

IDAPA 08 – STATE BOARD AND STATE DEPARTMENT OF EDUCATION

08-02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1701

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 33-105, 33-1254 and 33-1258, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Professional Standards Commission (PSC) follows a Strategic Plan of annually reviewing twenty percent (20%) of the Idaho Standards for Initial Certification of Professional School Personnel. The following certificates and endorsements were reviewed by committees of content experts: Administrator, which includes School Principal, Superintendent, and Director of Special Education; Audiology; Bilingual; Career Technical areas, which include Agriculture Science and Technology, Business Technology, Family and Computer Sciences, Marketing Technology Education, and Technology Education; Computer Science; Engineering; English as a New Language; Speech Language-Pathology; and World Language. Additionally, the Core Teaching Standards, the basic standards which all specific teaching areas are required to meet, were reviewed.

All standards and endorsements were revised to better align with national standards and best practices, including renaming the English as a New Language endorsement to English as a Second Language endorsement to match the language used by the majority of other states.

Three new Pupil Personnel Services Endorsements were added. The School Counselor – Basic (K-12) Endorsement will allow licensed social workers to serve as school counselors pursuant to Section 33-1212, Idaho Code, on a limited basis. Occupational Therapist and Physical Therapist endorsements for these licensed professionals will allow districts additional funding options for students to obtain these types of services.

Renewal requirements were updated to set a date by which current certificate holders must complete a mathematics in-service program, if the requirement applies to their endorsement areas. Language regarding the Idaho Comprehensive Literacy Course was removed as a renewal requirement, as the rule has been in existence a sufficient amount of time that it no longer applies to individuals renewing their existing certificates.

The requirements for reinstatement of an expired certificate were amended to ensure that the requirements to obtain full certification during the term of the interim certificate meet current rules and requirements.

An example was added to the Code of Ethics regarding educator compensation.

Section 075, regarding background information checks, was amended to comply with recent changes to Section 33-130, Idaho Code. Definitions were updated and requirements, fees, and processes were clarified.

Additionally, a number of minor, non-substantive changes were made by Department staff to ensure that language is clear, concise, and meets the intent of law and rule changes.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:
NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 5, 2017 Idaho Administrative Bulletin, volume 17-4, pages 26 – 27.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

Idaho Standards for the Initial Certification of Professional School Personnel is currently a document incorporated by reference. The Idaho State Board of Education approved amendments to the document on August 31, 2017. Because of the number of pages within the document, the republication of the text would be unduly cumbersome and expensive. A complete copy of Idaho Standards for the Initial Certification of Professional School Personnel can be found on the State Department of Education's website at sde.idaho.gov/topics/admin-rules/.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, Lisa Colón Durham, Director of Certification and Professional Standards, at (208) 332-6886 or lcolondurham@sde.idaho.gov. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 31st day of August, 2017.

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