

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. 08-0203-1506).

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 09/25/2015. 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 10/26/2015.

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

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: September 8, 2015

SUBJECT: State Board of Education - State Department of Education

IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1506)

The State Department of Education's proposed rule makes changes and adds to the list of documents incorporated by reference in its Rules Governing Thoroughness. Specifically, the rule provides an updated reference to the ISAT Achievement Standards as adopted by the State Board of Education on February 19, 2015, and provides reference to the Idaho Special Education Manual as adopted by the State Board of Education on January 15, 2015.

The State Department of Education states the proposed rule is authorized 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. 08-0203-1506

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 August 19, 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:

This rulemaking incorporates by reference the new Special Education Manual and cut scores for the Idaho Standards Achievement Test (ISAT).

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

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 these new standards were approved by committees made up of subject matter experts.

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:

The Special Education Manual is approximately 200 pages in length. The cut scores are very lengthy and detailed as well. By incorporating them, this keeps the rule much cleaner and easier to follow.

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 August 26, 2015.

DATED this 29th day of June, 2015.

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

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-1506
(Only those Sections being amended are shown.)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-10)

a. Driver Education, as revised and adopted on August 21, 2008. (3-29-10)

b. Health, as revised and adopted on April 17, 2009. (3-29-10)

c. Humanities Categories: (3-29-10)

i. Art, as revised and adopted on April 17, 2009; (3-29-10)

ii. Dance, as revised and adopted on April 17, 2009; (3-29-10)

iii. Drama, as revised and adopted on April 17, 2009; (3-29-10)

iv. Interdisciplinary, as revised and adopted on April 17, 2009; (3-29-10)

v. Music, as revised and adopted on April 17, 2009; (3-29-10)

vi. World languages, as revised and adopted on April 17, 2009. (3-29-10)

d. English Language Arts, as revised and adopted on August 11, 2010. (4-7-11)

e. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-29-10)

f. Mathematics, as revised and adopted on August 11, 2010. (4-7-11)

g. Physical Education, as revised and adopted on April 17, 2009. (3-29-10)

h. Science, as revised and adopted on April 17, 2009. (3-29-10)

i. Social Studies, as revised and adopted on April 17, 2009. (3-29-10)

j. Information and Communication Technology, as revised and adopted on April 22, 2010. (4-7-11)

02. The English Language Development (ELD) Standards. The World-Class Instructional Design and Assessment (WIDA) 2012 English Language Development (ELD) Standards as adopted by the State Board of Education on August 16, 2012. Copies of the document can be found on the WIDA website at www.wida.us/standards/eld.aspx. (4-4-13)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

04. The Idaho English Language Assessment (IELA) Achievement Standards. The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

05. The Idaho Standards Achievement Tests (ISAT) Achievement Standards. Achievement Standards as adopted by the State Board of Education on ~~May 30, 2007~~ February 19, 2015. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (~~4-2-08~~)()

06. The Idaho Extended Content Standards. The Idaho Extended Content Standards as adopted by the State Board of Education on April 17, 2008. Copies of the document can be found at the State Board of Education website at www.boardofed.idaho.gov. (5-8-09)

07. The Idaho Alternate Assessment Achievement Standards. Alternate Assessment Achievement Standards as adopted by the State Board of Education on May 18, 2011. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-12)

08. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

09. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

10. The Idaho Special Education Manual. As adopted by the State Board of Education on January 15, 2015. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. ()