



Tracking #: A170-2017-10

Status: DFM Analyst: Recommended 03/02/17

Gov's Office: Recommended 04/03/17

DFM Admin: Approved 04/03/17

Administrative Rules Request Form

Agency Name: Education, Department of		Submitted on: 03/02/2017	
Primary Contact: Charlie Silva	Phone: 208-332-6806	Email: csilva@sde.idaho.gov	
Secondary Contact: Amy Roche	Phone: 208-332-6812	Email: aroche@sde.idaho.gov	
Person Authorizing Rule: Pete Koehler	Phone: 208-332-6814	Email: pkoehler@sde.idaho.gov	
Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation): Section 33-105, 33-1612, and 33-2002, Idaho Code			
Title, Chapter, and Possible Docket (IDAPA) Number: 08.02.03, Rules Governing Thoroughness			
This rule is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Temporary <input type="checkbox"/> Proposed/Temporary			Effective Date:
Agency has determined according to Idaho Code 67-5220(1): <input checked="" type="checkbox"/> This rule is to be negotiated Agency certifies that the rule : <input type="checkbox"/> has been <input checked="" type="checkbox"/> will be negotiated with interested persons as outlined in Idaho Code 67-5220(3). <input type="checkbox"/> Negotiation of this rule is not feasible <input type="checkbox"/> Rule is temporary; or <input type="checkbox"/> Lack of identifiable representatives of affected interests; or <input type="checkbox"/> Rule is simple in nature; or <input type="checkbox"/> Affected interests are not likely to reach consensus; or <input type="checkbox"/> Other.			
Please explain:			
Provide a fiscal impact statement for all programs affected. Be sure to reflect both positive and negative impacts and to include all fund sources including both the General Fund and dedicated funds: No fiscal impact.			
Provide a short explanation of the need for this rule: This 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 is a critical part of the discussion as teams make decisions. The changes will replace outdated terminology and clarify the components of this category, making a less subjective and more objective definition.			
Does this rule adopt amendments to materials previously incorporated by reference? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Filename: A170-2017-10.docx			
Provide a short summary of the changes this rule makes: 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 reflected in the Special Education Manual which has been approved by the Legislature in 2017 to now be an incorporated by reference document under IDAPA 08.02.03.004. The manual will have a new adoption date approved by the State Board of Education.			
Provide a list of those persons or interested group(s) affected by the rule: Idaho Educational Services for the Deaf and the Blind, Idaho State Department of Education , Idaho Infant and Toddler, Idaho School Districts, Council for the Deaf and Hard of Hearing, Idaho Association of the Deaf/Deaf Community, Idaho Parents Unlimited, Idaho Hands and Voices, Families with children who are deaf or hard of hearing, Audiologists , Speech and Language Therapists			
DFM Analyst: David Hahn		Recommendation: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Pending Date: 03/02/2017	
Comments: This changes the definition of hearing impaired and deafness.			

Fiscal Impact Comments:

There is no known fiscal impact to any fund.

Special Assistant: Marilyn Whitney

Recommendation: Recommended Not Recommended

Date: 04/03/2017

Comments:

DFM Administrator Action: 04/03/2017

Authorized to Advance to Rulemaking Process, DFM to review draft rule prior to publication

Approved Not Approved