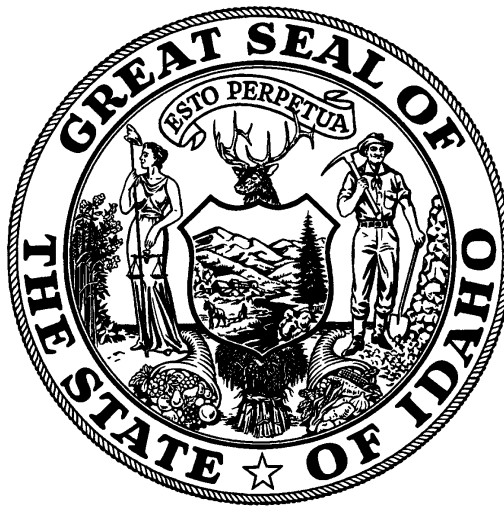


TEMPORARY RULES

COMMITTEE RULES

REVIEW BOOK

Submitted for Review Before
Senate Education Committee
68th Idaho Legislature
Second Regular Session – 2026



Prepared by:

*Office of the Administrative Rules Coordinator
Department of Administration*

January 2026

SENATE EDUCATION COMMITTEE

ADMINISTRATIVE RULES REVIEW

Table of Contents

2026 Legislative Session

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – Rules Governing Thoroughness

Docket No. 08-0203-2503	3
-------------------------------	---

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-2503

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

THE FOLLOWING NOTICE PUBLISHED WITH THE TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 20, 2025.

AUTHORITY: In compliance with [Sections 67-5226](#), Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to [Section 33-105](#), [33-116](#), [33-118](#), and [33-1612](#), Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The Idaho Special Education Manual was recently revised to update the eligibility criteria for Specific Learning Disability (SLD) following an inquiry from the [U.S. Department of Education's Office of Special Education Programs](#) (OSEP) in 2023. Due to timing and procedural requirements for public input under IDEA, one section of the eligibility criteria could not be addressed in the same revision.

The language in Chapter 4, Section 7 of the manual specifies that all disabilities except for Developmental Delay are eligible for special education for students from the age of 3. Currently, Specific Learning Disabilities are eligible for special education for students beginning in kindergarten.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The problem cannot be addressed by non-regulatory measures. It is necessary to pursue a temporary rule to ensure that local education agencies begin the 2025-2026 school year with a federally compliant special education manual. Without this change taking place for the 2025-2026 school year, OSEP could put restrictions on the IDEA grant to the state (approximately 71 million with 90% going to LEAs).

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208) 488-7586.

DATED this 21st day of August, 2025.

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

FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 08-0203-2503

(If extended, this temporary rule will be replaced by the pending rule promulgated under docket number 08-0203-2501 on July 1, 2026.)

08.02.03 – RULES GOVERNING THOROUGHNESS

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-15-22)

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/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

- a.** Arts and Humanities Categories: (3-15-22)
 - i.** Dance, as revised and adopted on June 12, 2024; (7-1-25)
 - ii.** Interdisciplinary Humanities, as revised and adopted on June 12, 2024; (7-1-25)
 - iii.** Media Arts, as adopted on June 12, 2024. (7-1-25)
 - iv.** Music, as revised and adopted on June 12, 2024; (7-1-25)
 - v.** Theater, as revised and adopted on June 12, 2024; (7-1-25)
 - vi.** Visual Arts, as revised and adopted on June 12, 2024; (7-1-25)
 - vii.** World languages, as revised and adopted on June 12, 2024. (7-1-25)
- b.** Computer Science, adopted on June 12, 2024. (7-1-25)
- c.** Driver Education, as revised and adopted on June 12, 2024. (7-1-25)
- d.** Health, as revised and adopted on August 24, 2022. (4-6-23)
- e.** Information and Communication Technology, as revised and adopted on June 12, 2024. (7-1-25)
- f.** Physical Education, as revised and adopted on August 24, 2022. (4-6-23)
- g.** Social Studies, as revised and adopted on June 12, 2024. [**note – Grade 4 Social Studies and Grade 6-12 U.S. World History 1 remain as adopted on November 28, 2016.*] (7-1-25)
- h.** College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)

02. 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/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

03. 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/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

04. The Idaho Special Education Manual. The Idaho Special Education Manual as adopted by the State Board of Education on ~~November 21, 2024~~August 20, 2025. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (~~7-1-25~~)(8-20-25)T