

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.01 - RULES GOVERNING ADMINISTRATION

DOCKET NO. 08-0201-1601

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, 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 33-910, Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by June 15, 2016. Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Regardless of whether a negotiated meeting is scheduled, written comments and recommendations will be taken via mail, email, or fax directed to the contact listed below or through our website at sde.idaho.gov/topics/admin-rules/ until June 22, 2016. Upon the 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 principal issues involved:

Federal Communications Commission's (FCC) second E-rate modernization order (FCC-14-189A1) requires E-rate eligible entities to receive matching funds from the state to be eligible to receive up to 10% in additional E-rate discount for eligible broadband infrastructure special construction projects. During the past legislative session, Senate Bill 1333 created Section 33-910, Idaho Code, to fulfill this requirement. As directed by this law, the State Department of Education is writing rule to provide a mechanism for eligible schools and public libraries to participate in the FCC's second E-rate modernization order infrastructure investment program. The rule will create an application process, establish eligibility qualifications, and define applicant funding priorities for schools and libraries.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, AND OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Chris Campbell, Chief Technology Officer, at (208) 332-6970 or cacampbell@sde.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the State Department of Education's web site at the following web address: sde.idaho.gov/topics/admin-rules/.

DATED this 3rd Day of May, 2016.

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