



Tracking #: A170-2016-4
Status: DFM Analyst: Recommended 02/12/16
 Gov's Office: Recommended 03/08/16
 DFM Admin: Recommended 03/16/16

Administrative Rules Request Form

Agency Name: Education, Department of	Submitted on: 02/12/2016
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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): Idaho Code Sections 33-105, 33-1612, and 33-2002	
Title, Chapter, and Possible Docket (IDAPA) Number: 08.02.02.111	
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: House Bill 246 is the foundational document upon which the fiscal impacts are based. The rule will fiscally impact school districts by requiring annual professional development among school staff with specific content and will expand disciplinary procedures to reflect a graduated series of consequences. Exact fiscal impact is not known as many districts will not need to change their practices because they already meet the rule's requirements. Others may incur a cost if they need to expand practices and /or add programs. The Safe and Drug Free Schools appropriation (\$4 million-formula fund) provides applicable funding for complying with this rule.	
Provide a short explanation of the need for this rule: Idaho Code Section 33-1630 compels school districts and public charter schools to: provide ongoing professional development for all school staff; develop a graduated series of consequences for students committing acts of bullying; and, report incidents of bullying to the State Department of Education in a format set forth in rule by the state board. This rule contains these required details.	
Provide a short summary of the changes this rule makes: The rule provides the content of annual professional development related to the prevention, identification and response to harassment, intimidation and bullying, and clarification on a graduated series of consequences for policy violators.	
Provide a list of those persons or interested group(s) affected by the rule:	
DFM Analyst: David Hahn Recommendation: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Pending Date: 02/12/2016	
Comments: This rule will implement the provisions of HB246.	
Fiscal Impact Comments: Safe and drug free school funding is available for implementing the provisions of HB 246.	

Special Assistant: Marilyn Whitney

Recommendation: Recommended Not Recommended

Date: 03/08/2016

Comments:

The rules are necessary to provide school districts with guidelines on teacher professional development and other procedures required by the state's anti-bullying law.

DFM Administrator Action: 03/16/2016

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

Approved Not Approved