

**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

CHAPTER 11  
DEPARTMENT-OPERATED SPECIAL SCHOOL AND PROGRAM

11.1(256) Organization  
11.2(256) Forms  
11.3(256) Contracting authority  
11.4(256) General rules  
11.5(256) Transportation reimbursement  
11.6(256) Admission requirements  
11.7 to 11.10 Reserved  
11.11(256) Organization  
11.12(256) Forms  
11.13(256) Contracting authority  
11.14(256) Transportation  
11.15(256) General rules

TITLE II  
*ACCREDITED SCHOOLS AND SCHOOL DISTRICTS*

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 EDUCATION*CHAPTER 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