



Jeff Youtz  
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:** Deputy Division Manager - Eric Milstead  
**DATE:** November 20, 2013  
**SUBJECT:** State Board of and State Department of Education

IDAPA 08.02.01 - Rules Pertaining To The Rules Governing Administration - GED (Docket No. 08-0201-1302)

IDAPA 08.02.03 - Rules Pertaining To The Rules Governing Thoroughness - Distinguished Schools (Docket No. 08-0203-1301)

1. IDAPA 08.02.01 - Rules Pertaining To The Rules Governing Administration - GED (Docket No. 08-0201-1302)

The State Board of Education submits notice of proposed rulemaking at IDAPA 08.02.01 -- Rules Governing Administration. The proposed rule revises provisions governing the administration of the GED ("General Education Development") test. Specifically, the proposed rule establishes that a statewide fee for the GED test shall be set by the Idaho Division of Professional-Technical Education. The proposed rule also provides that the minimum passing score shall be set by the GED testing service. (See, Rule Section 650.01.) The proposed rule also establishes provisions governing proof of identity and eliminates a provision requiring that to be eligible to take the exam, one must be a resident of Idaho. (See, Section 650.02 and 650.03)

The agency states that negotiated rulemaking was not conducted due to the noncontroversial nature of the changes in the proposed rule.

The agency's proposed rule appears to be authorized pursuant to sections 33-105 and 33-107, Idaho Code.

2. IDAPA 08.02.03 - Rules Pertaining To The Rules Governing Thoroughness - Distinguished Schools (Docket No. 08-0203-1301).

The State Board of Education submits notice of proposed rulemaking at IDAPA 08.02.03 -- Rules Governing Thoroughness -- Distinguished Schools. The proposed rule revises the criteria governing the determination of what constitutes a "distinguished school." (See Rule Section 133.01.) In addition, the proposed rule eliminates the section governing "additional yearly growth" award (Section 113.02.) and provides that the State Department of Education shall submit a list of schools meeting specified criteria to the State Board by no later than August 30th of each year (Section 113.02.)

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The Board states that negotiated rulemaking was conducted.

The proposed rule appears to be authorized pursuant to sections 33-105 and 33-1612, Idaho Code.

cc: State Board of and State Department of Education  
Tom Luna & Tracie Bent