

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

**08.02.02 - RULES GOVERNING UNIFORMITY**

**DOCKET NO. 08-0202-1602**

**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 Sections 33-105, 33-1612, 33-1630 [33-1631], and 33-2002, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held as follows:

<b>Monday, April 18, 2016 - 6 pm to 8 pm</b>	<b>Tuesday, April 19, 2016 - 6 pm to 8 pm</b>
<b>Best Western Plus Coeur d'Alene Inn Sherman Meeting Room 506 West Appleway Avenue Coeur d'Alene, Idaho</b>	<b>Red Lion Hotel Lewiston Port 4 Meeting Room 621 21st Street Lewiston, Idaho</b>
<b>Thursday, April 21, 2016 - 6 pm to 8 pm</b>	<b>Friday, April 22, 2016 - 6 pm to 8 pm</b>
<b>Hampton Inn Idaho Falls Airport Eagle Rock Meeting Room 645 Lindsay Boulevard Idaho Falls, Idaho</b>	<b>Hampton Inn Pocatello Meeting Room 151 Vista Drive Pocatello, Idaho</b>
<b>Monday, April 25, 2016 - 6 pm to 8 pm</b>	<b>Tuesday, April 26, 2016 - 6 pm to 8 pm</b>
<b>Red Lion Downtowner Selway/Sawtooth Meeting Room 1800 West Fairview Avenue Boise, Idaho</b>	<b>Hilton Garden Inn Twin Falls Snake River Meeting Room 1741 Harrison Street North Twin Falls, Idaho</b>

The meeting sites 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 or written recommendations, or both, at the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 29, 2016.

**Mail to:**  
State Department of Education  
Attn: Matt McCarter  
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](http://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:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

In order to effectively respond to the issues of bullying and harassment in Idaho schools, a temporary rule has been adopted by the State Board of Education to meet the requirements set forth in Idaho Code Section 33-1630 [33-1631]. This statute compels school districts and public charter schools to provide ongoing professional development for all school staff; to develop a graduated series of consequences for students committing acts of bullying; and, to report incidents of bullying to the State Department of Education. Further, 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. This negotiated rulemaking process is intended to further vet the language used in the temporary rule and work towards the adoption of a final rule.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Matt McCarter, Matt McCarter, Director of Student Engagement and Career and Technical Readiness, at (208) 332-6961 or [mamccarter@sde.idaho.gov](mailto:mamccarter@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education website at the following web address: [sde.idaho.gov/topics/admin-rules](http://sde.idaho.gov/topics/admin-rules). All written comments and recommendations must be submitted as directed above and received on or before April 29, 2016.

DATED this 3rd Day of March, 2016.

Sherri Ybarra  
Superintendent of Public Instruction  
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Fax: (208) 334-2228