

IDAHO DEPARTMENT OF EDUCATION

Public Schools Agenda – October 18, 2001

3:15 p.m. - 5:00

**Idaho School for the Deaf and Blind, Gooding
Multipurpose Room**

- A. Request for LOA, Mike Stefanic**
- B. Petitions to Redefine Trustee Zones, Bob West**
- C. Special Education Temporary Rule, Jana Jones**
- D. Special Education Code Change, Jana Jones**
- E. Achievement Standards Update Report, Lydia Guerra**
- F. Superintendent's Report, Marilyn Howard**

A. SUBJECT:

Letters of Authorization

BACKGROUND:

At its September 27-28, 2001, meeting, the Professional Standards Commission approved fifty-six (56) Letters of Authorization for recommendation to the State Board of Education for its final approval.

Pertinent to the Letters of Authorization, State Board of Education Rule IDAPA 08.02.02.070.01 states that, "The final recommendation of the Commission will be submitted to the State Board of Education by the Superintendent of Public Instruction."

RECOMMENDATIONS:

The State Department of Education recommends that the State Board of Education give final approval for the Letters of Authorization that have been submitted as approved by the Professional Standards Commission at its September 27-28, 2001, meeting.

BOARD ACTION:

The State Board carried to approve/disapprove/table the requests for Letters of Authorization as submitted by the Professional Standards Commission. It was moved by _____, seconded by _____, and carried.

ATTACHMENTS:

1. Letters of Authorization request

**State Board of
Education**

Attachment 1

September 27-28, 2001

**Letter of
Authorization
Requests**

FTE	REQUESTS		The district's request is for a:			New or Renewal	Years Granted
	NAME	DIST	DISTRICT NAME	CERTIFICATE	ENDORSEMENT		
1	Asbury, Chris W.H.	193	Mountain Home	Standard Exceptional Child	Generalist	N	1
1	Barbosa, Juan R.	363	Marsing	Standard Secondary	English as a Second Language	N	1
1	Bartosz, Joseph E.	193	Mountain Home	Standard Exceptional Child	Generalist	N	1
1	Bell, Suzanne	131	Nampa	Pupil Personnel Services	Speech/Language Pathologist	N	1
1	Bentz, Charlene		COSSA	Standard Exceptional Child	Generalist	N	1
1	Bonnell, Paul M.	101	Boundary Co.	already has a teaching certificate	English	Renewal	1
1	Brooks, Debra	331	Minidoka Co.	already has a teaching certificate	Spanish (K-12)	N	1
1	Burton, Shane		Bishop Kelly H.S.	already has a teaching certificate	Phys. Education & Natural Sci	N	1
1	Carrick, Charlene	331	Minidoka Co.	Standard Elementary	all subjects (K-8)	N	1
1	Cartwright, Janette	101	Boundary Co.	Standard Exceptional Child	Generalist	Renewal	1
1	Cassiano, Idalia	331	Minidoka Co.	already has a teaching certificate	Early Childhood-Special Ed.	N	1
1	Choate, Geianne	417	Castleford	Pupil Personnel Services	School Counselor	N	1
1	Clevenger, Allison M.	371	Payette	Standard Exceptional Child	Generalist	Renewal	1
1	Cooper, K. Arlene		Hope House	Standard Exceptional Child	Generalist	Renewal	1
1	Cunningham, Rebecca	131	Nampa	Standard Exceptional Child	Generalist	N	1
1	Darrington, Jan	131	Nampa	Standard Exceptional Child	Generalist	N	1
1	Dux, Andrea L.	136	Melba	already has a teaching certificate	Reading	N	1
1	Franklin, Kara J.	136	Melba	already has a teaching certificate	Early Childhood-Special Ed.	N	1
1	Grond, Theresa	413	Filer	already has a teaching certificate	Natural Science	N	1
1	Hagen, David	131	Nampa	Standard Exceptional Child	Generalist	Renewal	1
1	Hale, Kimberly L.		COSSA	Standard Exceptional Child	Generalist	Renewal	1
1	Hamilton, Sara D.	131	Nampa	Standard Exceptional Child	Generalist	N	1
1	Henderson, Richard	193	Mountain Home	Standard Exceptional Child	Generalist	Renewal	1
1	Holmes, Dawn M.	13	Council	already has a teaching certificate	Communications	N	1
1	Hyslop, Terra M.	131	Nampa	Standard Exceptional Child	Generalist	N	1
1	Johnson, Ann	331	Minidoka Co.	Standard Exceptional Child	Generalist	N	1
1	Johnson, Kimberly W.	60	Shelley	Pupil Personnel Services	School Counselor	N	1
1	Jones, Ronald R.	151	Cassia Co.	Pupil Personnel Services	School Counselor	Renewal	1
1	Kent, Steven P.	316	Richfield	Standard Secondary	Mathematics (Standard)	N	1
1	Mason, Debra A.	136	Melba	Standard Exceptional Child	Generalist	N	1
1	May, Kimberly A.	371	Payette	Standard Exceptional Child	Early Childhood-Special Ed.	Renewal	1
1	McIntosh, Deborah	101	Boundary Co.	Administrator	Principal	Renewal	1
1	McKinney, Katrina		St. Paul's Catholic Schl	Standard Secondary	Natural Science & S. Math	N	1
1	Morris, Susan	241	Grangeville	Pupil Personnel Services	School Counselor	Renewal	1
1	Munson, Janna	221	Emmett	Standard Elementary	all subjects (K-8)	N	1
1	Newman, Sandra L.	131	Nampa	Pupil Personnel Services	Speech/Language Pathologist	N	1
1	Paradis, Janice M.	13	Council	already has a teaching certificate	Educational Media Generalist	N	1
1	Pattee, Penny M.	418	Murtaugh	Pupil Personnel Services	School Counselor	N	1
1	Peet, Bobbie R.	41	St. Maries	Standard Secondary	Business Technology Education	Renewal	1
1	Perry, Lisa L.	131	Nampa	Standard Exceptional Child	Generalist	Renewal	1
1	Peterson-Davis, Rebecca	101	Boundary Co.	Standard Elementary	all subjects (K-8)	Renewal	1
1	Reynolds, Joan S.		Hope House	Standard Exceptional Child	Generalist	Renewal	1
1	Robinson, George W. III	131	Nampa	Standard Exceptional Child	Generalist	N	1
1	Schnuerle, Kathleen	101	Boundary Co.	Standard Exceptional Child	Early Childhood-Special Ed.	Renewal	1
1	Sewell-Dewey, Margaret		COSSA	Standard Exceptional Child	Generalist	Renewal	1

