criteria for counting children
41.645(256B,34CFR300)	Annual report of children served—other responsibilities of the SEA
41.646(256B,34CFR300)	Disproportionality
41.647(256B,34CFR300)	Determining significant disproportionality
41.648 to 41.699	Reserved

DIVISION IX  
RESERVED

41.700 to 41.799      Reserved

DIVISION X  
PRESCHOOL GRANTS FOR CHILDREN WITH DISABILITIES

41.800(256B,34CFR300)	General rule
41.801 to 41.803	Reserved
41.804(256B,34CFR300)	Eligibility
41.805	Reserved
41.806(256B,34CFR300)	Eligibility for financial assistance
41.807 to 41.812	Reserved
41.813(256B,34CFR300)	State administration
41.814(256B,34CFR300)	Other state-level activities
41.815(256B,34CFR300)	Subgrants to AEAs
41.816(256B,34CFR300)	Allocations to AEAs
41.817(256B,34CFR300)	Reallocation of AEA funds
41.818(256B,34CFR300)	Part C of the Act inapplicable
41.819 to 41.899	Reserved

DIVISION XI  
ADDITIONAL RULES CONCERNING FINANCE AND PUBLIC ACCOUNTABILITY

41.900	Reserved
41.901(256B,282)	Records and reports
41.902(256B,282)	Audit
41.903(256B,282)	Contractual agreements
41.904(256B)	Research and demonstration projects and models for special education program development
41.905(256B,273)	Additional special education
41.906(256B,273,282)	Extended school year services
41.907(256B,282,34CFR300,303)	Program costs
41.908(256B,282)	Accountability
41.909 to 41.999	Reserved

DIVISION XII

## PRACTICE BEFORE MEDIATORS AND ADMINISTRATIVE LAW JUDGES

- 41.1000 and 41.1001 Reserved  
 41.1002(256B,34CFR300) Special education mediation conference  
 41.1003(17A,256B) Procedures concerning due process complaints  
 41.1004 to 41.1008 Reserved  
 41.1009(17A,256B) Witnesses  
 41.1010(17A,256B) Rules of evidence  
 41.1011(17A,256B) Communications  
 41.1012(17A,256B) Record  
 41.1013 Reserved  
 41.1014(17A,256B) Finality of decision  
 41.1015(256B,34CFR300) Disqualification of mediator  
 41.1016(17A) Correcting decisions of administrative law judges  
 41.1017 to 41.1099 Reserved

## DIVISION XIII

## ADDITIONAL RULES NECESSARY TO IMPLEMENT AND APPLY THIS CHAPTER

- 41.1100(256B,34CFR300) References to federal law  
 41.1101(256B,34CFR300) Severability  
 41.1102(256B,34CFR300) Rule of construction

## CHAPTER 42

Reserved

## TITLE VIII

*SCHOOL TRANSPORTATION*

## CHAPTER 43

## PUPIL TRANSPORTATION

## DIVISION I

## TRANSPORTATION ROUTES

- 43.1(285) Intra-area education agency routes  
 43.2(285) Interarea education agency routes

## DIVISION II

## PRIVATE CONTRACTORS

- 43.3(285) Contract necessary  
 43.4(285) Uniform charge  
 43.5(285) Board to be a party  
 43.6(285) Contract with parents  
 43.7(285) Vehicles

## DIVISION III

## FINANCIAL RECORDS AND REPORTS

- 43.8(285) Required charges  
 43.9(285) Activity trips deducted

## DIVISION IV

## USE OF SCHOOL BUSES OTHER THAN FOR ROUTES

- 43.10(285) Permitted uses listed

## DIVISION V

## THE BUS DRIVER

- 43.11(285) Driver age  
 43.12(285) Physical fitness  
 43.13(285) Authorization  
 43.14(321) Fee collection and distribution of funds

## DIVISION VI

## PURCHASE OF BUSES

- 43.15(285) Local board procedure  
 43.16(285) Financing

## DIVISION VII

## MISCELLANEOUS PROVISIONS

43.17(285)	Semiannual inspection
43.18(285)	Maintenance record
43.19(285)	Drivers' schools
43.20(285)	Insurance
43.21(285)	Contract—privately owned buses
43.22(285)	Contract—district-owned buses
43.23(285)	Railroad crossings
43.24(285)	Driver regulations
43.25(285)	Civil defense projects
43.26(285)	Pupil instruction
43.27(285)	Trip inspections
43.28(285)	Loading and unloading areas
43.29(285)	Communication equipment

