

# Red Tape Review Rule Report

(Due: September 1, 2024)

<b>Department Name:</b>	Iowa 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 16	<b>Iowa Code Section Authorizing Rule:</b>	256.146
<b>Contact Name:</b>	Joanne Tubbs	<b>Email:</b>	Joanne.tubbs@iowa.gov	<b>Phone:</b>	515 281 3611

**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

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

Create licensure pathways for applicants who are licensed by another professional board.

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

Yes – these pathways are being utilized.

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

Minimal costs to apply for licensure.

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

Costs are covered by fees paid as required by Iowa Code.

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

Yes –this creates licensure pathways for applicants who are licensed by another professional board to allow professionals to work in schools.

**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.**

This pathway is already minimal. The board recognizes an existing license and issues a license for working in schools. No additional requirements.

**Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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]**

**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

Yes – significant redundant language has been removed.

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

**16.1 to 16.10**

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

CHAPTER 16  
STATEMENTS OF PROFESSIONAL RECOGNITION (SPR)

**282—16.1(256) Statement of professional recognition (SPR).**

**16.1(1)** The following statements of professional recognition may be obtained by first obtaining licensure from the department of inspections, appeals, and licensing and do not permit service as a teacher:

- a. School audiologist.
- b. Speech-language pathologist.
- c. School nurse.
- d. School occupational therapist.
- e. School physical therapist.
- f. School social worker.
- g. School behavior analyst.
- h. Mental health professional.

**16.1(2) *Validity.*** The SPR is valid for five years. Applicants will also maintain their license from the department of inspections, appeals, and licensing during the term of the SPR, and this valid license will be required for the issuance and renewal of the SPR.

**16.1(3) *Temporary authorization.*** A temporary SPR may be issued for one school year if the license from the department of inspections, appeals, and licensing is temporary.

**16.1(4) *Request for SPR.*** The employer will submit a letter requesting that the SPR be issued.

**282—16.2(256) School audiologist.** The holder of this SPR is authorized to serve as a school audiologist to pupils from birth to age 21 who are deaf or hard of hearing. The person is required to obtain a professional service license or SPR from the board of educational examiners.

**282—16.3(256) Speech-language pathologist.** The holder of this SPR is authorized to serve as a speech-language pathologist to pupils from birth to age 21. The person is required to obtain a professional service license or SPR from the board of educational examiners.

**282—16.4(256) School nurse.** The holder of this SPR is authorized to promote the health and safety of the students, including providing medical treatment as allowed under the authority granted by virtue of holding a license from the department of inspections, appeals, and licensing. Applicants will also pass the registered nurse examination.

**282—16.5(256) School occupational therapist.** The holder of this SPR can serve as a school occupational therapist to pupils from birth to age 21 who have physical impairments.

**282—16.6(256) School physical therapist.** The holder of this SPR can serve as a school physical therapist to pupils from birth to age 21 who have physical impairments.

**282—16.7(256) School social worker.** The holder of this SPR is authorized to serve as a school social worker to pupils from birth to age 21 and will hold a licensed independent social worker (LISW) or licensed master social worker (LMSW) license.

**282—16.8(256) School behavior analyst.** The holder of this SPR can serve as a school behavior analyst to pupils from birth to age 21.

**282—16.9(256) Mental health professional.** A mental health professional pursuant to Iowa Code section 228.1 will obtain a SPR from the board of educational examiners to be employed by or provide services to an accredited public or private school. The holder of this authorization can serve as a mental health professional to pupils from birth to age 21. Social workers will instead obtain the professional service license or SPR specific to school social work which includes the authorization to provide mental health services to an accredited public or private school or area education agency.

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>1</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>1961</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>42</b>

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

None