



Tracking #: A170-2016-12
Status: DFM Analyst: Recommended 03/16/16
 Gov's Office: Recommended 03/22/16
 DFM Admin: Recommended 03/24/16

Administrative Rules Request Form

Agency Name: Education, Department of	Submitted on: 03/16/2016
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Person Authorizing Rule: Pete Koehler Phone: 208-332-6814	Email: pkoehler@sde.idaho.gov
Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation): Sections 33-1002 and 33-1612, Idaho Code	
Title, Chapter, and Possible Docket (IDAPA) Number: 08.02.03.110	
This rule is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Temporary <input type="checkbox"/> Proposed/Temporary	Effective Date:
Agency has determined according to Idaho Code 67-5220(1): <input checked="" type="checkbox"/> This rule is to be negotiated Agency certifies that the rule : <input type="checkbox"/> has been <input checked="" type="checkbox"/> will be negotiated with interested persons as outlined in Idaho Code 67-5220(3). <input type="checkbox"/> Negotiation of this rule is not feasible <input type="checkbox"/> Rule is temporary; or <input type="checkbox"/> Lack of identifiable representatives of affected interests; or <input type="checkbox"/> Rule is simple in nature; or <input type="checkbox"/> Affected interests are not likely to reach consensus; or <input type="checkbox"/> Other.	
Please explain:	
Provide a fiscal impact statement for all programs affected. Be sure to reflect both positive and negative impacts and to include all fund sources including both the General Fund and dedicated funds: None.	
Provide a short explanation of the need for this rule: This rule defines/explains what qualifies as an alternative school; details the student qualification requirements; and outlines the special services, instruction and other requirements for alternative schools. It provides language to meet the requirements of H 300. The rule has not been revised or updated in entirety since 4-1-97.	
Provide a short summary of the changes this rule makes: The changes would update the terminology; include 6th grade as part of the student qualification; remove LEP as a qualifier; and align the instruction section to current practices.	
Provide a list of those persons or interested group(s) affected by the rule: Students, teachers and administration at alternative schools; Districts and charters that have alternative schools	
DFM Analyst: David Hahn Recommendation: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Pending Date: 03/16/2016	
Comments: This PARF replaces A170-2016-10 which was a temporary/proposed rule. We did not support this rule as a temporary so it was denied. This PARF reflects our direction for only a proposed rule.	
Fiscal Impact Comments: There should be no fiscal impact beyond what was already identified in HB 300.	

Special Assistant: Marilyn Whitney

Recommendation: Recommended Not Recommended

Date: 03/22/2016

Comments:

This PARF replaces a prior temporary/proposed rule. This will be negotiated.

DFM Administrator Action: 03/24/2016

Authorized to Advance to Rulemaking Process, DFM to review draft rule prior to publication

Approved Not Approved