

Iowa State Board of Education

Executive Summary

January 20, 2022



Agenda Item: Rules: 281 IAC Chapter 97 – Supplementary Weighting

State Board Priority: Eliminating Achievement and Opportunity Gaps

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 97.

Background: In amending chapter 97 at its November 2021 meeting, the adopted-and-filed rules inadvertently omitted a position required by House File 847: special education director. This amendment adds that position.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 97, “Supplementary Weighting,” Iowa Administrative Code.

Legal Authority for Rule Making

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

State or Federal Law Implemented

This rule making implements, in whole or in part, 2021 Iowa Acts, House File 847.

Purpose and Summary

In amending chapter 97 at its November 2021 meeting, the adopted-and-filed rules inadvertently omitted a position required by House File 847. This amendment adds that position.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making 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 rule making. Written comments in response to this rule making must be received by the Department of Education no later than 4:30 p.m. on March 1, 2022. Comments should be directed to:

Thomas Mayes
Department of Education
Grimes State Office Building, Second Floor
400 East 14th Street
Des Moines, Iowa 50319-0146
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1) “b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making 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 proposed:

ITEM 1. Amend paragraph **97.7(10)“c”**, as amended by ARC 6080C, as follows:

c. A school district that shares the operational functions of a curriculum director, master social worker, independent social worker, school counselor, work-based learning coordinator, special education director, or mental health professional shall be assigned a supplementary weighting of three pupils for the function. For the school budget years beginning July 1, 2022; July 1, 2023; and July 1, 2024, the weighting shall be two pupils.