



# MINUTES

## JANUARY 2024 MEETING ADMINISTRATIVE RULES REVIEW COMMITTEE

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### MEMBERS PRESENT

Senator Mike Klimesh, Vice Chair  
Senator Nate Boulton  
Senator Mike Boussetot  
Senator Waylon Brown  
Senator Cindy Winckler

Representative Megan Jones, Chair  
Representative Amy Nielsen  
Representative Rick L. Olson  
Representative Michael V. Sexton  
Representative David E. Young

EX OFFICIO, NONVOTING MEMBER: Nate Ristow, Administrative Rules Coordinator, Office of the Governor

LSA CONTACTS: Organizational staffing provided and minutes prepared by Jack Ewing, Administrative Code Editor, 515.281.6048, and Kate O'Connor, Division Editor/Supervisor, 515.281.6329

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### BULLETINS NEEDED FOR THIS MEETING: 12/13/23, 12/27/23

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#### Procedural Business

Representative Jones convened the regular, statutory meeting of the Administrative Rules Review Committee (ARRC) at 7:00 a.m. on Monday, January 8, 2024, in Room 116, State Capitol, Des Moines, Iowa. Chairperson Jones explained that the meeting would recess until the conclusion of business for the first day of the legislative session if the meeting had not concluded by then. The minutes of the December 6, 2023, meeting were approved. The next meeting was scheduled for Monday, February 5, following the conclusion of committee meetings in both chambers. When the committee reconvened after the recess, members elected Senator Klimesh as chairperson of the ARRC and Representative Jones as vice chairperson by voice vote. The meeting was adjourned at 12:00 p.m.

#### Fiscal Overview

Mr. Chris Ubben, Division Editor/Supervisor, presented the LSA fiscal report.

#### EXECUTIVE COUNCIL

Representing the agency: Nate Ristow

ARC 7187C (NOIA), Group Insurance for State Employees; Deferred Compensation Program; Health Maintenance Organizations, Chs. 1, 5, 6  
No discussion on ARC 7187C.

ARC 7188C (NOIA), Contingent Fund—Disaster Aid; Disaster Contingency Fund, Chs. 2, 7  
No discussion on ARC 7188C.

ARC 7189C (NOIA), Inheritance Tax Payments, Chs. 3, 11  
No discussion on ARC 7189C.

Rulemaking type is indicated in parentheses following the ARC number. The acronyms have the following meanings: Notice of Intended Action (NOIA), Amended Notice of Intended Action (ANOIA), Notice of Termination (NOT), Adopted and Filed Emergency (AFE), Filed Emergency After Notice (FEAN), and Adopted and Filed (AF).

ARC 7190C (NOIA), Disbursement of Money from Civil Reparations Trust Fund, Chs. 4, 12  
No discussion on ARC 7190C.

ARC 7191C (NOIA), Agency Realignment, Chs. 8-10  
No discussion on ARC 7191C.

## **CIVIL RIGHTS COMMISSION**

Representing the agency: Kristen Stiffler

ARC 7312C (NOIA), Complaint Process, Ch. 3

Ms. Kellie Paschke, speaking on behalf of the Iowa Association for Justice (IAJ), stated that the IAJ had concerns that the rulemaking did not require a respondent to respond to a complaint. She explained that the commission should require a respondent to respond to a complaint and allow the complainant to review the response, as was currently the process. She stated that the rule regarding protective orders should provide for all parties to receive notice of a protective order and have an opportunity to respond. The current process allowed for protective orders to be issued ex parte, which affected parties substantive and due process rights. She stated that the rule regarding frivolous complaints needed to be clarified as to what constituted a frivolous complaint. She stated that the rule related to the preliminary screening process was extremely problematic because it allowed an evaluation of the probable merits of a case without any discovery or additional information. The rulemaking also did not allow a complainant to receive a right-to-sue letter if a complaint was filed untimely. She explained that decision should be made by a court, not the commission, as it was a factual issue and could involve equitable tolling or other factual issues. She further explained that the rulemaking regarding the right-to-sue letter was in direct conflict with Iowa Code section 216.16(3)(a). She stated that the rulemaking did not allow the parties access to the commission's file after a right-to-sue letter had been issued as was current practice, and was also a violation of Iowa Code section 216.16(3)(b).

