

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 Sections 33-105, 33-1612, and 33-2002, Idaho Code.

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

Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)	Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)	Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)
CSI Herrett Center for the Arts & Science Rick Allen Room 315 Falls Ave., Twin Falls, ID	Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID	Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID
Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)	Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)	Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)
Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID	Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID	Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID

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 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
P.O. 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: <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 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: <http://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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