DIVISION VIII  
COMMON CARRIERS

43.30(285)	Standards for common carriers
------------	-------------------------------

CHAPTER 44  
SCHOOL BUSES

44.1(285)	Requirements for manufacturers
44.2(285)	School bus—type classifications
44.3(285)	School bus body and chassis specifications
44.4(285)	Construction of vehicles for children with mobility disabilities
44.5(285)	Type III vehicles
44.6(285)	Repair, replacement of school bus body and chassis components following original equipment manufacture

## CHAPTER 45

Reserved

TITLE IX  
VOCATIONAL EDUCATIONCHAPTER 46  
CAREER AND TECHNICAL EDUCATION

46.1(256)	Federal Act accepted
46.2(256)	Definitions
46.3(256)	State board for career and technical education
46.4(256)	Career and technical education service areas
46.5(256)	Standards for career and technical education
46.6(256)	Career and technical education program approval and review
46.7(258)	Accreditation standards not met
46.8(258)	Advisory council
46.9(258)	Distribution of career and technical education funds
46.10(258)	Regional career and technical education planning partnerships
46.11(258)	Career academies
46.12(258)	Regional centers
46.13(423F)	Career academy incentive fund

## CHAPTERS 47 and 48

Reserved

CHAPTER 49  
INDIVIDUALIZED CAREER AND EDUCATION PLAN

49.1(279)	Definitions
49.2(279)	Individualized career and academic plan
49.3(279)	Essential components
49.4(279)	District plan
49.5(279)	Career information and decision-making systems

- 49.6(279) Compliance  
49.7(256) Program established

## CHAPTER 50

Reserved

## TITLE X

*VETERANS' TRAINING*

## CHAPTER 51

## VETERANS' EDUCATION AND TRAINING

- 51.1(256) Apprenticeships and on-the-job training programs for veterans  
51.2(256) Educational institutions

## CHAPTERS 52 to 55

Reserved

*VOCATIONAL REHABILITATION EDUCATION*

## TITLE XI

## CHAPTERS 56 and 57

Reserved

## TITLE XII

*PROGRAMS ADMINISTRATION*

## CHAPTER 58

SCHOOL BREAKFAST AND LUNCH PROGRAM; NUTRITIONAL  
CONTENT STANDARDS FOR OTHER FOODS AND BEVERAGES

- 58.1(256,283A) School breakfast and lunch program  
58.2(256) Nutritional content standards for other foods and beverages

## CHAPTER 59

## GIFTED AND TALENTED PROGRAMS

- 59.1(257) General principles  
59.2(257) Definitions  
59.3(257) Program plan  
59.4(257) Responsibilities of school districts  
59.5(257) Responsibilities of area education agencies  
59.6(257) Responsibilities of the department

## CHAPTER 60

## PROGRAMS FOR STUDENTS WHO ARE ENGLISH LEARNERS

- 60.1(280) Definitions  
60.2(280) School district responsibilities  
60.3(280) Department responsibility  
60.4(280) Nonpublic school participation  
60.5(280) Funding

## CHAPTER 61

## IOWA READING RESEARCH CENTER

- 61.1(256) Establishment  
61.2(256) Purpose  
61.3(256) Intensive summer literacy program  
61.4(256) Nature of the center's operation  
61.5(256) Nature of the center's products  
61.6(256) Governance and leadership of the center  
61.7(256) Financing of the center

## CHAPTER 62

## STATE STANDARDS FOR PROGRESSION IN READING

62.1(256,279)	Assessment of reading proficiency
62.2(256,279)	Tools for evaluating and reevaluating reading proficiency
62.3(256,279)	Identification of a student as being persistently at risk in reading
62.4(256,279)	Successful progression for early readers
62.5(256,279)	Ensuring continuous improvement in reading proficiency
62.6(256,279)	Miscellaneous provisions

CHAPTER 63  
EDUCATIONAL PROGRAMS AND SERVICES  
FOR PUPILS IN JUVENILE HOMES

63.1(282)	Definitions
63.2(282)	Forms
63.3(282)	Budget amendments
63.4(282)	Area education agency responsibility
63.5(282)	Educational program
63.6(282)	Special education
63.7(282)	Other AEA services
63.8(282)	Curriculum
63.9(282)	Disaster procedures
63.10(282)	Maximum class size
63.11(282)	Teacher certification and preparation
63.12(282)	Aides
63.13(282)	Accounting
63.14(282)	Revenues
63.15(282)	Expenditures
63.16(282)	Claims
63.17(282)	Audits
63.18(282)	Waivers

