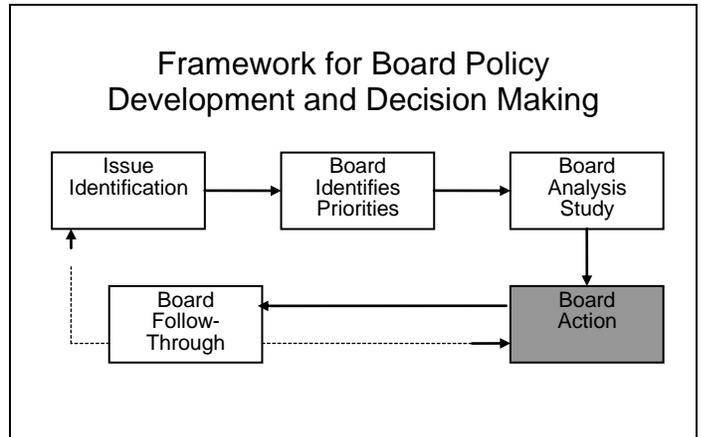


Iowa State Board of Education

Executive Summary

November 18, 2009



Agenda Item: Rules: Chapter 19 - Attendance Centers (Adopt)

Iowa Goal: All K-12 students will achieve at a high level.

Equity Impact Statement: All school districts are governed by rules promulgated by the State Board.

Presenter: None (Consent agenda)

Attachments: 1

Recommendation: It is recommended that the State Board rescind this chapter.

Background: The Iowa Supreme Court ruled on July 31, 2009, that these rules are void because the legislature has not granted to the State Board authority to adopt rules regulating school closure decisions.

EDUCATION DEPARTMENT [281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby rescinds Chapter 19, "Attendance Centers," Iowa Administrative Code.

The Iowa Supreme Court recently ruled that this chapter of rules is void. See *Wallace, et al., v. Iowa State Board of Education*, No. 07-0943 (Iowa Supreme Court; July 31, 2009). The rules in Chapter 19, having been declared void, should be rescinded.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the October 7, 2009, Iowa Administrative Bulletin as ARC #8186B. Public comments were allowed until 4:30 p.m. on October 27, 2009. No written or oral comments were received.

This amendment is identical to that published under Notice.

This amendment is intended to implement Iowa Code section 256.7(5), and is effective January 20, 2010.

The following amendment is adopted.

Rescind and reserve **281--Chapter 19**.