B. SUBJECT:

Proposals to Rezone School Districts

BACKGROUND:

Idaho Code 33-313 states that following the release of the decennial census data each school district board of trustees shall prepare a proposal to equalize the population of their trustee zones. It also states that the boundaries of the trustee zones in each school district shall be defined and drawn so that, as reasonably as may be, each such zone shall have approximately the same population. These proposals must be submitted to the State Board for approval.

DISCUSSION:

The Department of Education reviewed proposals from the following school districts. The review included insuring population equalization based on the numbers submitted and correcting legal descriptions and maps as needed.

Meridian Jt. School District #2
Kuna School District #3
Marsh Valley Jt. School District #21
Blackfoot School District #55
Firth School District #59
Blaine County School District #61
Horseshoe Bend School District #73
Idaho Falls School District #91
Boundary County School District #101
Wilder School District #133
Soda Springs Jt. School District #150
Glenns Ferry Jt. School District #192
Fremont County Jt. School District #215
Wendell School District #232
Hagerman Jt. School District #233
Jefferson County Jt. School District #251
Valley School District #262
Kootenai Jt. School District #274
Potlatch School District #285
Nezperce Jt. School District #302
Kamiah Jt. School District #304

Highland Jt. School District #305
Madison School District #321
Marsing Jt. School District #363
Fruitland School District #373
Twin Falls School District #411
Filer School District #413
Kimberly School District #414
Hansen School District #415

RECOMMENDATION:

It is recommended the State Board of Education approve the proposals.

BOARD ACTION

It was carried to approve/disapprove/table the proposals from the above-listed school districts to redefine their trustee zones. Moved by _____, seconded by _____, and carried.

C. SUBJECT:

Approval for Submitting Notice of Temporary Rules

BACKGROUND:

Idaho Department of Education is the administrative agency responsible for ensuring that a free appropriate public education is provided to all students with disabilities in the state. In order to receive federal funds to support the education of students with disabilities in accordance with the regulatory and statutory provisions of the Individuals with Disabilities Education Act (IDEA) of 1997, Idaho has to “demonstrate to the satisfaction of the Secretary that the State has in effect policies and procedures to ensure that it meets [all required conditions] (20 USC 1412 (a).” On March 15, 2001, the Idaho Department of Education, Bureau of Special Education submitted the *2001 Idaho Special Education Plan* to the US Department of Education, Office of Special Education Programs (OSEP) demonstrating state compliance with all requirements.

DISCUSSION:

Following review of the *2001 Idaho Special Education Plan*, OSEP contacted the Bureau of Special Education requiring changes in state rules as a condition of approval of the state plan in order to demonstrate compliance with IDEA. The following changes are required:

1. IDAPA 08.02.03.109.04 (c) – delete the line “An education agency’s reassignment of a student to another classroom or building in the agency shall not be considered a change in placement as long as the IEP goals, services and degree of interaction with non-disabled peers remains unchanged” to be consistent with CFR 300.552. (See attachment)
2. IDAPA 08.02.03.109.04(d)(iv) – change “Part C policies and procedures” to read “Part B policies and procedures” to be consistent with CFR 300.342 (c). (See attachment)

Temporary rules adopted by an agency can be put into effect and enforced on the date specified by the agency prior to being reviewed and adopted by

the legislature. They can be adopted if they meet one or more of the following criteria:

- a. protection of the public health, safety, or welfare; or
- b. compliance with deadlines in amendments to governing law or federal programs; or
- c. conferring a benefit (Idaho Code 67-5226[1]).