CHAPTER 64  
CHILD DEVELOPMENT COORDINATING COUNCIL

64.1(256A,279)	Purpose
64.2(256A,279)	Definitions applicable to this chapter
64.3(256A,279)	Child development coordinating council
64.4(256A,279)	Procedures
64.5(256A,279)	Duties
64.6(256A,279)	Application process
64.7(256A,279)	Request for proposals
64.8(256A,279)	Notification of applicants
64.9(256A,279)	Withdrawal of contract offer
64.10(256A,279)	Evaluation
64.11(256A,279)	Contract revisions and budget reversions
64.12(256A,279)	Termination for convenience
64.13(256A,279)	Termination for cause
64.14(256A,279)	Responsibility of grantee at termination
64.15(256A,279)	Appeal from terminations
64.16(256A,279)	Refusal to issue ruling
64.17(256A,279)	Request for Reconsideration
64.18(256A,279)	Refusal to issue decision on request
64.19(256A,279)	Granting a Request for Reconsideration

DIVISION I  
EDUCATIONAL SUPPORT PROGRAMS FOR PARENTS OF CHILDREN AGED BIRTH THROUGH FIVE YEARS WHO ARE  
AT RISK (ALSO KNOWN AS SHARED VISIONS PARENT SUPPORT PROGRAMS)

64.20(256A,279)	Definitions
64.21(256A,279)	Eligibility identification procedures
64.22(256A,279)	Eligibility
64.23(256A,279)	Secondary eligibility
64.24(256A,279)	Grant awards criteria

- 64.25(256A,279) Award contracts
- 64.26(256A,279) Grantee responsibilities

## DIVISION II

## CHILD DEVELOPMENT PROGRAMS (ALSO KNOWN AS SHARED VISIONS PRESCHOOL PROGRAMS)

- 64.27(256A,279) Definitions applicable to this division
- 64.28(256A,279) Eligibility identification procedures
- 64.29(256A,279) Primary eligibility
- 64.30(256A,279) Secondary eligibility
- 64.31(256A,279) Grant awards criteria
- 64.32(256A,279) Grant process
- 64.33(256A,279) Grantee responsibilities

## CHAPTER 65

## PROGRAMS FOR AT-RISK EARLY ELEMENTARY STUDENTS

- 65.1(279) Definitions
- 65.2(279) Eligibility identification procedures
- 65.3(279) Award acceptance process
- 65.4(279) Awardee responsibilities
- 65.5(279) Allowable expenditures
- 65.6(279) Evaluation
- 65.7(279) Budget revisions
- 65.8(279) Termination
- 65.9(279) Appeals from terminations

## CHAPTERS 66 to 69

Reserved

## TITLE XIII

*AREA EDUCATION AGENCIES*

## CHAPTERS 70 and 71

Reserved

## CHAPTER 72

## ACCREDITATION OF AREA EDUCATION AGENCIES

- 72.1(273) Scope
- 72.2(273) Definitions
- 72.3(273) Accreditation components
- 72.4(273) Standards for services
- 72.5 to 72.8 Reserved
- 72.9(273) Comprehensive improvement plan
- 72.10(273) Annual budget and annual progress report
- 72.11(273) Comprehensive site visit

## TITLE XIV

*TEACHERS AND PROFESSIONAL LICENSING*

## CHAPTERS 73 to 78

Reserved

## CHAPTER 79

## STANDARDS FOR PRACTITIONER AND ADMINISTRATOR PREPARATION PROGRAMS

## DIVISION I

## GENERAL STANDARDS APPLICABLE TO ALL PRACTITIONER PREPARATION PROGRAMS

- 79.1(256) General statement
- 79.2(256) Definitions
- 79.3(256) Institutions affected
- 79.4(256) Criteria for practitioner preparation programs
- 79.5(256) Approval of programs
- 79.6(256) Visiting teams

- 79.7(256) Periodic reports
- 79.8(256) Reevaluation of practitioner preparation programs
- 79.9(256) Approval of program changes

## DIVISION II

## SPECIFIC EDUCATION STANDARDS APPLICABLE TO ALL PRACTITIONER PREPARATION PROGRAMS

- 79.10(256) Governance and resources standard
- 79.11(256) Diversity standard
- 79.12(256) Faculty standard
- 79.13(256) Assessment system and unit evaluation standard

