

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS COMMITTEE  
MARCH 10-12, 2004**

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**SUBJECT**

IDAHO LEADERSHIP ACADEMY APPEAL

**BACKGROUND**

The Idaho Leadership Academy has submitted an appeal to the State Board of Education for consideration of an application to operate a public charter school. The Board will review testimony and information from interested parties relevant to this appeal.

**DISCUSSION**

Idaho Code §33-5207 outlines the process through which an application decision is made by a local school district and then may be appealed to the State Board of Education. The State Board of Education must “determine if the local board of trustees failed to appropriately consider the charter request or if the local board acted in an arbitrary manner in denying the request.” If the board determines that either of these conditions exists then the charter law directs that the State Board of Education shall approve the charter for establishment of a new charter school.

The petitioners allege that did not receive an appropriate consideration of their charter request and are hereby appealing to the State Board of Education.

**IMPACT**

If the Board determines that the local board of trustees failed to appropriately consider the charter request or that the local board acted in an arbitrary manner in denying the request, the State Board of Education shall approve the charter. If the Board upholds the local Board’s decision, the denial of the charter stands. The Board’s decision may be appealed to the District Court under the Administrative Procedures Act.

**STAFF COMMENTS AND RECOMMENDATIONS**

To be determined by the Board.

**BOARD ACTION**

To be determined by the Board.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**SUBJECT**

COMPASS CHARTER SCHOOL APPEAL

**BACKGROUND**

The Compass Charter School has submitted an appeal to the State Board of Education for consideration of an application to operate a public charter school. The Board will review testimony and information from interested parties relevant to this appeal.

**DISCUSSION**

Idaho Code §33-5207 outlines the process through which an application decision is made by a local school district and then may be appealed to the State Board of Education. The State Board of Education must “determine if the local board of trustees failed to appropriately consider the charter request or if the local board acted in an arbitrary manner in denying the request.” If the board determines that either of these conditions exists then the charter law directs that the State Board of Education shall approve the charter for establishment of a new charter school.

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**IMPACT**

If the Board determines that the local board of trustees failed to appropriately consider the charter request or that the local board acted in an arbitrary manner in denying the request, the State Board of Education shall approve the charter. If the Board upholds the local Board’s decision, the denial of the charter stands. The Board’s decision may be appealed to the District Court under the Administrative Procedures Act.

**STAFF COMMENTS AND RECOMMENDATIONS**

To be determined by the Board.

**BOARD ACTION**

To be determined by the Board.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**SUBJECT**

COMMISSION ON THE ARTS – ART EDUCATION IN K-12—DAN HARPOLE

**BACKGROUND**

The Arts in Education (AIE) Program is dedicated to strengthening arts education in Idaho. The Idaho Commission on the Arts believes that all Idahoans should have access to lifelong learning opportunities that deepen appreciation for the arts, spark creativity and imagination, and bring understanding to the role of arts in our lives and in our society.

To ensure the quality and vitality of arts in education in Idaho, the AIE program supports projects linked to content standards, taught by qualified teachers, and that regularly engage artists in Idaho communities and public and private schools (pre-kindergarten through grade 12).

**DISCUSSION**

Mr. Dan Harpole will discuss further details of the Arts in Education Program with the Board.

**IMPACT**

N/A

**STAFF COMMENTS AND RECOMMENDATIONS**

N/A

**BOARD ACTION**

This item is for informational purposes only. Any action will be at the Board's discretion.

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**SUBJECT**

**OFFICE OF PERFORMANCE EVALUATION**

Report on School District Administration and Oversight—Chris Shoop

**BACKGROUND**

The Joint Legislative Oversight Committee directed the Office of Performance Evaluations to conduct an evaluation of school district administration and oversight. The Office of Performance Evaluations will present this report to the Board.

**DISCUSSION**

N/A

**IMPACT**

N/A

**STAFF COMMENTS AND RECOMMENDATIONS**

N/A

**BOARD ACTION**

This item is for informational purposes only. Any action will be at the Board's discretion.

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**SUBJECT**

**NEW GRADUATE DEGREE PROGRAM—NOTICE OF INTENT**

Master of Science Degree Program in Mathematics—BSU

**BACKGROUND**

In accordance with Board Policy Section III.G.4. all new academic and professional-technical programs must have full Board approval prior to implementation or inclusion in the Board's fiscal year budget request. Boise State University is proposing a new graduate program in Mathematics.

**DISCUSSION**

Boise State University proposes a new Master of Science program in Mathematics. This program will not only provide graduate training in this important discipline, but will enable us to offer students the graduate level courses they require to support their major field of study in technical areas such as engineering, geophysics, and computer science.

