

Dear Senators Lent, Cook, Ward-Engelking, and
Representatives Pickett, Hawkins, Mathias:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
State Board of and State Department of Education - State Board of Education:

IDAPA 08.01.11 - Registration of Postsecondary Educational Institutions and Proprietary
Schools-Proposed Rule (Docket No. 08-0111-2601).

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 10/30/2026. 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 11/27/2026.

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.



Terri Kondeff
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: Legislative Drafting Attorney - Monica Harrington
DATE: October 13, 2026
SUBJECT: State Board of and State Department of Education - State Board of Education

IDAPA 08.01.11 - Registration of Postsecondary Educational Institutions and Proprietary Schools-Proposed Rule (Docket No. 08-0111-2601)

Summary and Stated Reasons for the Rule

The State Board of Education submits notice of proposed rulemaking at IDAPA 08.01.11 - Registration of Postsecondary Educational Institutions and Proprietary Schools (Docket No. 08-0111-2601). The State Board of Education states that the rulemaking removes the term "regional" from references to accreditation within IDAPA 08.01.11 subsection 100 -- Recognition of Accreditation Organizations. The Board states that the proposed rule also clarifies related language within institutional registration provisions, including updates to provisions associated with surety bond exemptions. The Board further states that the purpose of the rule is to remove outdated terminology that is no longer used by the United States Department of Education and that retaining such language may create misalignment with current accreditation recognition and affect application of existing rule provisions, including requirements related to surety bond exemptions. The Board states that updating the terminology will improve clarity and consistency with current practice.

Negotiated Rulemaking / Fiscal Impact

The State Board of Education states that negotiated rulemaking was conducted and that notice was published in the July 1, 2026, Idaho Administrative Bulletin, Volume 26-7, page 46. There is no fiscal impact anticipated with this rulemaking.

Statutory Authority

The proposed rule appears to be within the statutory authority granted to the State Board of Education pursuant to Sections 33-105, 33-107, 33-2402, and 33-2403, Idaho Code.

cc: State Board of and State Department of Education - State Board of Education
Nicholas Wagner

*** PLEASE NOTE ***

Paul Headlee, Deputy Director Legislative Services Office	Matt Drake, Manager Research & Legislation	Keith Bybee, Manager Budget & Policy Analysis	April Renfro, Manager Legislative Audits	Norma Clark, Manager Information Technology
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Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

Per the Idaho Constitution, all administrative rules may 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

08.01.11 – REGISTRATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS AND PROPRIETARY SCHOOLS

DOCKET NO. 08-0111-2601

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 [33-105](#), [33-107](#), [33-2402](#), and [33-2403](#), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking may be scheduled if deemed necessary by the agency based on stakeholder feedback or other considerations. Public hearing(s) will also be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2026.

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:

This rulemaking removes the term “regional” from references to accreditation within IDAPA 08.01.11 subsection 100 – Recognition of Accreditation Organizations. The proposed rule also clarifies related language within institutional registration provisions, including updates to provisions associated with surety bond exemptions.

The purpose of the updates to the rule is to remove outdated terminology that is no longer used by the U.S. Department of Education. Retaining this language may create misalignment with current accreditation recognition and affect application of existing rule provisions, including requirements related to surety bond exemptions. Updating the terminology will improve clarity and consistency with current practice.

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

There are no fees being impacted as a result of this rulemaking.

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 July 1, 2026, Idaho Administrative Bulletin, [Volume 26-7 pg. 46](#).

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 documents incorporated by reference are impacted by this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or 208-488-7586.

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 28, 2026.

DATED this 25th day of August, 2026.

Nicholas Wagner
Agency Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, ID 83720-0037
Phone: (208)488-7586
Fax: (208)334-2632

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0111-2601
(Only Those Sections With Amendments Are Shown.)

**08.01.11 – REGISTRATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS
AND PROPRIETARY SCHOOLS**

100. RECOGNITION OF ACCREDITATION ORGANIZATIONS.

For purposes of registration of postsecondary educational institutions ~~and~~ **and propriety schools**, the Board recognizes the ~~regional~~ accreditation organizations that are recognized by and in good standing with the United States Department of Education, and which accredit entire colleges or universities, and which do not accredit only courses or courses of study (such as specialized accreditation organizations). ~~Further, the Board may recognize other accreditation organizations on a case by case basis. A request for recognition of other accreditation organizations for purposes of registration should be made to the Board's Chief Academic Officer, who will review and evaluate the request with the input and advice of the Board's Committee on Academic Affairs and Programs (CAAP). The Board will make a final decision based on such evaluation and review.~~ (3-30-23)()