

Dear Senators MORTIMER, Thayn, Buckner-Webb, and
Representatives VANORDEN, McDonald, Kloc:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the State Board of and State Department of Education - State Department of Education:
IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1804).

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 12/06/2018. 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 01/07/2019.

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 334-4854, 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 Drafting Attorney - Elizabeth Bowen

DATE: November 16, 2018

SUBJECT: State Board of and State Department of Education - State Department of Education

IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1804)

Summary and Stated Reasons for the Rule

This rule incorporates by reference the most recent version of the Idaho Content Standards for several career technical education categories. The Content Standards were revised to add subcategories in the categories of Agricultural and Natural Resources (subcategories include Ag Leadership and Applied Communication, Ag Mechanics and Power Systems, and Ecology and Natural Resources), Engineering and Technology (Computer Support and Journalism), Family and Consumer Sciences (Education Assistant), Health Sciences (Pharmacy Technician), and Skilled and Technical Sciences (Automated Manufacturing, Cosmetology, Firefighting, and Precision Machining).

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was conducted, and there is no anticipated negative fiscal impact on the state general fund.

Statutory Authority

I.C. 33-105, 33-107, 33-116, 33-118, and 33-1612.

cc: State Board of and State Department of Education - State Department of Education
Tracie Bent

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules must be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1804

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 Article IX, Section 2 of the Idaho Constitution and under Section(s) 33-105, 33-107, 33-116, 33-118 and 33-1612, 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 17, 2018.

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:

Similar to academic programs, content standards exist for secondary career technical programs. These content standards are developed with secondary and postsecondary instructors and industry representatives by the Division of Career Technical Education (Division). Postsecondary instructors provide guidance into the postsecondary program alignment, and industry representatives validate the outcomes with current needs of the particular industry occupations supported by the program. The standards being considered this year add the following subcategories into the current content standard areas:

- I Agriculture and Natural Resources
 - Ag Leadership and Applied Communication
 - Ag Mechanics and Power Systems
 - Ecology and Natural Resources
- II Engineering and Technology
 - Computer Support and Journalism
- III Family and Consumer Sciences
 - Education Assistant
- IV Health Sciences
 - Pharmacy Technician
- V Skilled and Technical Sciences
 - Automated Manufacturing
 - Cosmetology
 - Firefighting
 - Precision Machining

In addition to adding these subsections to the existing categories, the Division will be amending the current standards for Collision Repair by adding a section that outlines the standards to perform spray gun and related equipment operations. The amendment to this content standard adds performance standards that were identified in the criticality survey and the technical skills assessment for collision repair, and were not included in the original content standards. The Collision Repair content standards are a subsection of the Skilled and Technical Sciences Content Standards.

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

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: None.

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 July 4, 2018, Idaho Administrative Bulletin, [Vol. 18-7, page 55](#).

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:

No new incorporated documents are being added by reference. Proposed amendments impact existing standards that are incorporated by reference. The career technical education content standards are incorporated by reference due the length and complexity of content standards. This processes allows these content standards to be treated in the same fashion as academic content standards that are already incorporated by reference into Administrative Code.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Tracie Bent 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 24, 2018.

Dated this 31st day of August, 2018.

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

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-1804
(Only Those Sections With Amendments Are Shown.)**

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-29-10)

- a.** Arts and Humanities Categories: (3-24-17)
 - i.** Dance, as revised and adopted on August 11, 2016; (3-24-17)
 - ii.** Interdisciplinary Humanities, as revised and adopted on August 11, 2016; (3-24-17)
 - iii.** Media Arts, as adopted on August 11, 2016. (3-24-17)