Currently, there is no accreditation of mathematics degrees by professional societies. The quality of the program will be ensured through the university's five-year program review process, which involves external peer review, and through the Northwest Accreditation process.

This request from BSU is not unique to the system; both the University of Idaho and Idaho State University offer a master's degree in mathematics. However, many of BSU's potential students are place bound to Boise and those degrees are not available to them.

To assess the demand of the program, BSU mailed questionnaires to all holders of a bachelor's degree in mathematics whom could be identified in the greater Boise area. The questionnaires demonstrated a nucleus of potential students in the Boise area, possibly place bound here, interested in pursuing a master's degree in mathematics. Another need for the program comes from BSU's service mission to other graduate programs at Boise State University in technical areas such as engineering, geophysics, and computer science. A master's degree program in mathematics will enable BSU to offer students in these programs the graduate level mathematics courses which they need to support their major field of study.

Under the current role and mission statement of Boise State University, the university is to maintain "basic strengths in the sciences and liberal arts" including mathematics, but it is to place "continuing emphasis" on the physical sciences and "primary emphasis" on engineering. The university currently offers graduate education in geophysics and engineering, both of which require supporting mathematics. The presence of a master's degree in mathematics will make it more feasible to provide mathematics classes to those programs. In addition, the program will have a strong component in applied mathematics and statistics, the sub-disciplines of mathematics most closely related to engineering and the sciences.

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**Fiscal Impact**

<b>A. Source of Funds</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>
1. Appropriated Funds—Reallocation	\$139,815***	\$273,390***	\$281,590***
2. Appropriated – New			
3. Federal			
4. Other			
<b>B. Nature of Funds</b>			
1. Recurring *	\$139,815***	\$273,390***	\$281,590***
2. Non-recurring **			
<b>Grant Total</b>	<b>\$139,815***</b>	<b>\$273,390***</b>	<b>\$281,590***</b>

\* Recurring is defined as ongoing operating budget for the program, which will become part of the base.

\*\* Non-recurring is defined as one-time funding in a fiscal year and not part of the base.

\*\*\* All funds will be reallocated from money currently used to pay adjunct faculty to teach developmental and other low-level mathematics classes. These funds will be used to support teaching assistants performing the same function

Beginning FY06, BSU will require four additional offices, each equipped with two desks, two chairs, two computers, and a bookcase. Beginning FY07, BSU will require a total of seven similarly equipped offices for the program.

**IMPACT**

If Board approved, the institution will implement this program and will be subject to future monitoring for program compliance.

**STAFF COMMENTS AND RECOMMENDATIONS**

The CAAP committee, based on policies for program review (i.e., of quality, centrality to role and mission, duplication, demand/need, and resources) has acted on the Board charge to evaluate new program requests and recommends approval of the proposed BSU master's degree program in Mathematics. Board staff also recommends approval of this proposed program as presented.

**BOARD ACTION**

A motion to approve Boise State University's Notice of Intent for a Master of Science program in Mathematics and direct BSU to come forward with a full proposal for this graduate program.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**SUBJECT**

PETITION FOR RULE CHANGE TO IDAPA 08.02.03—PAULA FISHER

**BACKGROUND**

In 1996, all State Board of Education rules were rewritten. At that time, new Assessments in Public Schools were placed into rule. Prior to 1996, the State required a Direct Writing Assessment in the 11<sup>th</sup> Grade. When the rules were rewritten, that requirement was removed from the 11<sup>th</sup> Grade requirements.

**DISCUSSION**

The Idaho Council of Teachers in English and the SIC English Symposium are petitioning the Board to add the Direct Writing Assessment back into State Board Rule. The reasons for the proposed amendment are outlined in the attached petition. The specific rule in question is IDAPA 08.02.03, Rules Governing Thoroughness, Section 111.06, Comprehensive Assessment Program. The rule is also attached.

Section 67-5230, Idaho Code allows for any person to petition the Board for the amendment of a rule. The Board shall either deny the petition in writing or initiate rulemaking proceedings. Either of these options must be completed at the next regularly scheduled meeting.

**IMPACT**

If the Board agrees to amend the rule, all districts would be responsible for implementing a writing assessment in the 11<sup>th</sup> grade. Board staff would initiate rulemaking. If the Board rejects the petition, the rule will remain in place as currently written.

Information received from the Department of Education indicates that the cost of delivering the DWA is \$2.75 to \$3.00 per student. The data also suggest that 20,000 11th grade students would receive the test, making the total cost for administration in that grade nearly \$60,000.

