

Dear Senators MORTIMER, Thayn, Buckner-Webb, and  
Representatives DEMORDAUNT, VanOrden, Pence:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
State Board of Education - State Department of Education:  
IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1503).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 07/28/2015. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 08/25/2015.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Education Committee and the House Education Committee

**FROM:** Principal Legislative Research Analyst - Brooke Brouman

**DATE:** July 09, 2015

**SUBJECT:** State Board of Education - State Department of Education

IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1503)

The State Department of Education submits proposed rulemaking relating to data collection. The proposed rule revises and sets forth new provisions relating to data collection criteria and usage from participating school files for state and federal reporting and decision-making. In addition, the proposed rule requires data collection from participating Local Education Agencies and schools for state reporting, financial disbursements and decision-making pursuant to Section 33-1626, Idaho Code (Fast Forward Program, Dual Credit for Early Completers Program), as well as data collection at the student level for students participating in such programs.

We note that Section 33-1626, Idaho Code, was repealed effective July 1, 2015. We contacted the Department and suggested replacing the repealed code section reference with reference to a code section found in Chapter 46, Title 33, Idaho Code.

The Department states that it is authorized to promulgate the proposed rule pursuant to Section 33-105, Idaho Code.

cc: State Board of Education - State Department of Education  
Jo Ann Bujarski

# **IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

## **08.02.03 - RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-1503**

### **NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 33-105 Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than June 17, 2015.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

School districts and public charter schools must provide information regarding the costs of dual credit courses and college credit-bearing and professional/technical reimbursements.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: None.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule is simple in nature.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jo Ann Bujarski (208)332-6812.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 24, 2015.

DATED this 20th day of April, 2015.

Sherri Ybarra  
Superintendent of Public Instruction  
State Department of Education  
650 W State St, 2nd Floor  
PO Box 83720  
Boise ID 83720-0027  
phone: (208) 332-6812;  
fax: (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-1503  
(Only those Sections being amended are shown.)

115. DATA COLLECTION.

**01. Collection Criteria and Usage.** The State Department of Education will collect the required information from participating school files for state and federal reporting and decision-making. ~~The enrollment collection will contain information about the enrollment of the student attributes such as unique student identifier, active special education, Limited English Proficient (LEP), migrant, grade level, gender, race, and free/reduced lunch status. The collection will be done in mid-October, early February, and May (end of the testing window). Each participating school is required to verify and assure the accuracy of the data submitted in the files.~~ The data collection will contain all data as listed on the State Department of Education's website "required data elements." The collection will be submitted monthly for any period of time in which students are receiving educational instruction or services provided by a state public school or charter school. Each participating school is required to verify and assure the accuracy and completeness of the data submitted in the files. (5-8-09)( )

**02. Usage (cont.) and Accuracy.** The State Department of Education will collect the required information from participating local education agencies and schools for state reporting, financial disbursements, and decision-making pursuant to Section 33-1626, Idaho Code, (Fast Forward Program, Dual Credit for Early Completers program.) The collection will be submitted as necessary for the administration of the programs referenced above. Each participating school is required to verify and assure the accuracy and completeness of the data in a format determined by the State Department of Education. The following data will be collected at the student level for students participating in programs contained in Section 33-1626, Idaho Code: ( )

**a.** Provider School Name to indicate the name of the institution providing instruction for a non-regular course, i.e. virtual or distance education or for a dual credit course. ( )

**b.** Examination Type to collect the type of college credit-bearing or professional technical examination. ( )

**c.** Examination Result to collect the students' result on eligible examinations. ( )

**d.** Examination Cost for eligible examinations. ( )

**e.** Fast Forward Flag to indicate eligible courses and examinations taken under the Fast Forward program. ( )