

Iowa State Board of Education

Executive Summary

January 28, 2021



Agenda Item: Rules: 281 IAC Chapter 1 – Organization and Operation (Notice)

State Board Priorities: All

Role/Authority: Iowa Code section 256.7(5) gives the State Board of Education the statutory authority to adopt rules under Chapter 17A.

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

Attachment(s): One

Recommendation: It is recommended that the State Board give notice of intended action to amend Chapter 17.

Background: This rulemaking updates the organizational structure of the Iowa Department of Education.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 1, “Organization and Operation,” 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, Iowa Code section 256.9(3).

Purpose and Summary

This rule making updates the organizational structure of the Iowa Department of Education.

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 Department of Education for a waiver of the discretionary provisions, if any, pursuant to Chapter 281—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 16, 2021. Comments should be directed to: Thomas A. Mayes, General Counsel and Administrative Rules Coordinator, Grimes State Office Building,

Second Floor; 400 E. 14th Street; Des Moines, IA 50319-0416. Phone: 515-281-8661. Fax: 515-242-5988.

Public Hearing

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

March 16, 2021

9:30 to 10:00 a.m.

Grimes State Office Building, Room B100

400 E. 14th Street

Des Moines, IA 50319-0146

Also via video conference at the following link:

<https://idoe.zoom.us/j/98069592361?pwd=VHRHQXIUOXF6ZnV4YjJ4Q2dwSzBVZz09>

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 rule making.

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 by calling 515-281-5294.

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 Iowa Administrative Code rule 281—1.4(256), subsection 1, as follows:

1.4(1) Organization.

a. *Office of the director.* The director is the chief administrator of the department and serves as chief executive officer of the state board of education. Within the office of the director, there are two offices, each headed by a deputy director: the office of learning, results, and programs, and the office of operations and initiatives.

b. *Division of community colleges and workforce preparation.* The division oversees career and technical education as well as the community colleges.

c. *Division of financial and information services.* The division provides internal operations and information technology to the agency as well as planning, research and evaluation services.

d. *Division of early childhood, elementary and secondary education.* The division consists of bureaus that oversee instructional services, practitioner preparation, administration and school improvement services, and food and nutrition services.

b. *Division of learning, results, and programs.* The division consists of bureaus that oversee instructional services, practitioner preparation, administration and school improvement services, food and nutrition services, and planning, research and evaluation services. The division is within the office of learning, results, and programs.

c. *Division of community colleges and workforce preparation.* The division oversees career and technical education as well as the community colleges. The division is within the office of operations and initiatives.

d. Division of finance and support services. The division provides accounting and internal operations and information technology to the agency, as well overseeing school business operations. The division is within the office of operations and initiatives. The division administrator is the department's chief financial officer.

e. *Division of library and information services.* The division is responsible for the state library, library development, and audio-visual services.

f. *Iowa public television.* This is the division of public broadcasting and related services.

g. *Division of vocational rehabilitation services.* This division provides disability determination services and related services for clients with disabilities.