

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 32

BY EDUCATION COMMITTEE

1 A CONCURRENT RESOLUTION
2 STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE STATE
3 BOARD OF EDUCATION REVIEWED BY THE HOUSE EDUCATION COMMITTEE WITH AN EX-
4 CEPTION.

5 Be It Resolved by the Legislature of the State of Idaho:

6 WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must
7 approve pending administrative rules by adoption of a concurrent resolu-
8 tion; and

9 WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any
10 pending rule that is not approved by adoption of a concurrent resolution
11 shall expire upon adjournment sine die of the legislative session during
12 which the agency submits the pending rule to the Legislature for review; and

13 WHEREAS, the House Education Committee reviewed pending rules adopted
14 by the State Board of Education; and

15 WHEREAS, it is the finding of the Legislature that rules of the State
16 Board of Education, Rules of the Idaho Digital Learning Academy, are not con-
17 sistent with legislative intent because it relies on an interpretation of
18 statute that is inconsistent with legislative intent and the current Idaho
19 Digital Learning Alliance practice of contacting students within the first
20 twenty-four hours of class and, if warranted, follow up with a responsible
21 adult; and

22 WHEREAS, the Legislature finds that it is in the public interest to
23 adopt this resolution.

24 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
25 sion of the Sixty-seventh Idaho Legislature, the House of Representatives
26 and the Senate concurring therein, that pending rules adopted by the State
27 Board of Education, Rules of the Idaho Digital Learning Academy, pursuant to
28 the Administrative Procedure Act and submitted through the Office of the Ad-
29 ministrative Rules Coordinator to the Legislature for review during the 2024
30 legislative session and reviewed by the House Education Committee, be, and
31 the same are hereby approved, with the exception of IDAPA 08.04.01, Rules of
32 the Idaho Digital Learning Academy, Docket No. 08-0401-2301, Section 102.,
33 Subsection 03., only, that is rejected and not approved, and thereby pur-
34 suant to Section 67-5291, Idaho Code, shall expire upon adjournment sine die
35 of the legislative session and be null, void, and of no force and effect.