

Dear Senators GOEDDE, Mortimer, Buckner-Webb, and
Representatives DEMORDAUNT, Nielsen, Pence:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Division of Professional-Technical Education:

IDAPA 55.01.04 - Rules Governing Idaho Quality Program Standards Incentive Grants and
Agricultural Education Program Start-Up Grants (New Chapter) - Proposed Rule (Docket
No. 55-0104-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 10/20/2014. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/18/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the
memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

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

FROM: Principal Legislative Research Analyst - Brooke Brouman

DATE: September 30, 2014

SUBJECT: Division of Professional-Technical Education

IDAPA 55.01.04 - Rules Governing Idaho Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants (New Chapter) - Proposed Rule (Docket No. 55-0104-1401)

This rulemaking constitutes a new chapter that is prompted by Senate Bill 1275 that was passed by the 2014 Legislature. Senate Bill 1275 enacted Section 33-1629, Idaho Code, which requires the Board of Professional-Technical Education to adopt rules to implement the Idaho Quality Program Standards Incentive Grant and the Agricultural Education Program Start-Up Grant. The new chapter defines terms, sets out eligibility requirements, an application process, and a selection process for the two grant programs, provides for payment of grant funds using a reimbursement process and provides for an appeal process.

Negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 4, 2014 Idaho Administrative Bulletin. The Board states that there will be fiscal impact due to the proposed rule, but does not specify what the fiscal impact will be.

The Board's proposed rule appears to be authorized pursuant to Section 33-1629, Idaho Code.

cc: Division of Professional-Technical Education
Tracie Bent

IDAPA 55 - DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION

55.01.04 - RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS

DOCKET NO. 55-0104-1401 (NEW CHAPTER)

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 Section(s) 33-105, 33-105, 33-2203, and 33-1629, 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 15, 2014.

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:

In 2014 the Legislature enacted Section 33-1629, Idaho Code, Agricultural and Natural Resource Education Programs establishing the Idaho Quality Program Standards Incentive Grants, and Agricultural Education Program Start-Up Grants and requiring the Board adopt quality program standards and promulgate rules to administer the two grant programs. The proposed rule sets out the eligibility requirements, application process, and selection process for the two grant programs.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

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: There will be fiscal impact due to the proposed rule.

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 June 4, 2014 Idaho Administrative Bulletin, [Vol. 14-6, page 102](#).

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: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Tracie Bent, Chief Planning and Policy Officer, at (208)332-1582 or tracie.bent@osbe.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 22, 2014.

DATED this 29th Day of August, 2014

Tracie Bent
Chief Planning and Policy Officer
Office of the State Board of Education
650 W. State Street
P.O. Box 83720
Boise, ID 83720-0037
Tel: (208) 332-1582 / Fax: (208) 334-2632

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 55-0104-1401

**IDAPA 55
TITLE 01
CHAPTER 04**

**55.01.04 - RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS
AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS**

000. LEGAL AUTHORITY.

This chapter is adopted under authority of Section 33-1629, Idaho Code. ()

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 55.01.04, "Rules Governing Idaho Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants." ()

02. Scope. These rules shall govern the standards and procedures for application to the Idaho Quality Program Standards Incentive Grants and the Agricultural Education Program Start-up Grants as administered by the Idaho Division of Professional-Technical Education. ()

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written interpretations of the rule of this chapter will be made available at the Idaho Division of Professional-Technical Education. ()

003. ADMINISTRATIVE APPEALS.

All appeals under these rules shall be conducted pursuant to the procedures outlined herein. ()

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. ()

005. OFFICE INFORMATION.

01. Office Hours. The offices of the Division of Professional-Technical Education are open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. ()

02. Street Address. The offices of the Division are located at 650 W. State Street, Boise, Idaho. ()

03. Mailing Address. The mailing address of the Division is P.O. Box 83720, Boise, ID 83720-0095. ()

04. Telephone Number. The telephone number of the Division is (208) 334-3216. ()

05. Facsimile. The facsimile number of the Division is (208) 334-2365. ()

06. Website. The website of the Division is <http://pte.idaho.gov/>. ()

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. ()

007. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

