

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES

SUBSECTION: C. Board Rules

December 2008

1. "Board Rules" are defined as statements of general applicability that (a) implement, interpret, or prescribe law or policy and (b) describe the organization, procedure, or practice requirements of the Board which affect private rights or procedures available to the public or declaratory rulings pursuant to Section 67-5201 *et seq.* of the Idaho Code.
2. The "Board Bylaws and Governing Policies and Procedures" are statements of internal management for the institutions, agencies, and the Board itself and do not constitute Board rules under the meaning of 67-5201 *et seq.* of the Idaho Code, known as the "Administrative Procedure Act."
3. "Board Governing Policies and Procedures" regarding the curricula of the institutions, students attending or applicants for admission to the institutions, and the use and maintenance of land, equipment, and buildings of the respective institutions are not considered rules under the meaning of the Idaho "Administrative Procedure Act."
4. The adoption procedures, numbering and format, hearing notice, hearing, procedures, publication, transmittal, and related matters pertaining to Board rules must be in conformity with the requirements of the "Administrative Procedure Act."
5. The executive director, in consultation with the Board's legal counsel, decides whether a policy or procedure matter is to be considered a rule.
6. Board rules are printed in the Idaho Administrative Code.