



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Chad Ranney, General Counsel
Date: July 14, 2021
RE: **Initiate Rulemaking – Emergency Permits; Special Education Teaching Permit**

MEMORANDUM

Recommendation(s): Initiate rulemaking for purposes of amending 511 IAC 16-4.

Indiana Department of Education (“Department”) staff recommend the Indiana State Board of Education (“Board”) amend 511 IAC 16-4 in order to address emergency permits and requirements set forth in the Individuals with Disabilities Education Act (“IDEA”). The Board will not be approving any language at this meeting. The Board is merely granting staff permission to begin the rulemaking process on the Board’s behalf.

Once the recommendations in this memo are approved, staff will proceed with the rulemaking process outlined in IC 4-22-2 on the Board’s behalf. The rulemaking process shall proceed as follows:

- Department staff will seek a waiver from the Regulatory Moratorium as required by Financial Management Circular 2015-1 and Executive Order 13-03.
- Department staff will file all required paperwork and notices with the Legislative Services Agency.
- The Proposed Rule will be published in the Indiana Register.
- A public hearing will be conducted – comments will be accepted via email and in-person.
- All public comments and suggested edits will be presented to the Board for the Board’s consideration.
- The Board will adopt a final rule.