Committee members asked the IAJ and the commission to work together on the issues raised by Ms. Paschke. Members stated that deciding a case on its merits at the preliminary screening stage was problematic.

No action taken on ARC 7312C.

ARC 7313C (NOIA), Discrimination in Employment, Ch. 8

Committee members asked about the ARRC objection in current chapter 8. Mr. Ewing explained that if the committee perceived a legal defect with a rule, the committee could vote to place an objection on the rule. An objection places a legal burden on the rule, making the rule harder to defend in court, and if the agency loses, the agency would be required to pay court costs. He stated that this objection was imposed in 1979 and if new chapter 8 was adopted, the objection would be removed. He explained that the committee could vote to impose the same objection again if the committee decided the new rulemaking still contained the legal defect at issue.

No action taken on ARC 7313C.

## **CITY DEVELOPMENT BOARD**

Representing the agency: Lisa Connell

ARC 7131C (NOIA), Organization and Administration, Ch. 1  
No discussion on ARC 7131C.

ARC 7132C (NOIA), Agency Procedure for Rulemaking, Ch. 2  
No discussion on ARC 7132C.

ARC 7133C (NOIA), Petitions for Rulemaking, Ch. 3  
No discussion on ARC 7133C.

ARC 7134C (NOIA), Declaratory Orders, Ch. 4  
No discussion on ARC 7134C.

ARC 7135C (NOIA), Fair Information Practices, Ch. 5  
No discussion on ARC 7135C.

ARC 7136C (NOIA), Waiver Rules, Ch. 6  
No discussion on ARC 7136C.

ARC 7137C (NOIA), Voluntary Annexation, Ch. 7  
No discussion on ARC 7137C.

ARC 7138C (NOIA), Petitions for Involuntary City Development Action, Ch. 8  
No discussion on ARC 7138C.

ARC 7139C (NOIA), Committee Proceedings on Petitions for Involuntary City Development Action, Ch. 9  
No discussion on ARC 7139C.

ARC 7140C (NOIA), Board Proceedings on Petitions for Involuntary Boundary Change after Committee Approval, Ch. 10  
No discussion on ARC 7140C.

ARC 7141C (NOIA), Islands—Identification and Annexation, Ch. 11  
No discussion on ARC 7141C.

#### **ENVIRONMENTAL PROTECTION COMMISSION**

Representing the agency: Tamara Mcintosh, Kelli Book, Adam Schnieders, Keith Wilken, Christine Paulson, Jim McGraw, Amie Davidson

ARC 7205C (NOIA), Operation of Environmental Protection Commission, Ch. 1  
No discussion on ARC 7205C.

ARC 7206C (NOIA), Submission of Information and Complaints — Investigations; Complaints, Audits, Enforcement Options and Administrative Penalties; Environmental Self-Audits; Compliance and Enforcement Procedures, Chs. 3, 10, 12, 17  
No discussion on ARC 7206C.

ARC 7207C (NOIA), Delegation of Construction Permitting Authority, Ch. 9  
No discussion on ARC 7207C.

ARC 7208C (NOIA), Environmental Covenants, Ch. 14  
No discussion on ARC 7208C.

ARC 7209C (NOIA), Compliance, Excess Emissions, and Measurement of Emissions, Ch. 21  
No discussion on ARC 7209C.

ARC 7210C (NOIA), Scope of Title—Definitions, Ch. 20  
No discussion on ARC 7210C.

ARC 7211C (NOIA), Nonattainment New Source Review, Ch. 31  
No discussion on ARC 7211C.

ARC 7212C (NOIA), Provisions for Air Quality Emissions Trading Programs, Ch. 34  
No discussion on ARC 7212C.

ARC 7213C (NOIA), Operating Permits, Ch. 24  
No discussion on ARC 7213C.

ARC 7214C (NOIA), Animal Feeding Operations, Ch. 65

Committee members asked if guidance posted on the commission's internet site would directly reflect the rulemaking. Ms. Book explained that the guidance was the same information in the paper appendix of current chapter 65, and the appendix is not changing; it would be moved to an online resource. She further explained that the commission considered the online guidance part of the rulemaking just as the commission considered the paper appendix part of the rulemaking. Members asked why some language that had been in the rulemaking when it had been sent to the governor's office for preclearance was no longer in the rulemaking. Ms. Book explained that the governor's office determined the language was an expansion of the rule and violated Executive Order 10, so the commission returned to the language already in the rule. Members responded that the language that was removed had been in the rules in 2021 and 2022 and the members failed to see how adding it back in could be seen as an expansion of the rules. Members stated that the rulemaking process before Executive Order 10 needed to be respected. No action taken on ARC 7214C.

