

**STATE BOARD OF EDUCATION
NOVEMBER 22, 2002**

3. SUBJECT

Pending Rules – Driver Education (08.02.02)

BACKGROUND

Board rules related to driver education provide requirements and standards for both public and commercial driver education and training in accordance with Idaho Code. Over the past year, staff at the State Department of Education has worked with public school officials and commercial schools in drafting revisions to Board rules.

DISCUSSION

Although the initial proposal included recommendations for changes to rules regarding public and commercial school, **the revisions regarding commercial schools are not yet ready to go forward.** Comments received in writing and through two public hearings found that commercial school owners and instructors are quite apprehensive to move forward with the proposed changes, with concerns expressed regarding existing statutory requirements, dissatisfaction over their involvement in the rule drafting, and the need for ongoing flexibility to meet customer needs, among other things.

However, the rule change related to public school driver education is ready to go forward. These rules establish minimum standards for teen driver education and update requirements since last revision in 1996. The revisions were initiated by and follow requests submitted by districts and school officials.

No substantive changes to the public school rules have been made since initial Board approval in June.

COMMENTS / IMPACT OF ACTION

No comments have been received since initial Board approval on the public school driver education rules. The rules incorporate by reference the new Idaho Standards for Public School Driver Education. The rule text also corrects the reference to commercial school rules, which will maintain the same requirements that they have had in place since 1996 until further changes can be agreed upon. Upon final Board approval, the rule will go forward to the Legislature for final action.

BOARD ACTION

A motion to approve as pending rules 08.02.02.230 related to Public School Driver Education with changes as indicated.

Moved by _____, Seconded by _____. Carried Yes _____ No _____

A motion to direct staff to continue working with commercial school owners and instructors to update and revise licensing requirements, instructor requirements and teen driver education standards.

Moved by _____, Seconded by _____. Carried Yes _____ No _____

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IDAPA 08 – IDAHO STATE BOARD OF EDUCATION

08.02.02 – RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-0203

NOTICE OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2003 Idaho State Legislature for final adoption. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-1701 through 33-1708, and 49-2101 through 49-2105, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Standards for public school teen driver education have been updated and now provide for minimum course standards for delivery of teen driver education. The proposed rules had also included changes to teen driver education offered through commercial driving schools; however, those changes are still under development. The changes related to public school programs have been agreed upon and are in response to requests from public school programs, thus, are ready to be implemented.

Only the sections that have changes are printed in this bulletin. The original text of the proposed rules was published in the October 2, 2002 Idaho Administrative Bulletin, Volume 02-10, pages 147-148.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Randi McDermott at 334-2270 or Beth Weaver at 332-6800.

DATED this 8th day of November

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08.02.02 - RULES GOVERNING UNIFORMITY

004. INCORPORATION BY REFERENCE.

The State Board of Education adopts and incorporates into its rules: (4-5-00)

01. Incorporated Document. The Idaho Department of Education Certification Standards and Code of Ethics for the Idaho Teaching Profession as approved on October 19, 2000. (3-30-01)

02. Document Availability. The Idaho Department of Education Certification Standards and Code of Ethics for the Idaho Teaching Profession are available at the Idaho State Department of Education at 650 W. State St., PO Box 83720, Boise, Idaho, 83720-0027. (3-30-01)

03. Incorporated Document. The Idaho Standards for the Initial Certification of Professional School Personnel as approved on October 19, 2000. (3-30-01)

04. Document Availability. The Standards are available at the Office of the State Board of Education, 650 W. State St., PO Box 83720, Boise, Idaho, 83720-0037, and can also be accessed electronically at [http:// www.sde.state.id.us/osbe](http://www.sde.state.id.us/osbe). (3-30-01)

05. Incorporated Document. The Standards for Idaho School Buses and Operations as approved on November 15, 2001. (7-1-02)

06. Document Availability. The Standards for Idaho School Buses and Operations are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702. (7-1-02)

07. Incorporated Document. The Idaho Standards for Public School Driver Education and Training as approved on November 22, 2002. ()

08. Document Availability. The Idaho Standards for Public School Driver Education and Training are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702. ()

09. Incorporated Document. The Idaho Driver Education Administrative Manual as approved on October 17, 1996. ()

10. Document Availability. The Idaho Driver Education Administrative Manual is available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702. ()

(BREAK IN CONTINUITY OF SECTIONS)

230. DRIVER EDUCATION.

01. Commercial Schools. All driver education courses offered in Idaho ~~public schools and~~ commercial schools must be conducted in compliance with all the requirements in the Idaho Driver Education Administrative Manual ~~dated as approved on~~ October 17, 1996 ~~and published by the State Department of Education and approved by the State Board of Education.~~ (4-1-97)()

02. Public Schools. All driver education courses offered in Idaho public schools must be conducted in compliance with all the requirements in the Idaho Standards for Public School Driver Education and Training as approved on November 22, 2002. ()