**STAFF COMMENTS AND RECOMMENDATIONS**

To establish a clear picture of the cost/benefit of adding this test the Board may want to consider the following issues:

1. The value of adding an additional test to the current cadre of state tests when many teachers are asking for relief.
2. The value of input from a test that is administered mid-year in the 11th grade year with 1.5 years left for remediation.
3. The coordination of the DWA with the 10th grade graduation requirements already set in Board rule.

It may also be important to consider the reasons for prior Board actions regarding this test.

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**BOARD ACTION**

To approve the petition from the Idaho Council of Teachers in English to add the Direct Writing Assessment back into State Board Rule.

OR

To reject the petition from the Idaho Council of Teachers in English to add the Direct Writing Assessment back into State Board rule.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**Petition for Reinstatement of 11<sup>th</sup> grade Direct Writing Assessment**

To obtain a hard copy of the petition, please contact Patty Sanchez at (208) 332-1562 or email at [psanchez@osbe.state.id.us](mailto:psanchez@osbe.state.id.us).

**111. ASSESSMENT IN THE PUBLIC SCHOOLS.**

**01. Philosophy.** Acquiring the basic skills is essential to realization of full educational, vocational and personal/social development. Since Idaho schools are responsible for instruction in the basic scholastic skills, the State Board of Education has a vested interest in regularly surveying student skill acquisition as an index of the effectiveness of the educational program. This information can best be secured through objective assessment of student growth. A statewide student assessment program consisting of standardized achievement testing and performance appraisal activities in the fundamental basic skills will be conducted annually. The State Board of Education will provide oversight for all components of the comprehensive assessment program. The State Department of Education will be responsible for the administration of assessment efforts as provided for by the State Board of Education. (3-15-02)

**02. Purposes.** The purpose of assessment in the public schools is to:(3-15-02)

- a. Measure and improve student achievement; (3-15-02)
- b. Assist classroom teachers in designing lessons; (3-15-02)
- c. Identify areas needing intervention and remediation, and acceleration; (3-15-02)
- d. Assist school districts in evaluating local curriculum and instructional practices in order to make needed curriculum adjustments; (3-15-02)
- e. Inform parents and guardians of their child's progress; (3-15-02)
- f. Provide comparative local, state and national data regarding the achievement of students in essential skill areas; (3-15-02)
- g. Identify performance trends in student achievement across grade levels tested and student growth over time; and (3-15-02)
- h. Help determine technical assistance/consultation priorities for the State Department of Education. (3-15-02)

**03. Content.** The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator, the Direct Writing Assessment (DWA), the Direct Mathematics Assessment (DMA), the National Assessment of Educational Progress (NAEP), and the Idaho Standards Achievement Tests. (5-3-03)

**04. Testing Population.** All students in Idaho public schools, grades kindergarten through twelve (K- 12), are required to participate in the comprehensive assessment program approved by the State Board of Education and funded. All students who are eligible for special education shall participate in the statewide



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assessment program. Each student's individualized education program team shall determine whether the student shall participate in the regular assessment without accommodations, the regular assessment with accommodations or adaptations, or whether the student qualifies for and shall participate in the alternate assessment. English Language Learners (ELL) students who have been in an English speaking school for less than one (1) year and score a 1 or 2 on the Pre-LAS or LAS, or a 1 or 2 on the Woodcock-Munoz, or an A or B on IPT, or limited or intermediate on the Macualitas may be excluded from testing. If the student does not have a local language score they are not excluded from testing. (5-3-03)

**05. Scoring And Report Formats.** Scores will be provided for each subject area assessed and reported in standard scores, benchmark scores, or holistic scores. Test results will be presented in a class list report of student scores, building/district summaries, content area criterion reports by skill, disaggregated group reports, and pressure sensitive labels as appropriate. Information about the number of students who are eligible for special education who participate in regular and alternate assessments, and their performance results, shall be included in reports to the public if it is statistically sound to do so and would not disclose performance results identifiable to individual students. (5-3-03)

**06. Comprehensive Assessment Program.** The State approved comprehensive assessment program is outlined in Subsections 111.07.a. through 111.07.m. Each assessment will be comprehensive of and aligned to the Idaho State Achievement Standards it is intended to assess. In addition, districts are responsible for writing and implementing assessments in social studies, science, health and humanities. (5-3-03)

- a. Kindergarten - Idaho Reading Indicator. (3-15-02)
- b. Grade 1 - Idaho Reading Indicator. (3-15-02)
- c. Grade 2 - Idaho Reading Indicator, Grade 2 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)
- d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)
- e. Grade 4 - Direct Math Assessment, National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)
- f. Grade 5 - Direct Writing Assessment, Grade 5 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)