ARC 7215C (NOIA), Air Emission Standards, Ch. 23

No discussion on ARC 7215C.

ARC 7216C (NOIA), Qualification in Visual Determination of the Opacity of Emissions, Ch. 29

No discussion on ARC 7216C.

ARC 7217C (NOIA), Air Emissions Reduction Assistance Program, Ch. 25

No discussion on ARC 7217C.

ARC 7218C (NOIA), Measurement of Emissions, Ch. 25

No discussion on ARC 7218C.

ARC 7219C (NOIA), Fees, Ch. 30

Committee members asked if the fees that are collected are adequate to keep up with the federal funding received by the state that required the state to provide matching funds. Mr. McGraw replied in the affirmative.

No action taken on ARC 7219C.

ARC 7220C (NOIA), Ambient Air Quality Standards, Ch. 28

No discussion on ARC 7220C.

ARC 7221C (NOIA), Revocation, Suspension, and Nonrenewal of License for Failure to Pay State Liabilities, Ch. 16

No discussion on ARC 7221C.

ARC 7222C (NOIA), Tax Certification of Pollution Control or Recycling Property, Ch. 11

No discussion on ARC 7222C.

ARC 7223C (NOIA), Construction Permit Requirements for Major Stationary Sources — Prevention of Significant Deterioration, Ch. 33

No discussion on ARC 7223C.

ARC 7224C (NOIA), Prevention of Air Pollution Emergency Episodes, Ch. 26

No discussion on ARC 7224C.

ARC 7225C (NOIA), Cross-Media Electronic Reporting, Ch. 15

No discussion on ARC 7225C.

ARC 7226C (NOIA), Certificate of Acceptance, Ch. 27

No discussion on ARC 7226C.

ARC 7227C (NOIA), Animal Feeding Operations Field Study, Ch. 32

No discussion on ARC 7227C.

ARC 7228C (NOIA), Controlling Air Pollution, Ch. 22

No discussion on ARC 7228C.

## **NATURAL RESOURCE COMMISSION**

Representing the agency: Tamara Mcintosh, George Antoniou, Tammie Krausman, Jeff Goerndt, Jessica Flatt, Kelsey Fleming, Michelle Wilson, Nate Hoogeveen, Chris Ensminger, Randy Schultz, Monica Thelen, Nathan Schmitz, Kim Bohlen, Craig Cutts, Travis Baker

ARC 7229C (NOIA), Publicly Owned Lakes Watershed Program, Ch. 31  
No discussion on ARC 7229C.

ARC 7230C (NOIA), Manufacturer's Certificate of Origin, Ch. 20  
No discussion on ARC 7230C.

ARC 7231C (NOIA), Community Forestry Grant Program, Ch. 34  
No discussion on ARC 7231C.

ARC 7232C (NOIA), Land and Water Conservation Fund Program, Ch. 27  
No discussion on ARC 7232C.

ARC 7233C (NOIA), Local Recreation Infrastructure Grants Program, Ch. 29  
No discussion on ARC 7233C.

ARC 7234C (NOIA), Conservation Education, Ch. 12  
No discussion on ARC 7234C.

ARC 7235C (NOIA), Wildlife Habitat Promotion with Local Entities Program, Ch. 23  
No discussion on ARC 7235C.

ARC 7236C (NOIA), Resources Enhancement and Protection Program: County, City, Private Open Spaces and Conservation Education Grant Programs, Ch. 33  
No discussion on ARC 7236C.

ARC 7237C (NOIA), Waters Cost-Share and Grant Programs, Ch. 30  
No discussion on ARC 7237C.

ARC 7238C (NOIA), Waterfowl and Coot Hunting Seasons, Ch. 91  
Committee members asked why a coot is not a waterfowl. Mr. Ensminger responded that a coot is a waterfowl, but a coot is not a duck.  
No action taken on ARC 7238C.

ARC 7239C (NOIA), Deer Hunting, Chs. 94, 106  
No discussion on ARC 7239C.

ARC 7240C (NOIA), Fish Habitat Promotion for County Conservation Boards, Ch. 35  
No discussion on ARC 7240C.

