



C.L. "BUTCH" OTTER
GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 2009-14

CONCERNING THE BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND BLIND

WHEREAS, by virtue of the Sixtieth Legislature's enactment of Senate Bill 1074, as amended, which was signed by the Governor on April 23, 2009, the Bureau of Educational Services for the Deaf and the Blind is created, effective July 1, 2009, as a governmental entity within the State of Idaho; and

WHEREAS, as of July 1, 2009, the Idaho School for the Deaf and Blind will no longer exist as an agency of the State of Idaho; and

WHEREAS, the services currently provided by the Idaho School for the Deaf and Blind (ISDB) will be provided by the Bureau of Educational Services for the Deaf and the Blind (Bureau); and

WHEREAS, Senate Bill 1233 clarified that, effective July 1, 2009 all references to the ISDB contained in any appropriation language would mean the Bureau, and located the Bureau's budget in the Educational Support Program/Division of Children's Programs, which is part of the Public Schools Budget; and

WHEREAS, as a part of its funding for continued operation of the physical plant, Senate Bill 1210 provided ISDB funding for 93.74 full time equivalent positions for FY 2010; and

WHEREAS, ISDB currently employs classified state employees who have been notified of the elimination of their classified status effective June 30, 2009;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order and proclaim:

1. The Bureau, as successor interest to the ISDB, will honor all written agreements, of whatever nature, which have been lawfully entered into by ISDB, for the coming year, subject to all terms and conditions set forth in those contracts; and
2. The Bureau will retain all previously classified employees of ISDB for a period until January 1, 2010, or upon the determination of the administrator of the Bureau, whichever comes first. Pursuant to Idaho Code 33-3406 (3) these employees shall be exempt from, among other things, chapter 53, title 67, Idaho Code and are subject to any terms or conditions of employment established by the Bureau. Such terms and conditions may include, but are not limited to, performance standards, available funding, position and job title availability, and any and all personnel policies and procedures adopted by the Bureau.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 6th day of July in the year of our Lord two thousand and nine and of the Independence of the United States of America the two hundred thirty-fourth and of the Statehood of Idaho the one hundred twentieth.



C.L. "BUTCH" OTTER
GOVERNOR

BEN YURSA
SECRETARY OF STATE