## DIVISION III

## SPECIFIC EDUCATION STANDARDS APPLICABLE ONLY TO INITIAL PRACTITIONER PREPARATION PROGRAMS FOR TEACHER CANDIDATES

- 79.14(256) Teacher preparation clinical practice standard
- 79.15(256) Teacher candidate knowledge, skills and dispositions standard

## DIVISION IV

## SPECIFIC EDUCATION STANDARDS APPLICABLE ONLY TO ADMINISTRATOR PREPARATION PROGRAMS

- 79.16(256) Administrator preparation clinical practice standard
- 79.17(256) Administrator knowledge, skills and dispositions standard

## DIVISION V

## SPECIFIC EDUCATION STANDARDS APPLICABLE ONLY TO PRACTITIONER PREPARATION PROGRAMS OTHER THAN TEACHER OR ADMINISTRATOR PREPARATION PROGRAMS

- 79.18(256) Purpose
- 79.19(256) Clinical practice standard
- 79.20(256) Candidate knowledge, skills and dispositions standard

## DIVISION VI

## SPECIFIC EDUCATION STANDARDS APPLICABLE ONLY TO TEACHER INTERN PRACTITIONER PREPARATION PROGRAMS

- 79.21(256) General
- 79.22(256) Intern program governance and resources standard
- 79.23(256) Intern license faculty standard
- 79.24(256) Intern license program of study standard
- 79.25(256) Intern license assessment standard

## CHAPTER 80

## STANDARDS FOR PARAEDUCATOR PREPARATION PROGRAMS

- 80.1(272) Definitions
- 80.2(272) Institutions affected
- 80.3(272) Criteria for Iowa paraeducator preparation programs
- 80.4(272) Application; approval of programs
- 80.5(272) Periodic reports
- 80.6(272) Reevaluation of paraeducator preparation programs
- 80.7(272) Approval of program changes
- 80.8(272) Organizational and resource standards
- 80.9(272) Diversity standards
- 80.10(272) Faculty standards
- 80.11(272) Program assessment and evaluation standards
- 80.12(272) Clinical practice standards

## CHAPTER 81

## STANDARDS FOR SCHOOL BUSINESS OFFICIAL PREPARATION PROGRAMS

- 81.1(256) Definitions
- 81.2(256) Institutions eligible to provide a school business official preparation program
- 81.3(256) Approval of programs
- 81.4(256) Governance and resources standard
- 81.5(256) Instructor standard
- 81.6(256) Assessment system and institution evaluation standard
- 81.7(256) School business official candidate knowledge and skills standards and criteria

- 81.8(256) School business official mentoring program  
81.9(256) Monitoring

## CHAPTER 82

## STANDARDS FOR SCHOOL ADMINISTRATION MANAGER PROGRAMS

- 82.1(272) Definitions  
82.2(272) Organizations eligible to provide a school administration manager training program  
82.3(272) Approval of training programs  
82.4(272) Governance and resources standard  
82.5(272) Trainer and coach standard  
82.6(272) Assessment system and organization evaluation standard  
82.7(272) School administration manager knowledge and skills standards and criteria  
82.8(272) Monitoring and continued approval  
82.9(272) Approval of program changes and flexibility of programs

## CHAPTER 83

## TEACHER AND ADMINISTRATOR QUALITY PROGRAMS

## DIVISION I

## GENERAL STANDARDS APPLICABLE TO BOTH ADMINISTRATOR AND TEACHER QUALITY PROGRAMS

- 83.1(284,284A) Definitions

## DIVISION II

## SPECIFIC STANDARDS APPLICABLE TO TEACHER QUALITY PROGRAMS

- 83.2(284) Mentoring and induction program for beginning teachers  
83.3(284) Iowa teaching standards and criteria  
83.4(284) Evaluator approval training  
83.5(284) Professional development for teachers  
83.6(284) Teacher quality committees

## DIVISION III

## SPECIFIC STANDARDS APPLICABLE TO ADMINISTRATOR QUALITY PROGRAMS

- 83.7(284A) Administrator quality program  
83.8(284A) Mentoring and induction program for administrators  
83.9(284A) Iowa school leadership standards for administrators  
83.10(284A) Evaluation  
83.11(284A) Professional development of administrators

## CHAPTER 84

## FINANCIAL INCENTIVES FOR NATIONAL BOARD CERTIFICATION

- 84.1(256) Definitions  
84.2(256) Registration fee reimbursement program  
84.3(256) NBC annual award  
84.4(256) Appeal of denial of a registration fee reimbursement award or an NBC annual award