ARC 7241C (NOIA), Private Space Open Lands, Ch. 32  
No discussion on ARC 7241C.

ARC 7242C (NOIA), Leases and Permits, Ch. 17  
No discussion on ARC 7242C.

ARC 7244C (NOIA), All-Terrain Vehicle (ATV) Registration Revenue Grant Program, Ch. 28

Committee members asked how successful the program has been and how long the program has existed. Ms. Flatt responded that there were seven ATV parks in Iowa and the program had been in place since the early 1990s. Members stated that they had concerns with roadblocks encountered in northeast Iowa for further development of ATV parks and asked if the commission had sought input from all stakeholders. She responded that the commission had an informal stakeholder process, had public hearings, and had more public hearings scheduled in January. Members asked what percentage of the fees that were collected were retained by the commission for enforcement. She replied that the commission retained no more than 50 percent of the fees. Members asked what falls under the umbrella of enforcement. Ms. Flatt responded that the retained portion of the fees paid for administration of the program, her salary, and for park rangers at each of the ATV parks.

No action taken on ARC 7244C.

ARC 7245C (NOIA), General License Regulations, Ch. 15

No discussion on ARC 7245C.

ARC 7246C (NOIA), Concessions, Ch. 14

No discussion on ARC 7246C.

ARC 7247C (NOIA), Habitat Lease Program, Ch. 21

No discussion on ARC 7247C.

ARC 7248C (NOIA), Permits and Easements for Construction and Other Activities on Public Lands and Waters, Ch. 13

No discussion on ARC 7248C.

ARC 7249C (NOIA), Operation of Natural Resource Commission, Ch. 1

No discussion on ARC 7249C.

ARC 7250C (NOIA), Forfeited Property, Ch. 10

No discussion on ARC 7250C.

ARC 7251C (NOIA), Habitat and Public Access Program, Ch. 22

Committee members asked if a landowner who had 100 acres, allowed 40 acres to be available for public hunting, and used the remaining 60 acres for wildlife habitat met the requirements of the program. Ms. Fleming confirmed that was correct.

No action taken on ARC 7251C.

ARC 7252C (NOIA), Rental Fee Schedule for State-Owned Property, Riverbed, Lakebed, and Waterfront Lands; Sand and Gravel Permits, Chs. 18, 19

No discussion on ARC 7252C.

ARC 7253C (NOIA), Relocation Assistance, Ch. 26

No discussion on ARC 7253C.

ARC 7254C (NOIA), Certification of Land as Native Prairie or Wildlife Habitat, Ch. 25

No discussion on ARC 7254C.

ARC 7255C (NOIA), Docks and Other Structures on Public Waters, Ch. 16

No discussion on ARC 7255C.

ARC 7256C (NOIA), Blufflands Protection Program and Revolving Loan Fund, Ch. 24

No discussion on ARC 7256C.

**CAPITAL INVESTMENT BOARD, IOWA**

Representing the agency: Tyler Ackerson

ARC 7195C (NOIA), Agency Realignment, Chs. 1-4  
No discussion on ARC 7195C.

**REVENUE DEPARTMENT**

Representing the agency: Tyler Ackerson

ARC 7144C (NOIA), Definitions, Ch. 200  
No discussion on ARC 7144C.

ARC 7145C (NOIA), Elements Included in and Excluded from a Taxable Sale and Sales Price, Ch. 203  
No discussion on ARC 7145C.

ARC 7146C (NOIA), Rules Necessary to Implement the Streamlined Sales and Use Tax Agreement, Ch. 204  
Committee members stated that constituents had reached out with concerns that if a person did an online return for merchandise purchased online, the sales tax was not refunded because of the sales and use tax agreement, and the buyer had to petition the department to return the sales tax.  
No action taken on ARC 7146C.

ARC 7147C (NOIA), Sourcing of Taxable Services, Tangible Personal Property, and Specified Digital Products, Ch. 205  
No discussion on ARC 7147C.

ARC 7148C (NOIA), Bundled Transactions, Ch. 206  
No discussion on ARC 7148C.

ARC 7149C (NOIA), Resale and Processing Exemptions Primarily of Benefit to Retailers, Ch. 225  
No discussion on ARC 7149C.

ARC 7150C (NOIA), Local Option Sales and Services Tax, Ch. 270  
No discussion on ARC 7150C.

