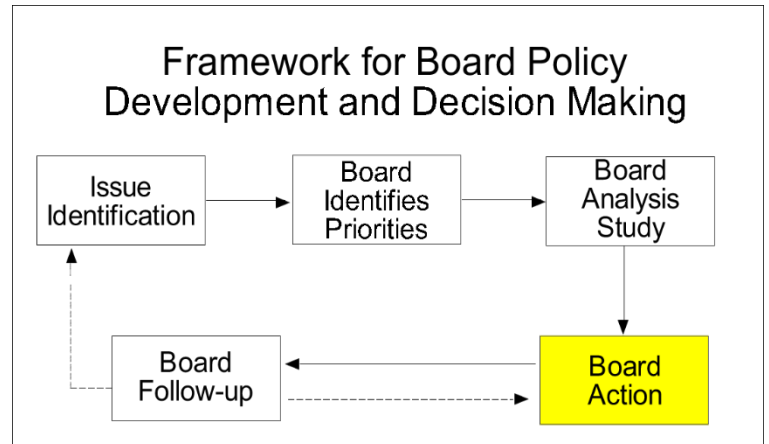


# Iowa State Board of Education

## Executive Summary

September 14, 2023



**Agenda Item:** Rules: 281 IAC Chapters 51 and 52 – Veterans Education (Notice of Intended Action)

**State Board Priority:** Preparing Learners for Tomorrow’s Workforce

**State Board Role/Authority:** This rule making is proposed under the authority provided in Iowa Code section 256.7(5).

**Presenter(s):** None (consent agenda)

**Attachment(s):** One

**Recommendation:** It is recommended that the State Board give notice of its intent to amend Chapter 51 and rescind Chapter 52.

**Background:** As part of the Department’s review of rules under Executive Order 10, the Department determined that all of the rules restate federal regulatory requirements. Some rules, such as approval of high schools, are obsolete. Those duplicative and obsolete rules are removed, and the two chapters are consolidated.

## **EDUCATION DEPARTMENT[281]**

### **Notice of Intended Action**

The State Board of Education hereby proposes to rescind Chapter 51, “Approval of On-The-Job Training Establishments Under the Montgomery G.I. Bill,” rescind chapter 52, “Approval Of Educational Institutions For The Education And Training Of Eligible Veterans Under The Montgomery G.I. Bill,” and adopt a new chapter 51, “Veterans’ Education and Training,” 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, 38 C.F.R. part 21.

#### *Purpose and Summary*

As part of the Department’s review of rules under Executive Order 10, the Department determined that all of the rules restate federal regulatory requirements. Some rules, such as approval of high schools, are obsolete. Those duplicative and obsolete rules are removed, and the two chapters are consolidated.

#### *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 October 24, 2023. Comments should be directed to:

Thomas A. Mayes

Grimes State Office Building; 400 E. 14<sup>th</sup> Street, Des Moines, IA 50319

[Thomas.Mayes@iowa.gov](mailto:Thomas.Mayes@iowa.gov) or 515-281-8661

*Public Hearing*

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

Hearing 1: October 24, 2023, 10:00 to 10:30 a.m.; Grimes State Office Building, State Board Room, Second Floor, Des Moines.

Hearing 2: October 24, 2023, 5:00 to 5:30, Des Moines, LOCATION TBA.

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 of Education 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 rule-making action is proposed:

ITEM 1. Rescind 281—Chapter 51 and adopt the following **new** chapter in lieu thereof:

CHAPTER 51  
VETERANS' EDUCATION AND TRAINING

**281—51.1(256) Apprenticeships and on-the-job training programs for veterans.** For approval of apprenticeships and on-the-job training programs, the following provisions of the Code of Federal Regulations, as of [the publication date of the Notice], are incorporated by reference: 38 CFR Sections 21.4001 through 21.4009, 21.4150 through 21.4155, 21.4200 through 21.4206, 21.4209 through 21.4216, 21.4234, 21.4261, and 21.4262.

**281—51.2(256) Educational institutions.** For approval of educational institutions, the following provisions of the Code of Federal Regulations, as of [the publication date of the Notice], are incorporated by reference: 38 CFR Sections 21.4001 through 21.4009, 21.4150 through 21.4155, 21.4200 through 21.4206, 21.4209 through 21.4216, 21.4232 through 21.4236, 21.4250 through 21.4259, and 21.4263 through 21.4268.

These rules are intended to implement 38 CFR Part 21.

ITEM 2. Rescind and reserve 281—Chapter 52.