

IOWA LAW ENFORCEMENT ACADEMY COUNCIL
CAMP DODGE
P.O. BOX 130
JOHNSTON, IOWA 50131-0130

REQUEST FOR WAIVER IN THE MATTER OF: WIT REGIONAL ACADEMY, Petitioner.	ORDER RE: WAIVER REQUEST
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The Iowa Law Enforcement Academy Council ("Council") received a waiver request pursuant to 7 Iowa Administrative Code rule 2504.2 from Petitioner. The Petitioner requested waiver of 501 Iowa Administrative Code rule 3.5, which states in part:

Curriculum for level I academy:

3.6(2) *Patrol Procedures...*

d. Gangs...

3.6(4) *Life skills...*

e. Iowa law enforcement emergency care provider (minimum of 32 hours of classroom)...

3.6(8) *Foundations of American policing...*

a. Cultural competency...

c. Unbiased policing (minimum of 2 hours)...

The Petitioner was pro se. The Council has authority under 7 Iowa Administrative Code Chapter 2504 to initiate waiver proceedings upon application. The matter was heard on August 6, 2026. Notice that the waiver was set for consideration was provided to Petitioner.

FACTS

Western Iowa Tech Community College (WIT) operates an approved regional training center for law enforcement officers. After House File 856 was passed in 2025, the Iowa Law Enforcement Academy reached out to the Iowa Attorney General's Office for guidance about instruction in Level I & Level II Academies given the new legislation. The Law Enforcement Academy was advised that providing instruction specifically on Unbiased policing violated the law. The Law Enforcement Academy was further advised that Cultural Competency likely violated the law as well.

Effective July 1, 2026, House File 2711 removed Iowa Code section 80B.11(1)(d) from the Iowa Code, which required the Academy to provide instruction on gang-affected youth. Additionally, the Council's proposed rule revisions plan to move from the current Iowa law enforcement emergency care provider first aid curriculum to the traditional tactical medical curriculum. Given that change WIT desires to move to the new curriculum for incoming recruits ahead of the effective dates of the proposed rules.

WIT proposes instructing the following courses in place of the required courses: Security Threat Groups; Community Relations; Observation, Perception & Decision Making;

& Tactical Medicine (without the time requirements) in order to remain consistent with training at the Iowa Law Enforcement Academy.

The Petitioner seeks a waiver of 501 Iowa Administrative Code rule 3.6 so WIT may deviate for the required Level II curriculum during its Basic Academy Class 39 scheduled for September 21 through November 19, 2026.

CONCLUSIONS OF LAW

Pursuant to Iowa Code section 17A.9A(2), the Council must find by clear and convincing evidence:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

The Council must also determine the length of the waiver unless a specified time period is unrealistic. Iowa Code § 17A.9A(3).

APPLICATION OF LAW

The Council has considered all relevant information and applied all applicable law. The Council finds that the Petitioner met its burden as outlined above.

First, Petitioner has identified that it faces prosecution by the Iowa Attorney General's Office as allowed by Iowa Code section 19.3(1) if it provides instruction in any area prohibited by recent legislation. The Council finds application of the rule given these specific circumstances constitutes an undue hardship.

Second, the Council finds that under these circumstances granting a waiver would not prejudice the substantial legal rights of any person.

Third, the curriculum requirement is not mandated by statute or another non-waivable provision of law.

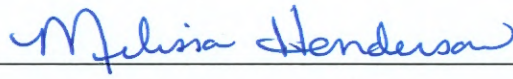
Finally, Petitioner the Council finds the public health, safety, and welfare will be adequately protected by a means other than that prescribed by the curriculum rule as WIT has proposed to provide instruction on alternate courses that will adequately prepare law enforcement officers for their duties and responsibilities.

ORDER

THEREFORE, the Petitioner's request for waiver of 501 Iowa Administrative Code 3.5 is granted for Level II Academy Class 39 scheduled for September 21, 2026 through November 19, 2026.

WIT Regional Academy is authorized to make the followings substitutions to the level II curriculum required by 501- subrule 3.6: Security Threat Groups will replace Gangs; Community Relations will replace Cultural Competency; Observation, Perception & Decision Making will replace Unbiased Policing; & Tactical Medicine (without the time requirements) will replace Iowa law enforcement emergency care provider (minimum of 32 hours of classroom).

Dated this 15th day of August 2026.



Melissa Henderson, Chair
Iowa Law Enforcement Academy Council

Copy to:
WIT Regional Academy

Appeal Rights

Please see Iowa Code section 17A.19 for your appeal rights. Any appeal must be filed within 30 days from the date of the Order.