In order to ensure that the rights and protections for children with disabilities in the state are appropriate and ensure compliance with federal law, the rule changes need to be made through the temporary rule process.

RECOMMENDATION:

The Department recommends approval of temporary rulemaking in order to ensure state compliance with IDEA requirements.

BOARD ACTION:

It was carried to approve/disapprove/table the changes to SBOE rule 08.02.03 as indicated, to be effective immediately through the temporary rulemaking process. Moved by _____ seconded by, _____ and carried.

ATTACHMENT:

1. Draft of proposed rule changes

04. Individualized Education Programs. Each education agency shall develop an individualized education program (IEP) for each student who is eligible for special education. The IEP shall be implemented as soon as possible after it is developed. The total timeline from the date of receipt of written parental consent for an initial assessment to the date of IEP implementation shall not exceed sixty (60) calendar days, excluding periods when regular school is not in session for five (5) or more consecutive school days, unless all parties agree to an extension. A new IEP shall be developed at least annually, on or before the date the previous IEP was developed. (4-5-00)

a. IEP team meetings shall be convened upon reasonable request of any IEP team member at times other than the annual review. If the education agency refuses to convene an IEP team meeting requested by a parent or adult student, the agency shall provide written notice of the refusal. (4-5-00)

b. Education agencies shall document the attendance of all participants at each IEP team meeting. Any participant who does not agree with an IEP team decision regarding a student's educational program may place a minority report in that student's file. A minority report shall not prevent implementation of an IEP team decision. (4-5-00)

c. The IEP team shall determine the student's placement in the least restrictive environment. ~~An education agency's reassignment of a student to another classroom or building in the agency shall not be considered a change in placement as long as the IEP goals, services and degree of interaction with non-disabled peers remains unchanged.~~ (4-5-00)(____)

d. At the discretion of the education agency, an individualized family service plan (IFSP) may be used in place of an IEP if: (4-5-00)

i. The child is ages three (3) through five (5), and (4-5-00)

ii. The child's parents are provided with a detailed explanation of the differences between an IFSP and an IEP, and (4-5-00)

iii. The child's parents provide written consent to use the IFSP, and (4-5-00)

iv. The IFSP is developed in accordance with Part ~~C~~ B policies and procedures. (4-5-00)(____)

v. Nothing in this part requires education agencies to develop IFSPs rather than IEPs for three (3) through five (5) year olds nor to implement more than the educational components of the IFSP. (4-5-00)

D. SUBJECT:

Information Regarding Proposed Code Change

BACKGROUND:

Idaho Department of Education is the administrative agency responsible for ensuring that a free appropriate public education is provided to all students with disabilities in the state. In order to receive federal funds to support the education of students with disabilities in accordance with the regulatory and statutory provisions of the Individuals with Disabilities Education Act (IDEA) of 1997, Idaho has to “demonstrate to the satisfaction of the Secretary that the State has in effect policies and procedures to ensure that it meets [all required conditions] (20 USC 1412 (a).” On March 15, 2001, the Idaho Department of Education, Bureau of Special Education submitted the *2001 Idaho Special Education Plan* to the US Department of Education, Office of Special Education Programs (OSEP) demonstrating state compliance with all requirements.

DISCUSSION:

Following review of the *2001 Idaho Special Education Plan*, OSEP contacted the Bureau of Special Education requiring a change in state code as a condition of approval of the state plan in order to demonstrate compliance with IDEA. The following change is required:

Idaho Code 33-2010 – change “and” to “or” to be consistent with CFR 300.122(2)(2)(i) and (ii). (See attachment)

The State Department of Education will work with the Board to pre-file the required code change with Legislative Services to ensure compliance with IDEA.

ATTACHMENT:

1. Draft of proposed code change

TITLE 33
EDUCATION
CHAPTER 20

EDUCATION OF EXCEPTIONAL CHILDREN

33-2010. EDUCATION OF DISABLED ADULT STUDENTS HOUSED IN ADULT CORRECTIONAL FACILITIES. Any individual eighteen (18) years of age through the semester of school in which the person attains the age of twenty-one (21) years, who is incarcerated in an adult correctional facility shall not be entitled to special education and related services unless such person was identified as a child with a disability ~~and~~ or had an individualized education program under part B of the federal individuals with disabilities education act (IDEA) in his last educational placement prior to incarceration.

E. SUBJECT:

Achievement Standards Update

F. SUBJECT:

Superintendent's Report