

## Red Tape Review Rule Report (Due: September 1, 2024)

<b>Department Name:</b>	Board of Educational Examiners	<b>Date:</b>	07/10/2024	<b>Total Rule Count:</b>	10
<b>IAC #:</b>	282	<b>Chapter/ SubChapter/ Rule(s):</b>	Chapter 12	<b>Iowa Code Section Authorizing Rule:</b>	Iowa Code chapter 256.155
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

**What is the intended benefit of the rule?**

The agency does not receive any state dollars – fees are required for all agency operations.

**Is the benefit being achieved? Please provide evidence.**

Yes - fees are required for all agency operations. Fees have not been raised since 2005.

**What are the costs incurred by the public to comply with the rule?**

Fees for licensure transactions. Fees have not been raised since 2005.

**What are the costs to the agency or any other agency to implement/enforce the rule?**

Minimal costs to make sure accounting is accurate.

**Do the costs justify the benefits achieved? Please explain.**

Yes – all operations are covered by fees. No state money is received.

**Are there less restrictive alternatives to accomplish the benefit?**  YES  NO

**If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.**

All operations are covered by fees. No state money is received.

**Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]**

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Yes – removed redundant code language.

**RULES PROPOSED FOR REPEAL (list rule number[s]):**

12.1 through 12.10

**RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):**

CHAPTER 12  
FEES

**282—12.1(256) Issuance fees.** The fee for the issuance of a license, certificate, statement of professional recognition, or authorization will be \$85 unless otherwise specified below:

1. Paraeducator certificate will be \$40.
2. Behind-the-wheel authorization will be \$40.
3. The application fee will be waived for applicants who meet the requirements under 282—subrule 13.1(4).

**282—12.2(256) Renewal fees.** The fee for the renewal or extension of a license, certificate, statement of professional recognition, or authorization will be \$85 unless otherwise specified below:

1. The renewal of the paraeducator certificate will be \$40.
2. The renewal of the behind-the-wheel authorization will be \$40.
3. A one-year extension of a coaching authorization will be \$40.
4. A one-year extension of the temporary initial, initial teaching, or initial administrator license will be \$25 if the applicant needs additional time to meet the experience requirement and all standards have been met.
5. The fee for the renewal of a license, certificate, statement of professional recognition, or authorization for practitioners with a master's degree or higher who have ten or more years of experience in education will be \$50.
6. A Class E emergency extension license will be \$150.

**282—12.3(256) Evaluation and endorsement fees.**

1. The evaluation fee for applications from out-of-state or out-of-country institutions will be \$60.
2. The fee for adding an endorsement will be \$50. The fee for a transcript evaluation will be \$60.
3. The fee for adding an area of concentration to a paraeducator certificate will be \$25.

**282—12.4(256) Duplicate fees.** The fee for the printed issuance of practitioner's license, certificate, statement of professional recognition, or authorization will be \$15.

**282—12.5(256) Late fees.**

**12.5(1)** An additional fee of \$25 per calendar month, not to exceed \$150, will be imposed if an application is submitted after the date of expiration of a practitioner's license.

**12.5(2)** An additional fee of \$25 per calendar month, not to exceed \$150, will be imposed if the practitioner holds a valid Iowa license but does not hold an endorsement for the type of service for which the practitioner is employed.

**12.5(3)** An additional fee of \$100 per calendar month, not to exceed \$500, will be imposed if the practitioner does not hold a valid Iowa license or authorization. The fee will begin to be assessed on the first day of the school year for which the practitioner is employed until the practitioner submits a completed application packet for the appropriate license.

**12.5(4)** Waivers of late fees will be granted only upon a showing of extraordinary circumstances rendering imposition of the fee unreasonable.

**282—12.6(256) Retention of incomplete applications.**

**12.6(1)** *Timeline for complete application materials to be submitted.* Upon receipt of an incomplete application, the executive director or designee will send a letter of deficiencies to the applicant stipulating that complete application materials will be submitted to the board office within 45 days of the date the letter is received. If the materials are not received within that timeline, the application process will be closed. If the applicant submits information after the 45-day deadline, the application process requires submission of a complete set of application materials and fees, including late fees if applicable, for practicing with an expired license, without the proper endorsement, or without an Iowa board-issued license.

**12.6(2)** *Background check.* The background check fee is valid for one year. If a license is not issued within one year of a completed background check, the background check will be considered void.

**12.6(3)** *Request for additional time.* If the applicant is not able to submit the application materials by the deadline, the applicant may contact the executive director with a request for additional time. The executive director will review the request and provide a written decision either approving or denying the request.

**282—12.7(256) Fees for processing complaints and conducting hearings.**

**12.7(1)** *Administrator licensure sanction.* If an administrator is a respondent in a complaint for violation of the code of professional conduct and ethics and the final board action results in a sanction, the administrator will be required to pay the fees that were related to processing the complaint and conducting the hearing. Such fees may include a fee for personal service by a sheriff, a fee for legal notice when placed in a newspaper, a fee for transcription service or court reporter fee, and other fees assessed as costs by the board.

**12.7(2)** *Timeline for payment and board order.* Fees will be submitted to the board office within 45 days from the issuance of the letter outlining the required fees. Payment of fees may be imposed as a board order.

These rules are intended to implement Iowa Code chapter 256.

**\*For rules being re-promulgated with changes, you may attach a document with suggested changes.**

**METRICS**

<b>Total number of rules repealed:</b>	<b>3</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>739</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>26</b>

**ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?**

None