ARC 7151C (NOIA), New School Infrastructure Local Option Sales and Services Tax, Ch. 271  
No discussion on ARC 7151C.

ARC 7152C (NOIA), Local Option Sales Tax Urban Renewal Projects, Ch. 274  
No discussion on ARC 7152C.

ARC 7153C (NOIA), Facilitating Business Rapid Response to State-Declared Disasters, Ch. 276  
No discussion on ARC 7153C.

ARC 7154C (NOIA), Sales and Use Tax Refund for Biodiesel Production, Ch. 277  
No discussion on ARC 7154C.

ARC 7155C (NOIA), Refunds for Eligible Businesses Under Economic Development Authority Programs, Ch. 278  
No discussion on ARC 7155C.

ARC 7156C (NOIA), Underground Storage Tank Rules Incorporated by Reference, Ch. 289  
No discussion on ARC 7156C.

ARC 7171C (NOIA), Sales and Use Tax Permits, Ch. 201  
No discussion on ARC 7171C.

ARC 7172C (NOIA), Remote Sales and Marketplace Sales, Ch. 207  
No discussion on ARC 7172C.

ARC 7173C (NOIA), Multilevel Marketer Agreements, Ch. 208  
No discussion on ARC 7173C.

ARC 7174C (NOIA), Agricultural Rules, Ch. 214  
No discussion on ARC 7174C.

ARC 7181C (NOIA), Collection of Tax Debt and Debt Owed to Other State Agencies, Chs. 20-25, 27  
No discussion on ARC 7181C.

ARC 7182C (NOIA), Exemptions Primarily Benefiting Manufacturers and Other Persons Engaged in Processing, Ch. 215  
No discussion on ARC 7182C.

ARC 7183C (NOIA), Telecommunication Services, Ch. 217  
No discussion on ARC 7183C.

ARC 7184C (NOIA), Flood Mitigation Program, Ch. 272  
No discussion on ARC 7184C.

ARC 7185C (NOIA), Reinvestment Districts Program, Ch. 273  
No discussion on ARC 7185C.

ARC 7186C (NOIA), Rebate of Iowa Sales Tax Paid, Ch. 275  
No discussion on ARC 7186C.

ARC 7192C (AF), Settlement Authority, Chs. 3, 7, 10, 19, 101, 108, 254, 300, 305, 504, 603, 700, 900  
No discussion on ARC 7192C.

ARC 7196C (NOIA), Exemption Certificates, Chs. 202, 204, 209, 288  
No discussion on ARC 7196C.

ARC 7197C (NOIA), Purchases by Businesses, Ch. 210  
No discussion on ARC 7197C.

ARC 7198C (NOIA), Taxable Services, Ch. 211  
No discussion on ARC 7198C.

ARC 7199C (NOIA), Governments and Nonprofits; Exempt Sales; Taxable and Exempt Sales Determined by Method of Transaction or Usage, Chs. 212, 284, 285  
No discussion on ARC 7199C.

ARC 7200C (NOIA), Sales and Services Related to Vehicles, Ch. 218  
No discussion on ARC 7200C.

ARC 7201C (NOIA), Sales and Use Tax on Construction Activities, Ch. 219  
No discussion on ARC 7201C.

ARC 7202C (NOIA), Exemptions Primarily of Benefit to Consumers, Ch. 220  
No discussion on ARC 7202C.

ARC 7203C (NOIA), Miscellaneous Nontaxable Transactions, Ch. 221  
No discussion on ARC 7203C.

ARC 7204C (NOIA), Receipts Subject to Use Tax; Receipts Exempt from Use Tax; Receipts Subject to Use Tax Depending on Method of Transaction, Chs. 280, 281, 282  
No discussion on ARC 7204C.

ARC 7354C (NOIA), Filing Returns and Payment of Tax, Ch. 202  
No discussion on ARC 7354C.



ARC 7375C (NOIA), Miscellaneous Taxable Sales, Ch. 213  
No discussion on ARC 7375C.

ARC 7377C (NOIA), Events, Amusements, and Other Related Activities, Ch. 216  
No discussion on ARC 7377C.