- iv. Music, as revised and adopted on August 11, 2016; (3-24-17)
- v. Theater, as revised and adopted on August 11, 2016; (3-24-17)
- vi. Visual Arts, as revised and adopted on August 11, 2016; (3-24-17)
- vii. World languages, as revised and adopted on August 11, 2016. (3-24-17)
- b. Computer Science, adopted on November 28, 2016. (3-24-17)
- c. Driver Education, as revised and adopted on August 10, 2017. (3-28-18)
- d. English Language Arts/Literacy, as revised and adopted on November 28, 2016. (3-24-17)
- e. Health, as revised and adopted on August 11, 2016. (3-24-17)
- f. Information and Communication Technology, as revised and adopted on August 10, 2017. (3-28-18)
- g. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-29-10)
- h. Mathematics, as revised and adopted on August 11, 2016. (3-24-17)
- i. Physical Education, as revised and adopted on August 11, 2016. (3-24-17)
- j. Science, as revised and adopted on August 10, 2017. (3-28-18)
- k. Social Studies, as revised and adopted on November 28, 2016. (3-24-17)
- l. College and Career Readiness Competencies adopted on June 15, 2017. (3-28-18)
- m. Career Technical Education Categories: (3-29-17)
 - i. Agricultural and Natural Resources, as revised and adopted on August ~~31, 2017~~ 16, 2018. ~~(3-28-18)~~()
 - ii. Business and Marketing Education, as revised and adopted on August 31, 2017. (3-28-18)
 - iii. Engineering and Technology Education, as revised and adopted on August ~~31, 2017~~ 16, 2018. ~~(3-28-18)~~()
 - iv. Health Sciences, as adopted on August ~~31, 2017~~ 16, 2018. ~~(3-28-18)~~()
 - v. Family and Consumer Sciences, as revised and adopted on August ~~31, 2017~~ 16, 2018. ~~(3-28-18)~~()
 - vi. Skilled and Technical Sciences, as revised and adopted on August ~~31, 2017~~ 16, 2018. ~~(3-28-18)~~()
 - vii. Workplace Readiness, as adopted on June 16, 2016. (3-29-17)

02. The English Language Development (ELD) Standards. The World-Class Instructional Design and Assessment (WIDA) 2012 English Language Development (ELD) Standards as adopted by the State Board of Education on August 16, 2012. Copies of the document can be found on the WIDA website at www.wida.us/standards/eld.aspx. (4-4-13)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives

(AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

04. The Idaho English Language Proficiency Assessment (ELPA) Achievement Standards. The Idaho English Language Proficiency Assessment (ELPA) Achievement Standards as adopted by the State Board of Education on October 18, 2017. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-28-18)

05. The Idaho Standards Achievement Tests (ISAT) Achievement Level Descriptors. Achievement Level Descriptors as adopted by the State Board of Education on April 14, 2016. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-29-17)

06. The Idaho Extended Content Standards. The Idaho Extended Content Standards as adopted by the State Board of Education on August 10, 2017. Copies of the document can be found at the State Board of Education website at <https://boardofed.idaho.gov>. (3-28-18)

07. The Idaho Content Standards Core Content Connectors. The Idaho Content Standards Core Content Connectors as adopted by the State Board of Education on August 10, 2017. Copies of the document can be found at the State Board of Education website at <https://boardofed.idaho.gov>. (3-28-18)

a. English Language Arts, as adopted by the State Board of Education on August 10, 2017. (3-28-18)

b. Mathematics, as adopted by the State Board of Education on August 10, 2017. (3-28-18)

08. The Idaho Alternate Assessment Achievement Standards. Alternate Assessment Achievement Standards as adopted by the State Board of Education on October 18, 2017. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-28-18)

09. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (4-2-08)

10. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (4-2-08)

11. The Idaho Special Education Manual. The Idaho Special Education Manual as adopted by the State Board of Education on August 10, 2017. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-28-18)

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

***State Board of Education
IDAPA 08.02.03 - Rules Governing Thoroughness
Proposed Rulemaking - Docket No. 08-0203-1804***

Like non-career technical education (CTE) subject areas, CTE subject areas taught in public schools are based on CTE Content Standards. The Division of Career Technical Education works with various educators and industry groups to establish and update these content standards. Content standards are approved by the State Board of Education as the Board for Career Technical Education, unlike other subject area content standards CTE Content Standards had not been formalized through the Administrative Rule process. In 2016 work began to add CTE content standards to administrative rule in the same manner as academic content standards such as math, English, etc. Due to the number of standards it was recognized this would be a multiyear effort. In 2017 and 2018 CTE content standards were incorporated by reference into Administrative Code. For the 2019 Legislative Session the Board will be going through the process to incorporate standards for the following additional areas: these areas are subsection within the broader established categories as listed below:

Agriculture and Natural Resources

- Ag Mechanics and Power Systems
- Ecology and Natural Resources
- Ag Leadership and Applied Communication

Engineering & Technology Education

- Computer Support
- Journalism

Family & Consumer Sciences

- Education Assistant

Health Sciences

- Pharmacy Technician

Skilled & Technical Sciences

- Automated Manufacturing

- Firefighting
- Cosmetology
- Precision Machining

In addition to adding these subsections to the existing categories, DCTE will be amending the current standards for Collision Repair by adding a section that outlines the standards to perform spray gun and related equipment operations. The additions are performance standards that were identified in the criticality survey and the technical skills assessment for collision repair, but were not originally included in the original content standards.