

IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1704

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 33-105, 33-1612, and 33-2002, Idaho Code.

MEETING SCHEDULE: A public meeting(s) on the negotiated rulemaking will be held as follows:

April 11, 2017
6 p.m. – 8 p.m.
CSI Herrett Center for the Arts & Science
Rick Allen Room
315 Falls Avenue
Twin Falls, Idaho

April 12, 2017
6 p.m. – 8 p.m.
Shoshone Bannock Hotel
Chief Racehorse A Room
I-15 Exit 80 Simplot Road
Fort Hall, Idaho

April 13, 2017
6 p.m. – 8 p.m.
Hilton Garden Inn
Board Room
700 Lindsay Boulevard
Idaho Falls, Idaho

April 18, 2017
6 p.m. – 8 p.m.
Red Lion Downtowner
Selway Meeting Room
1800 West Fairview Avenue
Boise, Idaho

April 19, 2017
6 p.m. – 8 p.m.
Lewis-Clark State College
Clearwater River Meeting Room
500 8th Avenue
Lewiston, Idaho

April 20, 2017
6 p.m. – 8 p.m.
Coeur d'Alene Resort
Bay One Meeting Room
115 South Second Street
Coeur d'Alene, Idaho

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

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following: attend the negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:
State Department of Education
Attn: Dr. Charlie Silva
PO Box 83720
Boise, ID 83720-0027

Hand Deliver to:
Len B. Jordan Building
650 West State Street
Second Floor
Boise, ID 83720

Online Submission Form:
sde.idaho.gov/topics/admin-rules

Fax: (208) 334-2228

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This change is an attempt to create a culturally sensitive definition that investigates the meaning of language, access, comprehension, and linguistic information when considering hearing status and its impact as it is a critical part of the discussion when teams make decisions. The changes will replace outdated terminology and clarify the components of this category, making a less subjective and

more objective definition. The two separate and current definitions (hearing impaired and deafness) will become one, “Deaf or Hard of Hearing.” In this new category, the definition will include the language, access, comprehension and/or use of linguistic information needed for teams to consider when determining the applicability of this category for a student. This change will be made in the Special Education Manual to be approved by the State Board of Education.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Dr. Charlie Silva, Director of Special Education, at (208) 332-6806 or csilva@sde.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: sde.idaho.gov/topics/admin-rules.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd Day of March, 2017.

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