### **LABOR SERVICES DIVISION**

Representing the agency: Mitchell Mahan

ARC 7142C (NOIA), Child Labor, Ch. 32

Mr. Peter Hird, speaking on behalf of the Iowa Federation of Labor (AFL-CIO), stated that the AFL-CIO opposed the sections of Iowa law, which the rulemaking implements, that violate federal law. Members asked for confirmation that Iowa law violated federal law. Mr. Mahan responded that Iowa law allowed more activities, different tasks, and different hours than is allowed by federal law. Members asked how the division reconciled the violation of federal law. He responded that it depended on the federal attitude toward enforcement, and that the rulemaking conformed to Iowa law. Members replied that the task of rulemaking was to comply with Iowa law. Members stated that while rulemaking needs to comply with Iowa law, it was important that kids in Iowa are safe in the workplace.

No action taken on ARC 7142C.

ARC 7143C (NOIA), Request for Extended Inspection Interval, Rule 90.6(10)  
No discussion on ARC 7143C.

### **INSPECTIONS AND APPEALS DEPARTMENT**

Representing the agency: Ashleigh Hackel

ARC 7157C (NOIA), Home Food Processing Establishments, Ch. 34  
No discussion on ARC 7157C.

### **MEDICINE BOARD**

Representing the agency: Lief Olsen, Jill Stuecker

ARC 7170C (NOIA), Standards of Practice and Principles of Medical Ethics—Abortion, Rule 13.17

Committee members asked what the term “prosecutable” meant in relation to a pregnancy that was the result of rape. Mr. Olsen responded that it meant the case was capable of being prosecuted. Members asked if that is not true of all cases. He responded that cases can only be prosecuted if there were sufficient underlying facts to file a criminal information or indictment. Members asked him if he thinks that “prosecutable” should be defined in the rulemaking. He responded that the board could do so if the board wanted to define the term. Members stated that the committee would like to see a definition included in the rulemaking. Members asked why the rulemaking used the terms “consistent with reasonable medical practice” and “reasonable medical judgment” rather than the common standard of “reasonable degree of medical certainty.” He responded that the rulemaking did not establish civil liability but instead administered the statute. Members responded that the new standard would be ripe for litigation. Members asked if “reasonable medical judgment” was defined anywhere in the board’s rules. Ms. Stuecker responded that she would have to look into that.

No action taken on ARC 7170C.

## **EDUCATIONAL EXAMINERS BOARD**

Representing the agency: Joanne Tubbs

ARC 7193C (NOIA), Renewal or Extension Fees — Licenses, Certificates, Statements of Professional Recognition, Authorizations, Rule 12.2  
No discussion on ARC 7193C.

ARC 7194C (NOIA), Complaints, Investigations, Contested Case Hearings—Confidentiality, Rules 11.4(9), 11.5  
No discussion on ARC 7194C.

## **PROFESSIONAL LICENSURE DIVISION**

Representing the agency: Tony Alden

ARC 7175C (NOIA), Licensure of Podiatrists, Ch. 220  
No discussion on ARC 7175C.

ARC 7176C (NOIA), Licensure of Orthotists, Prosthetists, and Pedorthists, Ch. 221  
No discussion on ARC 7176C.

ARC 7177C (NOIA), Continuing Education for Podiatrists, Ch. 222  
Mr. Ristow asked if the rulemaking retained the requirement of 40 hours of continuing education (CE) over a two-year period. Mr. Alden responded in the affirmative. Mr. Ristow asked if the board reviewed the three nearby states that have lower CE requirements and decided that there is a risk to lowering the CE requirements in Iowa. He responded that as Iowa had a small number of podiatrists, and Illinois had a much larger number, it would be hard to make a direct comparison. Mr. Ristow responded that the board should look at the number of complaints in proportionality to the number of podiatrists in each state. Mr. Alden stated that the complaints the board receives in Iowa are related to practice issues and not ethics issues.  
No action taken on ARC 7177C.

ARC 7178C (NOIA), Practice of Podiatry, Ch. 223  
No discussion on ARC 7178C.

ARC 7179C (NOIA), Discipline for Podiatrists, Orthotists, Prosthetists, and Pedorthists, Ch. 224  
No discussion on ARC 7179C.

ARC 7180C (NOIA), Continuing Education for Orthotists, Prosthetists, and Pedorthists, Ch. 225  
No discussion on ARC 7180C.

## **EDUCATION DEPARTMENT**

Representing the agency: Thomas Mayes

ARC 7169C (NOIA), General Accreditation Standards — Age-Appropriate Instruction, Library Programs, Compliance with Legislation, Parental Rights, Ch. 12  
No discussion on ARC 7169C.

