

Iowa State Board of Education

Executive Summary

February 12, 2026

Agenda Item: Rules – Notice of Intended Action – Chapter 120 (amend)

**State Board
Priority:** Goal 1

**State Board
Role/Authority:** This rulemaking is proposed under the authority provided in Iowa Code section 256B.3(23).

Presenter(s): Thomas A. Mayes
General Counsel and Rules Coordinator

Attachment(s): One

Recommendation: It is recommended that the State Board of Education give notice of its intent to amend Chapter 120.

Background: This proposed rulemaking eliminates a potential source of confusion by removing unnecessary and confusing cross-references to the dispute resolution procedures under Part B of the Individuals with Disabilities Education Act (IDEA). Some, but not all, of the procedures under Part B apply to Part C of IDEA (Early ACCESS). This proposed rulemaking removes references to procedures that do not.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 120, “Early ACCESS Integrated System of Early Intervention Services,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 256B.3(23).

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 34 C.F.R. part 303 (2025).

Purpose and Summary

This proposed rulemaking eliminates a potential source of confusion by removing unnecessary and confusing cross-references to the dispute resolution procedures under Part B of the Individuals with Disabilities Education Act (IDEA). Some, but not all, of the procedures under Part B apply to Part C of IDEA (Early ACCESS). This proposed rulemaking removes references to procedures that do not.

The Department convened a hearing on the Regulatory Analysis for this proposed rulemaking on February 10, 2026, at 8:30 a.m., in Room B50, Grimes State Office Building, and by video conference. No one appeared or made public comment at the public hearing. No one otherwise made public comment.

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 no later than 4:30 p.m. on March 24, 2026. Comments should be directed to:

Thomas A. Mayes
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:

March 24, 2026	Room B50
8 to 8:30 a.m.	Grimes State Office Building
	Via videoconference:
	meet.google.com/nzv-caed-ttz

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 Department 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. Amend rule 281—120.811(34CFR303) as follows:

281—120.811(34CFR303) Dispute resolution: practice before mediators and administrative law judges. Unless otherwise provided by this chapter, any mediation conference or due process hearing under Division VI of this chapter shall be conducted according to rules ~~281—41.1000(256B,34CFR300)~~ 281—41.1002(256B,34CFR300), 281—41.1009(17A,256B) through 281—41.1012(17A,256B), and 281—41.1014(17A,256B) through 281—41.1016(256B,34CFR300 17A).