## CHAPTERS 85 to 93

Reserved

## TITLE XV

*EDUCATIONAL EXCELLENCE*

## CHAPTER 94

Reserved

## CHAPTER 95

EQUAL EMPLOYMENT OPPORTUNITY  
AND AFFIRMATIVE ACTION IN EDUCATIONAL AGENCIES

- 95.1(19B) Definitions  
95.2(19B) Equal employment opportunity standards  
95.3(19B) Duties of boards of directors  
95.4(19B) Plan components  
95.5(19B) Dissemination

95.6(19B) Reports

TITLE XVI  
*SCHOOL FACILITIES*

CHAPTER 96  
STATEWIDE SALES AND  
SERVICES TAX FOR SCHOOL INFRASTRUCTURE

96.1(423E,423F) Definitions  
96.2(423E,423F) Reports to the department  
96.3(423E,423F) Combined actual enrollment  
96.4(423E,423F) Application and certificate of need process  
96.5(423E,423F) Review process  
96.6(423E,423F) Award process  
96.7(423E,423F) Applicant responsibilities  
96.8(423E,423F) Appeal of certificate denial

CHAPTER 97  
SUPPLEMENTARY WEIGHTING

97.1(257) Definitions  
97.2(257) Supplementary weighting plan  
97.3(257) Supplementary weighting plan for a regional academy  
97.4(257) Supplementary weighting plan for whole-grade sharing  
97.5(257) Supplementary weighting plan for ICN video services  
97.6(257) Supplementary weighting plan for operational services  
97.7(261E) Concurrent enrollment program contracts between accredited nonpublic schools and community colleges

CHAPTER 98  
FINANCIAL MANAGEMENT OF CATEGORICAL FUNDING

DIVISION I  
GENERAL PROVISIONS

98.1(256,257) Definitions  
98.2(256,257) General finance  
98.3 to 98.10 Reserved

DIVISION II  
APPROPRIATE USE OF BUDGETARY ALLOCATIONS

98.11(257) Categorical and noncategorical student counts  
98.12(257,299A) Home school assistance program  
98.13(256C,257) Statewide voluntary four-year-old preschool program  
98.14(257) Supplementary weighting  
98.15(257) Operational function sharing supplementary weighting  
98.16(257,280) English learner weighting  
98.17(256B,257) Special education weighting  
98.18(257) At-risk program, alternative program or alternative school, and potential or returning dropout prevention program formula supplementary weighting  
98.19(257) Reorganization incentive weighting  
98.20(257) Gifted and talented program  
98.21(257) At-risk program, alternative program or alternative school, and potential or returning dropout prevention program—modified supplemental amount  
98.22(257) Use of the unexpended general fund balance  
98.23(257) Early intervention supplement  
98.24(257,284) Teacher salary supplement  
98.25(257,284) Teacher leadership supplement  
98.26(257,284) Educator quality professional development, also known as professional development supplement  
98.27(257,298A) Flexibility account  
98.28 to 98.39 Reserved

DIVISION III

## APPROPRIATE USE OF GRANTS IN AID

98.40(256,257,298A)	Grants in aid
98.41	Reserved
98.42(257,284)	Beginning teacher mentoring and induction program
98.43(257,284A)	Beginning administrator mentoring and induction program
98.44(257,301)	Nonpublic textbook services
98.45(279)	Early literacy
98.46 to 98.59	Reserved

## DIVISION IV

## APPROPRIATE USE OF SPECIAL TAX LEVIES AND FUNDS

98.60(24,29C,76,143,256,257,274,275,276,279,280,282,283A,285,291, 296,298,298A,300,301,423E,423F,565,670)	Levies and funds
98.61(24,143,257,275,279,280,285,297,298,298A,301,473,670)	General fund
98.62(279,296,298,670)	Management fund
98.63(298)	Library levy fund
98.64(279,283,297,298)	Physical plant and equipment levy (PPEL) fund
98.65(276,300)	Public educational and recreational levy (PERL) fund
98.66(257,279,298A,565)	District support trust fund
98.67(257,279,298A,565)	Permanent funds
98.68(76,274,296,298,298A)	Debt service fund
98.69(76,273,298,298A,423E,423F)	Capital projects fund
98.70(279,280,298A)	Student activity fund
98.71(298A)	Entrepreneurial education fund
98.72(256B,257,298A)	Special education instruction fund
98.73(282,298A)	Juvenile home program instruction fund
98.74(283A,298A)	School nutrition fund
98.75(279,298A)	Child care and before- and after-school programs fund
98.76(298A)	Regular education preschool fund
98.77(298A)	Student construction fund
98.78(298A)	Other enterprise funds
98.79 to 98.81	Reserved
98.82(298A)	Internal service funds
98.83 to 98.91	Reserved
98.92(257,279,298A,565)	Private purpose trust funds
98.93(298A)	Other trust funds
98.94 to 98.100	Reserved
98.101(298A)	Custodial funds
98.102 to 98.110	Reserved
98.111(24,29C,257,298A)	Emergency levy fund
98.112(275)	Equalization levy fund

