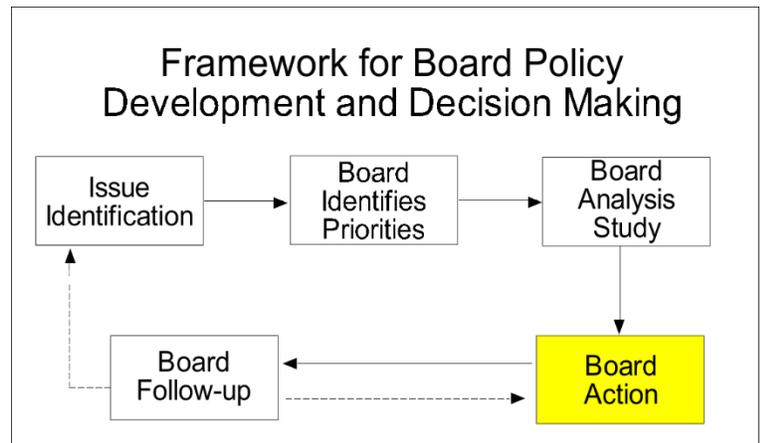


Iowa State Board of Education

Executive Summary

November 13, 2024



- Agenda Item:** Rules – Chapter 31, “Private Instruction and Dual Enrollment” (Notice of Intended Action)
- State Board Priority:** All
- State Board Role/Authority:** The State Board has the authority to provide notice of intended rulemaking under Iowa Code section 256.7.
- Presenter(s):** Thomas A. Mayes
General Counsel
- Attachment(s):** One
- Recommendation:** It is recommended that the State Board give notice of its intent to amend Chapter 31.
- Background:** This proposed rulemaking clarifies limits on dual enrollment into public school coursework. The Department received feedback that the recently adopted revision of Chapter 31 was unclear and confusing on this point.
- A regulatory analysis was published in the Iowa Administrative Bulletin on October 16, 2024, with a public hearing on November 5, 2024.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 31, “Private Instruction and Dual Enrollment,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 256.7(5).

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 299A.

Purpose and Summary

This proposed rulemaking clarifies limits on dual enrollment into public school coursework. The Department received feedback that the recently adopted revision of chapter 31 was unclear and confusing on this point.

A regulatory analysis was published in the *Iowa Administrative Bulletin* on October 16, 2024, with a public hearing on November 5, 2024.

Fiscal Impact

This rulemaking has no fiscal impact to the state of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

Public Comment

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department of Education no later than 4:30 p.m. on December 11, 2024. Comments should be directed to:

Thomas A. Mayes, General Counsel
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 11, 2024, at 8:00 a.m. to 9:00 a.m.

Grimes State Office Building, Room B50

400 E. 14th Street, Des Moines, IA 50319

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the State Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind subrule 31.5(4) and adopt the following **new** subrule in lieu thereof:

31.5(4) A parent may not use dual enrollment to enroll a child in all courses but one.