ARC 7158C (NOIA), Pathways for Academic Career and Employment Program; Gap Tuition Assistance Program, Ch. 25  
No discussion on ARC 7158C.

ARC 7159C (NOIA), Workforce Training and Economic Development Funds, Ch. 27  
No discussion on ARC 7159C.

ARC 7160C (NOIA), High School Equivalency Diplomas, Ch. 32  
No discussion on ARC 7160C.

ARC 7161C (NOIA), Extracurricular Interscholastic Competition, Ch. 36  
No discussion on ARC 7161C.

ARC 7162C (NOIA), Educational and Program Standards for Children’s Residential Facilities, Ch. 35  
No discussion on ARC 7162C.

ARC 7163C (NOIA), Extracurricular Athletic Activity Conference for Member Schools, Ch. 37  
No discussion on ARC 7163C.

ARC 7164C (NOIA), Work-Based Learning; Individualized Career and Academic Plan, Chs. 48, 49  
No discussion on ARC 7164C.

ARC 7165C (NOIA), Iowa Reading Research Center, Ch. 61  
No discussion on ARC 7165C.

ARC 7166C (NOIA), Standards for Teacher Intern Preparation Programs; Standards for Practitioner and Administrator Preparation Programs, Chs. 77, 79  
No discussion on ARC 7166C.

ARC 7167C (NOIA), Standards for Paraeducator Preparation Programs, Ch. 80  
No discussion on ARC 7167C.

ARC 7168C (NOIA), Teacher and Administrator Quality Programs, Ch. 83  
No discussion on ARC 7168C.

ARC 7315C (NOIA), Students First Act—Definition of “Annual Income,” Rule 20.1(1)  
No discussion on ARC 7315C.

ARC 7417C (AF), Business Procedures and Deadlines, Ch. 99  
No discussion on ARC 7417C.

ARC 7418C (AF), Organization and Operation, Ch. 1  
No discussion on ARC 7418C.

ARC 7419C (AF), Standards for School Administration Manager Programs, Ch. 82  
No discussion on ARC 7419C.

ARC 7420C (AF), Waivers from Administrative Rules, Ch. 4  
No discussion on ARC 7420C.

ARC 7421C (AF), Statewide Voluntary Preschool Program, Ch. 16  
No discussion on ARC 7421C.

ARC 7422C (AF), Veterans’ Education and Training, Chs. 51, 52  
No discussion on ARC 7422C.

ARC 7423C (AF), Financial Incentives for National Board Certification, Ch. 84  
No discussion on ARC 7423C.

ARC 7424C (AF), Programs for Students Who are English Learners, Ch. 60  
No discussion on ARC 7424C.

ARC 7425C (AF), Agency Procedure for Rulemaking and Petitions for Rulemaking, Ch. 2  
No discussion on ARC 7425C.

ARC 7426C (AF), School Fees, Ch. 18  
No discussion on ARC 7426C.

ARC 7427C (AF), Appeal Procedures, Ch. 6  
No discussion on ARC 7427C.

ARC 7428C (AF), School Breakfast and Lunch Program; Nutritional Content Standards for Other Foods and Beverages, Ch. 58

No discussion on ARC 7428C.

ARC 7429C (AF), Programs for At-Risk Early Elementary Students, Ch. 65

No discussion on ARC 7429C.

ARC 7430C (AF), Equal Employment Opportunity and Affirmative Action in Educational Agencies, Ch. 95

No discussion on ARC 7430C.

ARC 7431C (AF), Criteria for Grants, Ch. 7

No discussion on ARC 7431C.

ARC 7432C (AF), Declaratory Orders, Ch. 3

No discussion on ARC 7432C.

ARC 7433C (AF), Gifted and Talented Programs, Ch. 59

No discussion on ARC 7433C.

ARC 7434C (AF), Educating Homeless Children and Youth, Ch. 33

Committee members asked if it was possible to hyperlink references to federal regulations in the rulemaking. Mr. Mayes responded that federal regulations are a different user experience than state rules, and federal regulations are not stable in the long term. Mr. Ewing stated that while it was technically possible to hyperlink to a federal source, he agreed with Mr. Mayes that a federal source might not remain accurate over time.

No action taken on ARC 7434C.