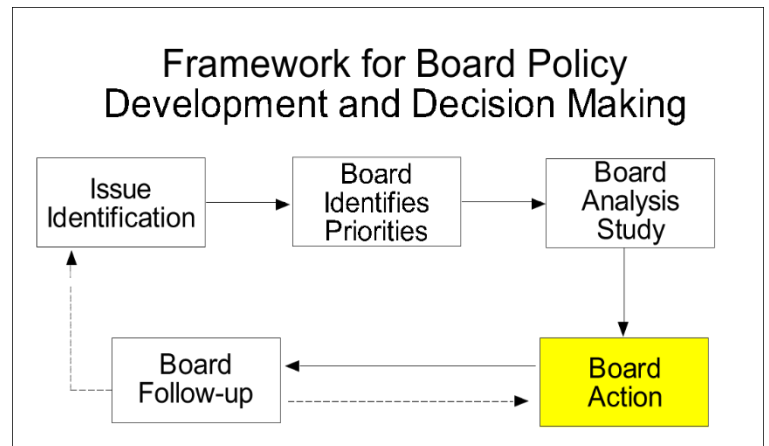


Iowa State Board of Education

Executive Summary

December 4, 2023



Agenda Item: Rules: 281 IAC Chapters 51 and 52 – Veterans’ Education and Training (Adopt)

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.

Presenter(s): Thomas A. Mayes, General Counsel

Attachment(s): One

Recommendation: It is recommended that the State Board adopt this new Chapter 51 and rescind and reserve Chapter 52.

Background: As part of the Department of Education’s review of rules under Executive Order 10, the Department determined that all of the rules in Chapters 51 and 52 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]

Adopted and Filed

The State Board of Education hereby rescinds Chapter 51, “Approval of On-the-Job Training Establishments Under the Montgomery G.I. Bill,” to adopt a new Chapter 51, “Veterans’ Education and Training,” and to rescind Chapter 52, “Approval of Educational Institutions for the Education and Training of Eligible Veterans Under the Montgomery G.I. Bill,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted 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 of Education’s review of rules under Executive Order 10, the Department determined that all of the rules in Chapters 51 and 52 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.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on October 4, 2023, as **ARC 7093C**.

Two public hearings were held on October 24, 2023: at 10:00 a.m., in the State Board Room, Grimes State Office Building, Des Moines, and at 5:00 p.m. at Roosevelt High School, Des Moines. No one attended the public hearings. No comments were received. No changes were made from the notice of intended action.

Adoption of Rulemaking

This rulemaking was adopted by the State Board of Education on December 4, 2023.

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.

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).

Effective Date

This rulemaking will become effective on January 31, 2023.

The following rulemaking action is adopted:

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

TITLE X
VETERANS' TRAINING
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 October 4, 2023, 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 October 4, 2023, 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.**