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g. Grade 6 - Direct Math Assessment, Grade 6 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)

h. Grade 7 - Direct Writing Assessment, Grade 7 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)

i. Grade 8 - Direct Math Assessment, National Assessment of Educational Progress, Grade 8 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)

j. Grade 9 - Direct Writing Assessment, Grade 9 Idaho Standards Achievement Test covering Language Arts/Communication and Math Standards. (5-3-03)

k. Grade 10 - High School Idaho Standards Achievement Test covering Language Arts/ Communications and Math Standards\*. (5-3-03)

l. Grade 11 - High School Idaho Standards Achievement Test\*. (5-3-03)

m. Grade 12 - High School Idaho Standards Achievement Test\*. (5-3-03)

n. \*Students who do not receive a proficient score on a portion or portions of the High School Idaho Standards Achievement Test will retake the appropriate portion or portions each time thereafter that it is offered. Once a student achieves proficiency, at a level established by the State Board of Education, on a portion or portions of the assessment, regardless of which grade level, ten through twelve (10-12), that student is not required to continue taking that portion or portions. (5-3-03)

**07. Comprehensive Assessment Program Schedule. (5-3-03)**

a. The Idaho Reading Indicator will be administered in accordance with Section 33-1614, Idaho Code. (3-15-02)

b. The Direct Math Assessment and the Direct Writing Assessment will be administered in December in a time period specified by the State Department of Education. (3-15-02)

c. The National Assessment of Educational Progress will be administered in timeframe specified by the U.S. Department of Education. (3-15-02)

d. The Idaho Standards Achievement Tests will be administered twice annually in the Fall and Spring in a time period specified by the State Board of Education. (5-3-03)

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**08. Costs Paid By The State.** Costs for the following testing activities will be paid by the state: (4-1-97)

a. All consumable and non-consumable materials needed to conduct the prescribed statewide comprehensive assessment program; (3-15-02)

b. Statewide distribution of all assessment materials; (3-15-02)

c. Processing and scoring student response forms, distribution of prescribed reports for the statewide comprehensive assessment program; and (3-15-02)

d. Implementation, processing, scoring and distribution of prescribed reports for the Direct Writing Assessment and the Direct Mathematics Assessment. (3-15-02)

**09. Costs Of Additional Services.** Costs for any additional administrations or scoring services not included in the prescribed statewide comprehensive assessment program will be paid by the participating school districts. (3-15-02)

**10. Services.** The comprehensive assessment program should be scheduled so that a minimum of instructional time is invested. Student time spent in testing will not be charged against attendance requirements. (3-15-02)

**11. Test Security.** Test security is of the utmost importance. School districts will employ the same security measures in protecting statewide assessment materials from compromise as they use to safeguard other formal assessments. (3-15-02)

**12. Demographic Information.** Demographic information will be required to assist in interpreting test results. It may include but not be limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socio-economic status). (5-3-03)

**13. Dual Enrollment.** For the purpose of non-public school student participation in non-academic public school activities as outlined in Section 33-203, Idaho Code, the Idaho State Board of Education recognizes the following: (3-15-02)

a. The Idaho Standards Achievement Tests (grades 2-9 and High School). (5-3-03)

b. A portfolio demonstrating grade level proficiency in at least five (5) of the subject areas listed in Subsections 111.14.c.i. through 111.14.c.vi. Portfolios are to be judged and confirmed by a committee comprised of at least one (1) teacher from each subject area presented in the portfolio and the building principal at the school where dual enrollment is desired. (3-15-02)

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|------|-------------------------------|-----------|
| i.   | Language Arts/Communications. | (3-15-02) |
| ii.  | Math.                         | (3-15-02) |
| iii. | Science.                      | (3-15-02) |
| iv.  | Social Studies.               | (3-15-02) |
| v.   | Health.                       | (3-15-02) |
| vi.  | Humanities.                   | (3-15-02) |

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TITLE 67  
STATE GOVERNMENT AND STATE AFFAIRS  
CHAPTER 52  
IDAHO ADMINISTRATIVE PROCEDURE ACT

67-5230. PETITION FOR ADOPTION OF RULES. (1) Any person may petition an agency requesting the adoption, amendment, or repeal of a rule. The agency shall either:

(a) deny the petition in writing, stating its reasons for the denial, or

(b) initiate rulemaking proceedings in accordance with this chapter. The agency shall deny the petition or initiate rulemaking proceedings in accordance with this chapter within twenty-eight (28) days after submission of the petition, unless the agency's rules are adopted by a multimember agency board or commission whose members are not full-time officers or employees of the state, in which case the agency shall take action on the petition no later than the first regularly scheduled meeting of that board or commission that takes place seven (7) or more days after submission of the petition.

(2) An agency decision denying a petition is a final agency action.