## CHAPTER 99

## BUSINESS PROCEDURES AND DEADLINES

99.1(257)	Definitions
99.2(256,257,285,291)	Submission deadlines
99.3(257)	Good cause for late submission
99.4(24,256,257,291)	Budgets, accounting, and reporting

## CHAPTER 100

Reserved

## TITLE XVII

*PROTECTION OF CHILDREN*

## CHAPTER 101

Reserved

CHAPTER 102  
PROCEDURES FOR CHARGING AND INVESTIGATING INCIDENTS OF ABUSE  
OF STUDENTS BY SCHOOL EMPLOYEES

102.1(280)	Definitions
102.2(280)	Jurisdiction
102.3	Reserved
102.4(280)	Exceptions
102.5(280)	Duties of school authorities
102.6(280)	Filing of a report
102.7(280)	Receipt of report
102.8(280)	Duties of designated investigator—physical abuse allegations
102.9(280)	Duties of designated investigator—sexual abuse allegations
102.10(280)	Content of investigative report
102.11(280)	Founded reports—designated investigator’s duties
102.12(280)	Level-two investigator’s duties
102.13(280)	Retention of records
102.14(280)	Substantial compliance

CHAPTER 103  
CORPORAL PUNISHMENT, PHYSICAL RESTRAINT, SECLUSION, AND OTHER  
PHYSICAL CONTACT WITH STUDENTS

103.1(256B,280)	Purpose and objectives
103.2(256B,280)	Definitions
103.3(256B,280)	Ban on corporal punishment and prone and mechanical restraints
103.4(256B,280)	Activities that are not considered corporal punishment
103.5(256B,280)	Use of reasonable and necessary force
103.6(256B,280)	Reasonable force
103.7(256B,280)	Reasonable and necessary force—use of physical restraint or seclusion
103.8(256B,280)	Training, documentation, debriefing, and reporting requirements
103.9(256B,280)	Seclusion room requirements
103.10(256B,280)	Department responsibilities

CHAPTERS 104 to 119

Reserved

TITLE XVIII  
*EARLY CHILDHOOD*

CHAPTER 120  
EARLY ACCESS INTEGRATED SYSTEM OF  
EARLY INTERVENTION SERVICES

DIVISION I  
PURPOSE AND APPLICABILITY

120.1(34CFR303)	Purposes and outcomes of the Early ACCESS Integrated System of Early Intervention Services
120.2(34CFR303)	Applicability of this chapter
120.3(34CFR303)	Applicable federal regulations

DIVISION II  
DEFINITIONS

120.4(34CFR303)	Act
120.5(34CFR303)	At-risk infant or toddler
120.6(34CFR303)	Child
120.7(34CFR303)	Consent
120.8(34CFR303)	Council
120.9(34CFR303)	Day
120.10(34CFR303)	Developmental delay
120.11(34CFR303)	Early intervention service program
120.12(34CFR303)	Early intervention service provider

120.13(34CFR303)	Early intervention services
120.14(34CFR303)	Elementary school
120.15(34CFR303)	Free appropriate public education
120.16(34CFR303)	Health services
120.17(34CFR303)	Homeless children
120.18(34CFR303)	Include; including
120.19(34CFR303)	Indian; Indian tribe
120.20(34CFR303)	Individualized family service plan
120.21(34CFR303)	Infant or toddler with a disability
120.22(34CFR303)	Lead agency
120.23(34CFR303)	Local educational agency
120.24(34CFR303)	Multidisciplinary
120.25(34CFR303)	Native language
120.26(34CFR303)	Natural environments
120.27(34CFR303)	Parent
120.28(34CFR303)	Parent training and information center
120.29(34CFR303)	Personally identifiable information
120.30(34CFR303)	Public agency
120.31(34CFR303)	Qualified personnel
120.32(34CFR303)	Scientifically based research
120.33(34CFR303)	Secretary
120.34(34CFR303)	Service coordination services (case management)
120.35(34CFR303)	State
120.36(34CFR303)	State educational agency
120.37(34CFR303)	Ward of the state
120.38(34CFR303)	Other definitions used in this chapter
120.39 to 120.99	Reserved

