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Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Education Committee and the House Education Committee

FROM: Principal Legislative Research Analyst - Brooke Brouman

DATE: August 07, 2014

SUBJECT: State Board of Education - State Department of Education

IDAPA 08.02.01 - Rules Governing Administration (Docket No. 08-0201-1401) - Temporary and Proposed Rule

The State Board of and State Department of Education submits notice of temporary and proposed rule-making relating to Rules Governing Administration. This rulemaking was prompted by House Bill No. 521 passed during the 2014 legislative session. House Bill No. 521 requires each Idaho school district and public charter school to develop and maintain a strategic plan that focuses on improving the student performance of the district or public charter school. This bill also grants the State Board of Education rulemaking authority to establish procedures, qualifications and guidelines for qualified training providers, which include training for strategic planning, finance, superintendent and public charter administrator evaluations, ethics and governance. The Board's temporary and proposed rule establishes such procedures, qualifications and guidelines.

The Board states that the temporary rule is necessary to comply with new Section 33-320, Idaho Code, created by House Bill No. 521, which requires the adoption of strategic plans by September 1, 2014, and allows reimbursement for the cost of the training necessary to complete those plans. Negotiated rulemaking was not conducted.

The Board also submits a Proposed Rule Cost/Benefit Analysis stating that pursuant to House Bill No. 521, each school district and charter school is eligible to be reimbursed up to \$2,000 to be expended for training purposes for district superintendents and boards of trustees, public charter school administrators and boards of directors. The fiscal note that accompanied House Bill No. 521 was \$326,000. The Board states that review of the trainers' applications will take additional staff time; however, at present it is difficult to determine the time required to complete the review. The Board further states that the fiscal impact of the legislation did not anticipate the impact on the Board staff for the verification of trainer qualifications nor on the Department staff for processing reimbursement requests, which tasks will be completed using existing resources.

The Board's proposed rule is authorized pursuant to Section 33-320, Idaho Code.

cc: State Board of Education - State Department of Education
Tracie Bent

Mike Nugent, Manager
Research & Legislation

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PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Idaho State Board of Education

Agency Contact: Tracie Bent **Phone:** (208)332-1582

Date: June 30, 2014

IDAPA, Chapter and Title Number and Chapter Name:

08-0201, Rules Governing Administration

Fee Rule Status: **Proposed** **Temporary**

Rulemaking Docket Number: 08-0201-1401

STATEMENT OF ECONOMIC IMPACT:

Each school district and charter school is eligible to be reimbursed up to \$2,000. The amount was determined in HB 521 which passed during the 2014 legislative session. The fiscal note in HB 521 was \$326,000. This rule establishes the minimum qualifications for trainers if the district wishes to seek reimbursement from the state for the training. The review of the applications of trainers will take additional staff time, however, at this time it is difficult to determine how much time the review will take. The fiscal impact of the legislation did not anticipate the impact on Board of Education staff for the verification of trainer qualifications or Department of Education staff for processing the reimbursements and will have to be accomplished using existing resources.