## DIVISION III

## STATE ELIGIBILITY FOR A GRANT AND REQUIREMENTS

## FOR A STATEWIDE SYSTEM: GENERAL AUTHORITY AND ELIGIBILITY

120.100	Reserved
120.101(34CFR303)	State eligibility—requirements for a grant under Part C of the Act
120.102(34CFR303)	State conformity with Part C of the Act
120.103 and 120.104	Reserved
120.105(34CFR303)	Positive efforts to employ and advance qualified individuals with disabilities
120.106 to 120.109	Reserved
120.110(34CFR303)	Minimum components of a statewide system
120.111(34CFR303)	State definition of developmental delay
120.112(34CFR303)	Availability of early intervention services
120.113(34CFR303)	Evaluation, assessment, and nondiscriminatory procedures
120.114(34CFR303)	Individualized family service plan (IFSP)
120.115(34CFR303)	Comprehensive child find system
120.116(34CFR303)	Public awareness program
120.117(34CFR303)	Central directory
120.118(34CFR303)	Comprehensive system of personnel development (CSPD)
120.119(34CFR303)	Personnel standards
120.120(34CFR303)	Lead agency role in supervision, monitoring, funding, interagency coordination, and other responsibilities
120.121(34CFR303)	Policy for contracting or otherwise arranging for services
120.122(34CFR303)	Reimbursement procedures
120.123(34CFR303)	Procedural safeguards
120.124(34CFR303)	Data collection
120.125(34CFR303)	State interagency coordinating council
120.126(34CFR303)	Early intervention services in natural environments
120.127 to 120.199	Reserved

## DIVISION IV

## STATE APPLICATION AND ASSURANCES

120.200	Reserved
---------	----------

120.201(34CFR303)	Designation of lead agency
120.202(34CFR303)	Certification regarding financial responsibility
120.203(34CFR303)	Statewide system and description of services
120.204	Reserved
120.205(34CFR303)	Description of use of funds
120.206(34CFR303)	Referral policies for specific children
120.207(34CFR303)	Availability of resources
120.208(34CFR303)	Public participation policies and procedures
120.209(34CFR303)	Transition to preschool and other programs
120.210(34CFR303)	Coordination with Head Start and Early Head Start, early education, and child care programs
120.211	Reserved
120.212(34CFR303)	Additional information and assurances
120.213 to 120.219	Reserved
120.220(34CFR303)	Assurances satisfactory to the Secretary
120.221(34CFR303)	Expenditure of funds
120.222(34CFR303)	Payor of last resort
120.223(34CFR303)	Control of funds and property
120.224(34CFR303)	Reports and records
120.225(34CFR303)	Prohibition against supplanting; indirect costs
120.226(34CFR303)	Fiscal control
120.227(34CFR303)	Traditionally underserved groups
120.228(34CFR303)	Subsequent state application and modifications of application
120.229 to 120.299	Reserved

## DIVISION V

## CHILD FIND; EVALUATIONS AND ASSESSMENTS; INDIVIDUALIZED FAMILY SERVICE PLANS

120.300(34CFR303)	General
120.301(34CFR303)	Public awareness program—information for parents
120.302(34CFR303)	Comprehensive child find system
120.303(34CFR303)	Referral procedures
120.304 to 120.309	Reserved
120.310(34CFR303)	Post-referral timeline (45 calendar days)
120.311 to 120.319	Reserved
120.320(34CFR303)	Screening procedures
120.321(34CFR303)	Evaluation of the child and assessment of the child and family
120.322(34CFR303)	Determination that a child is not eligible
120.323 to 120.339	Reserved
120.340(34CFR303)	Individualized family service plan—general
120.341	Reserved
120.342(34CFR303)	Procedures for IFSP development, review, and evaluation
120.343(34CFR303)	IFSP team meeting and periodic review
120.344(34CFR303)	Content of an IFSP
120.345(34CFR303)	Interim IFSPs—provision of services before evaluations and assessments are completed
120.346(34CFR303)	Responsibility and accountability
120.347(256B,34CFR303)	Family support mentoring program
120.348 to 120.399	Reserved

## DIVISION VI

## PROCEDURAL SAFEGUARDS

120.400(34CFR303)	General responsibility of lead agency for procedural safeguards
120.401(34CFR303)	Confidentiality and opportunity to examine records
120.402(34CFR303)	Confidentiality
120.403(34CFR303)	Definitions
120.404(34CFR303)	Notice to parents
120.405(34CFR303)	Access rights
120.406(34CFR303)	Record of access
120.407(34CFR303)	Records on more than one child
120.408(34CFR303)	List of types and locations of information
120.409(34CFR303)	Fees for records

120.410(34CFR303)	Amendment of records at a parent's request
120.411(34CFR303)	Opportunity for a hearing
120.412(34CFR303)	Result of hearing
120.413(34CFR303)	Hearing procedures
120.414(34CFR303)	Consent prior to disclosure or use
120.415(34CFR303)	Safeguards
120.416(34CFR303)	Destruction of information
120.417(34CFR303)	Enforcement
120.418 and 120.419	Reserved
120.420(34CFR303)	Parental consent and ability to decline services
120.421(34CFR303)	Prior written notice and procedural safeguards notice
120.422(34CFR303)	Surrogate parents
120.423 to 120.429	Reserved
120.430(34CFR303)	State dispute resolution options
120.431(34CFR303)	Mediation
120.432(34CFR303)	Adoption of state complaint procedures
120.433 and 120.434	Reserved
120.435(34CFR303)	Appointment of an administrative law judge
120.436(34CFR303)	Parental rights in due process hearing proceedings
120.437(34CFR303)	Convenience of hearings and timelines
120.438(34CFR303)	Civil action
120.439(34CFR303)	Limitation of actions
120.440(34CFR303)	Rule of construction
120.441(34CFR303)	Attorney fees
120.442 to 120.448	Reserved
120.449(34CFR303)	State enforcement mechanisms
120.450 to 120.499	Reserved

## DIVISION VII

## USE OF FUNDS; PAYOR OF LAST RESORT

120.500(34CFR303)	Use of funds, payor of last resort, and system of payments
120.501(34CFR303)	Permissive use of funds by the department
120.502 to 120.509	Reserved
120.510(34CFR303)	Payor of last resort
120.511(34CFR303)	Methods to ensure the provision of, and financial responsibility for, Early ACCESS services
120.512 to 120.519	Reserved
120.520(34CFR303)	Policies related to use of public benefits or insurance or private insurance to pay for Early ACCESS services
120.521(34CFR303)	System of payments and fees
120.522 to 120.599	Reserved

## DIVISION VIII

## STATE INTERAGENCY COORDINATING COUNCIL

120.600(34CFR303)	Establishment of council
120.601(34CFR303)	Composition
120.602(34CFR303)	Meetings
120.603(34CFR303)	Use of funds by the council
120.604(34CFR303)	Functions of the council; required duties
120.605(34CFR303)	Authorized activities by the council
120.606 to 120.699	Reserved

## DIVISION IX

FEDERAL AND STATE MONITORING AND ENFORCEMENT;  
REPORTING; AND ALLOCATION OF FUNDS

120.700(34CFR303)	State monitoring and enforcement
120.701(34CFR303)	State performance plans and data collection
120.702(34CFR303)	State use of targets and reporting
120.703(34CFR303)	Department review and determination regarding EIS program performance
120.704(34CFR303)	Enforcement
120.705(34CFR303)	Withholding funds

120.706(34CFR303)	Public attention
120.707	Reserved
120.708(34CFR303)	State enforcement
120.709(34CFR303)	State consideration of other state or federal laws
120.710 to 120.719	Reserved
120.720(34CFR303)	Data requirements—general
120.721(34CFR303)	Annual report of children served—report requirement
120.722(34CFR303)	Data reporting
120.723(34CFR303)	Annual report of children served—certification
120.724(34CFR303)	Annual report of children served—other responsibilities of the department
120.725 to 120.800	Reserved

DIVISION X  
OTHER PROVISIONS

120.801(34CFR303)	Early ACCESS system—state level
120.802(34CFR303)	Interagency service planning
120.803(34CFR303)	System-level disputes
120.804(34CFR303)	Early ACCESS system—regional and community levels
120.805(34CFR303)	Provision of year-round services
120.806(34CFR303)	Evaluation and improvement
120.807(34CFR303)	Research
120.808(34CFR303)	Records and reports
120.809(34CFR303)	Information for department
120.810(34CFR303)	Public information
120.811(34CFR303)	Dispute resolution:practice before mediators and administrative law judges
120.812(34CFR303)	References to federal law
120.813(34CFR303)	Severability
120.814(34CFR303)	Rule of construction